

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

Reference	PA/22/00210
Site	Ailsa Wharf, Ailsa Street, London, E14
Ward	Lansbury
Proposal	<p>Redevelopment of the Site for a mixed-use scheme providing 952 residential units; 1,555 sqm GIA commercial floorspace (Use Class E) within a series of buildings up to 23 storeys; the creation of a new access road and the 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.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Grant planning permission with conditions and planning obligations.
Applicant	London RiverLea One
Architect/agent	Broadway Malyan (architect) Lichfields (planning agent)
Case Officer	Aleksandra Milentijevic
Key dates	<ul style="list-style-type: none">- Application registered as valid on 09/03/2022- Initial consultation finished on 17/04/2022- Amendments and further information received on 13/04/2023- Amended scheme consultation finished on 10/05/2023- EIA Regulation 25 finished on 02/06/2023- Further environmental information received on 30/06/2023- EIA Regulation 25 finished on 18/08/2023

EXECUTIVE SUMMARY

The proposal includes the redevelopment of a site in the Lower Lea Valley, consisting of construction of a mixed-use residential-led development providing 952 residential units under Use Class C3 and 1,548 sqm of commercial floorspace under Use Class E.

The site has an extant planning permission for a similar development of a small scale providing 785 residential units and 2,954 sqm of commercial floorspace. The proposed development would be delivered in two Phases, where Phase 1 buildings would completely mirror the same buildings in the extant scheme, and the proposed changes would relate to the Phase 2 buildings.

The proposals would result in the improvement to the site layout through the provision of a more consolidated open space along the riverside as well as taking a strong landscape focus, which is supported. The proposals would result in the increase in height of the buildings within Phase 2 reaching up to 23 storeys (69m AOD height), which is considered appropriate for the site, particularly given the changes to the existing and emerging context of the area.

In terms of housing, the proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. Of the total 285 affordable units, there would be 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The proposed housing mix and affordable housing offer is considered acceptable.

The proposed development would provide adequate housing accommodation given that the proposal results in varying daylight and sunlight conditions across the development site, with 68% of habitable rooms meeting the daylight levels recommended by BRE. This has been balanced against other needs for the proposed development, such as the provision of the appropriate amount of communal amenity and child play space for future occupiers of the site.

The proposal would result in some adverse impact to the adjoining and neighbouring properties, mainly in relation to the daylight and sunlight whilst other considerations such as privacy, outlook and construction impacts are considered to be acceptable. It has been noted that the proposed scheme has aimed to ensure that the impact on the surrounding area and properties is minimised through the provision of appropriate breathing space.

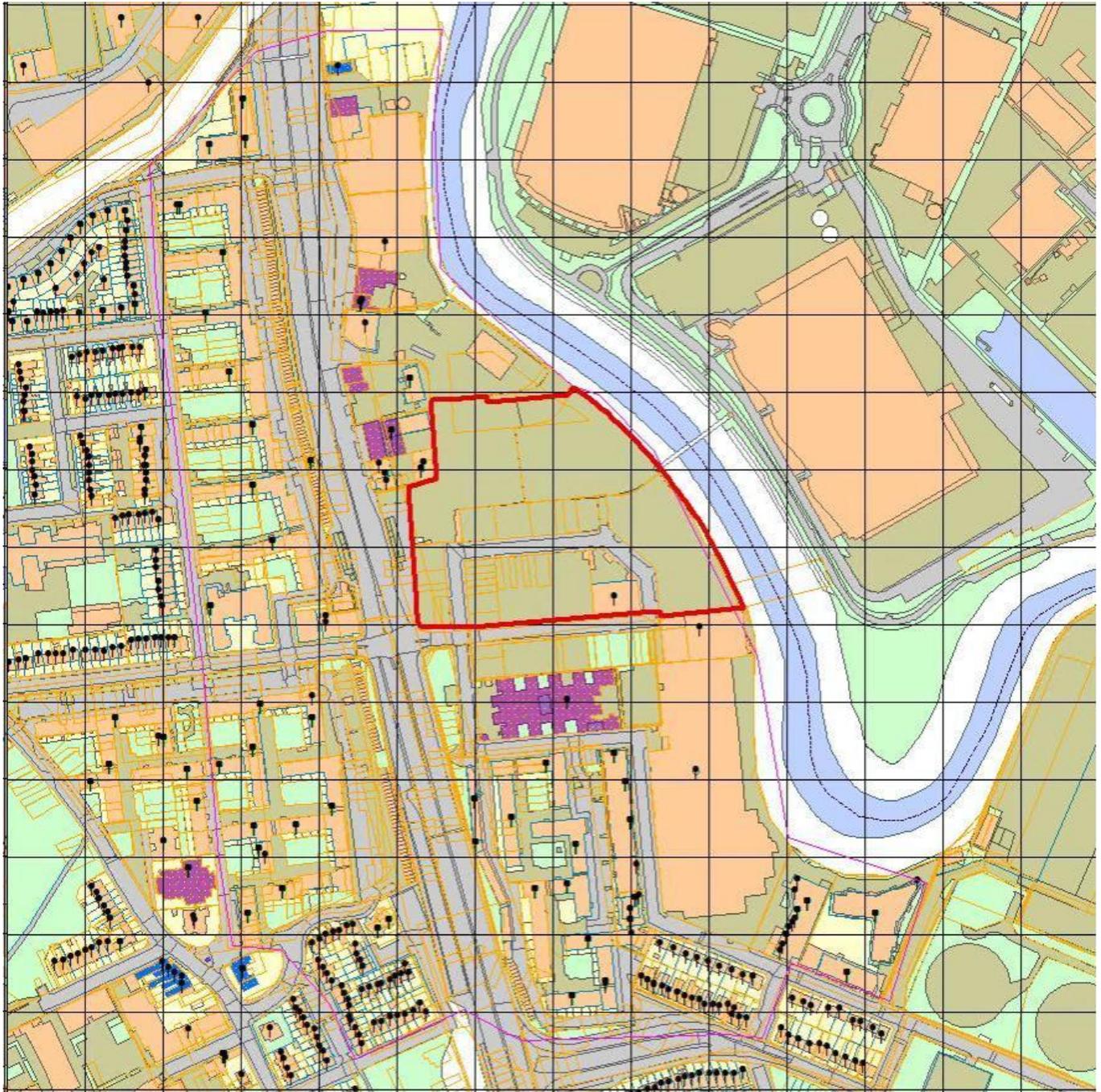
The highways aspect of the scheme, including servicing and deliveries would occur within the applicant's red line boundary, which is acceptable. There would be sufficient provision of cycle storage parking and facilities in line with the London Plan requirements, including a Cycle Hire docking station. The proposed car parking arrangements would include the delivery of the consented car parking spaces within the basement of Phase 1 and on-street blue badge spaces for Phase 2, which would be acceptable for both phases. The proposals would continue to safeguard the bridge landing area for the future bridge across the River Lea.

The proposed waste arrangements would include traditional collection method by using Eurobins for Phase 1, and the Underground Refuse Storage waste method for Phase 2. The proposed amount and location of waste storage would be acceptable for the proposed development.

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. The proposed environmental impacts of the scheme are considered to be acceptable.

Overall, the application has been assessed against the Development Plan policies. It is considered that there are aspects of the proposals that would not comply with detailed policies. However, taken as a whole, it is considered that the proposed changes to Phase 2, and as such the proposed development would result in improvements to the extant scheme and the delivery of additional housing in the borough.

On this basis, Officers recommend the approval of planning permission subject to conditions, planning obligations and any direction by the Mayor of London.



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

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

Planning Applications Site Map PA/22/00210

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: 09 October 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site is approximately 2.39 hectares in size and situated on the western bank of the River Lea beyond which sits the London Borough of Newham along the eastern bank of the river. The site is bounded by Lochnagar Street to the south and the A12 and its footway area to the west. To the north of the site sits the Ailsa Wharf Waste Management Site while to the north-west of the application site are residential units within the Old Poplar Library site and Wellspring Close, adjacent to which are some container office units.
- 1.2 The application site was previously occupied by various industrial activities, increasing car breaking, vehicle salvage, waste transfer and open storage and scrap yards. At the approximately middle of the application site on its riverside front is the cable bridge across the River Lea. The current status of the application site is under construction, as per the planning history detailed below.
- 1.3 The surrounding area is characterised by a mix of residential and industrial uses and has been undergoing significant regeneration with several large-scale mixed-use developments creating a more residential-led area. Islay Wharf site sits to the south of the site, beyond which is the Former Poplar Bus Depot currently undergoing redevelopment. Adjacent to these sites is the Bromley Hall School, a Grade II Listed Building, on the southern side of Lochnagar Street. An application for the redevelopment of Aberfeldy Estate on the southern side of Lochnagar Street has been take over by the Mayor of London and awaits determination.
- 1.4 The site is surrounded by several historic assets, including the Limehouse Cut conservation area which runs to the north of the waste transfer site, grade II listed Bromley Hall School, Old Poplar Library and Former Brunswick Road Fire Station, and grade II* listed building at 43 Gillender Street. On the opposite side of the A12, several heritage assets including the grade II listed St Michael's Court and a few locally listed buildings are situated within the Langdon Park conservation area. Further to the south on the western side of the A12 sits the grade II* listed Balfron Tower and grade II listed Carradale House and Glenkerry House included in the Balfron Tower conservation area. The site forms part of the Lee Valley Archaeological Priority Area.
- 1.5 The application site forms part of the central and largest area of the Ailsa Street Site Allocation, which also includes the waste transfer site and adjacent sites, as well as the Bromley Hall School, Islay Wharf and Former Poplar Bus Depot sites to the south. The site is included in the GLA's Lower Lea Valley Opportunity Area and the Poplar Riverside Housing Zone.
- 1.6 In terms of environmental designations, the site is included in the flood risk area and flood zones 2A and 3. The adjacent River Lea is the Site of Importance for Nature Conservation. The new Green Grid is also shown across the application site. A smaller part of the south-western area of the site is included within the area of deficiency of access to nature. The whole of the borough represents the Air Quality Management Area, however, due to the proximity to the A12, the western half of the site is in an area of substandard air quality whilst the adjacent A12 experiences even worse conditions of air quality.
- 1.7 The site is within an area of poor public transport accessibility with Public Transport Accessibility Level (PTAL) being 3 in the area closer to the A12 along Lochnagar Street whilst the rest of the site measures PTAL of 1a and 1b, on a scale where 6b represents excellent accessibility levels to public transport decreasing to 1a and 1b being poor. The main bus route serving the site is D8 with a route from Stratford to Crossharbour. Within a 5 minute walk is a bus route 309 serving places between Canning Town and Bethnal Green area.

Extant planning permission

- 1.8 The application site has an extant planning permission for a mixed-use residential-led development which secured the delivery of a total of 785 residential units and 2,954 sqm of commercial floorspace.
- 1.9 The three riverside buildings increase in height north to south starting with 13 storeys (block C, 15 storeys (block B) to 17 storeys (block A). Block M fronting along the A12 is a part 7, part 8, part 10 storey building while block D on Lochangar Street is part 6, part 8 storeys in height. The two courtyard buildings positioned within the central part of the site range in height from 3-8 storeys, where the southern element of these comprises a row of 3 storey terrace houses.



Figure 1. Previously permitted Ailsa Wharf scheme.

- 1.10 In terms of housing, the extant permission secured 35% affordable units by habitable room. The 233 affordable units are split 65/35% in favour of affordable rent (50% Tower Hamlets Living Rent and 50% London Affordable Rent) with the remaining being intermediate sale units. This equates to 152 affordable rented units and 81 intermediate units.

2. PROPOSAL

- 2.1 The proposal is a revised scheme for the site, a redevelopment of the application site consisting of a of mixed-use residential-led development delivering 952 residential units under Use Class C3 and 1,555 sqm of commercial floorspace under Use Class E. The proposed development would be delivered in two phases, as shown in the Figure below.
- 2.2 The proposals under this application seek to build on the extant permission for the site which secured a development of a similar layout as detailed in the previous section. The proposed changes relate to Phase 2 of the consented scheme given that Phase 1 has been implemented and is under construction. The south-eastern corner of the site continues to provide safeguarded land area for the future bridge across the River Lea providing connection to London Borough of Newham.

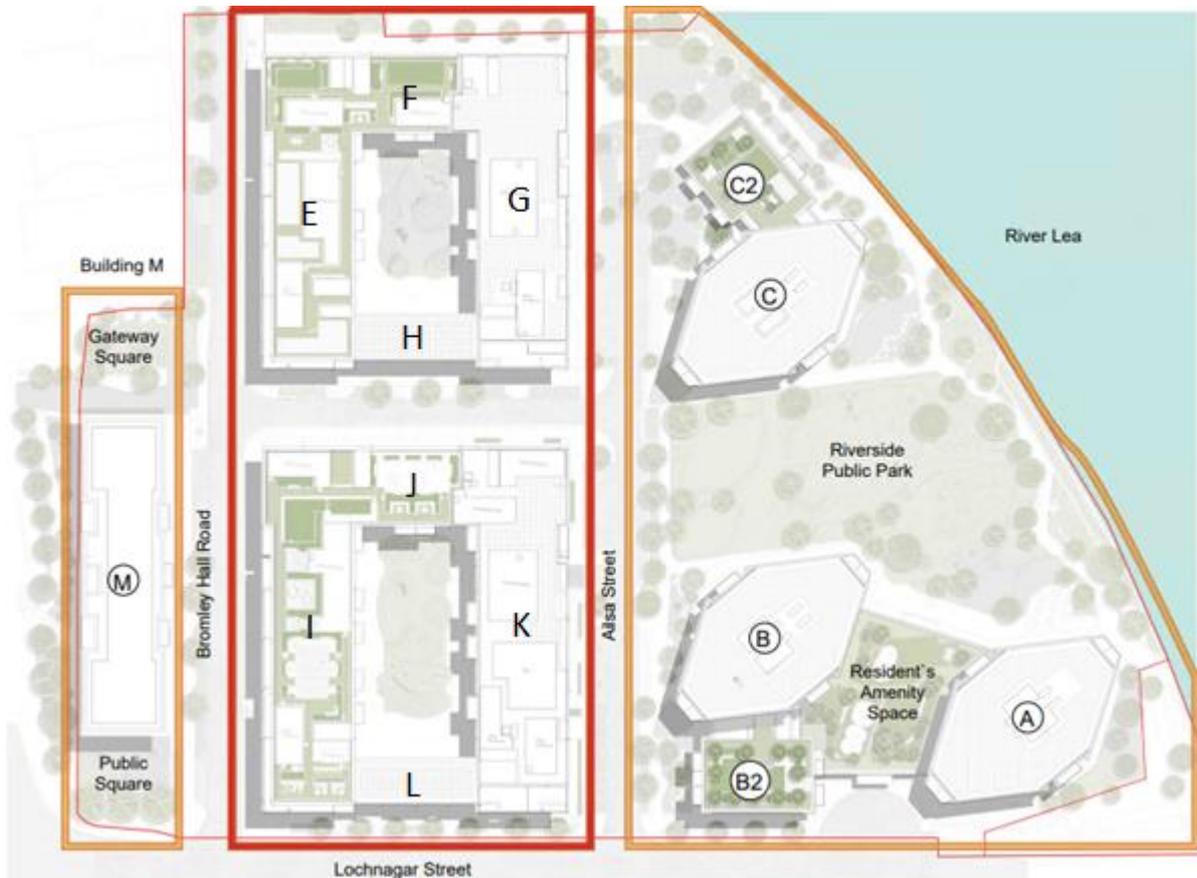


Figure 2. Proposed phasing strategy.
Key: Red – Phase 1, Orange – Phase 2.

- 2.3 Phase 1 buildings include the courtyard buildings which would incorporate a mix of affordable and private units. The northern courtyard building would incorporate blocks E-H and the southern building would incorporate blocks I-L.
- 2.4 The proposed Phase 2 consists of the three residential towers along the riverside and block M which is situated immediately adjacent to the A12. The residential blocks have been designed in a way to provide a riverside park between them, which would be publicly accessible and incorporate child play space.
- 2.5 The proposed commercial uses would be provided on the ground floor of the riverside towers and block M, as well as on the first floor of block M, while the residential use would be on all upper floors. Phase 1 buildings would incorporate only residential use on all floors, however, there would be a small commercial unit within block I at the junction of Lochnagar Street and Bromley Hall Road.
- 2.6 The proposed pedestrian access into the site would generally be provided around each of the buildings, however, the main pedestrian routes would run along the proposed streets. This would allow for access from Lochnagar Street, the A12 and along the riverside walk. The main cycle routes would be along the proposed street, while the proposed vehicle access would be from Lochnagar Street into the extended Bromley Hall Road where further movement would be clockwise to exit the site as all streets would be one way.
- 2.7 In terms of housing, the proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. Of the total 285 affordable units, there would be 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The intermediate units are proposed as shared ownership whilst the affordable rented units will be equally split between the Tower Hamlets Living Rent and London Affordable Rent.



Figure 3. Proposed site layout, showing block locations.

- 2.8 The proposed courtyard buildings would retain all features of the consented scheme, including the height ranging of 3-8 storeys. Along the southern block, the height would be 3 storeys as the units would be provided as dwellinghouses. The western part of the two buildings would have seven storeys while the eastern part would have 8 storeys.
- 2.9 For the riverside buildings, the tallest would be block B with 23 storeys and 69m in height while the adjacent block B would be 22 storeys and 67m in height. The most northern riverside building, block C, would be 22 storeys but reaching 69m in height.
- 2.10 Blocks B and C would have an additional smaller element. To the south of block B would sit block B2 which would be nine storeys in height, and to the north of block C, block C2 would be situated reaching 10 storeys in height. Block M on the western part of the site along the A12 would be 12 storeys in height reaching 37m. Block M would also have a basement, which would be used as additional space for operational purposes linked to the residential use.
- 2.11 The proposed buildings would be clad in brick with metalwork as secondary material for window frames and balcony balustrades.
- 2.12 The proposals have taken a landscape-led approach through the creation of different landscape character areas and movement routes. As part of these, the proposed development would include the delivery of a consolidated open space along the riverside, improvements to the route on the site and in the wider area, better connection to the A12 underpass, as well as landscaping along the A12, adjacent to block M.
- 2.13 The proposed development would provide communal amenity space for each of the blocks, which would be accessible to the residents of the subject blocks. With regards to the child play space, the majority would be provided as publicly accessible, particularly within the proposed riverside blocks, and some play space areas would also be provided within the podium and internal courtyard of the blocks.
- 2.14 The servicing and deliveries, including waste collection, would take place within the red-line boundary. For Phase 1, the proposed waste collection and management would use the traditional method while for Phase 2, the proposals involve the use of URS, which is

proposed adjacent to the blocks on Ailsa Street and the extended Bromley Hall Road on site.

- 2.15 The proposed car parking provision would consist of the two basement areas, each one situated below the courtyard blocks within Phase 1. For Phase 2, the proposed units would be car free with the exception of providing blue badge spaces for the proposed wheelchair units. The proposed cycle parking would be situated within the ground floor of all blocks.

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 The application site has the following planning consent, which have been implemented with Phase 1 being currently under construction. This will be referred to as extant consent throughout the report.

PA/18/03461 – Section 73 application granted on 16/01/2020.

An application for a minor material amendment to planning permission PA/16/02692 dated 2nd October 2018 in respect of amendments to the internal layouts and external elevations of Blocks IJKL, EFGH and M and to the footprint and layout of all basements, together with amendments to the residential tenure mix by block and the detailed design of the landscaping and public realm.

PA/16/02692 – Full planning permission granted on 02/10/2018.

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.

Surrounding area

- 3.2 The surrounding area has been undergoing significant redevelopment and the adjoining sites in the area have the following planning history:

Land forming part of Ailsa Wharf, Lochangar Street (Lochnagar Bridge)

PA/23/01679 – Application for full planning permission currently under consideration.

New pedestrian and cycle bridge across the River Lea at Ailsa Wharf.

Islay Wharf

PA/19/01760 – Full planning permission granted on 20/11/2020.

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.

Aberfeldy Estate

PA/21/02377 – Application for Outline planning permission currently under consideration by the Mayor of London.

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.

Former Poplar Bus Depot

PA/19/02148 – Full planning permission granted on 14/10/2020. Consent implemented.

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.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant carried out the pre-application non-statutory consultation in May 2021, which is detailed in the submitted Statement of Community Involvement (SCI), prepared by Lichfields.
- 4.2 As evidenced in the SCI, the applicant's engagement consisted of the distribution an informative leaflet to properties in the area and the provision of a dedicated website, with opportunities to provide feedback either online or via a form by Free Post. The majority of the responses supported a redevelopment of the site given its current state, as well as specifics relating to the affordable housing on site, car and cycle parking, and landscaping and public realm.
- 4.3 During the pre-application stage, the scheme was presented to the Council's Conservation and Design Advisory Panel. This process ensured that the proposed design has been reviewed by the design experts, in accordance with London Plan policy D4 which requires development proposals referable to the Mayor to undergo at least one design review panel.
- 4.4 Upon validation, the Council carried out statutory consultation for the application which consisted of putting up planning notices along the western boundary of the site, a press notice in the local press, and sending **1,218** neighbour letters to the properties in the local area.
- 4.5 An additional re-consultation of 14 days was carried out at the end of April 2023 for the submitted changes to the proposed scheme incorporating a second staircase to blocks A, B, C and M, as well as the relocation of block C by 3m away from the River Lea, and associated landscaping changes.

- 4.6 Two consultations under Regulation 25 were carried out, one running concurrently with the mentioned re-consultation, and an additional one in August 2023. Both of the Regulation 25 consultations were subject to a minimum of 30 days.
- 4.7 A total of one representation in support of the proposal was received. The supporter expressed opinion of a sensitive development and positive additional density which would provide new amenities and much needed homes.

5. CONSULTATION RESPONSES

- 5.1 Below is a summary of the consultation responses received from both internal and external consultees.

External consultees

Canal & River Trust

- 5.2 The main issue relates to the arrangements for surface water drainage. As such, a condition should be secured, and the Trust would want the opportunity to comment on the design of outfalls and the pollution control measures, as well as the Construction Environmental Management Plan. The secured CEMP should also secure pollution control measures by ensuring that no extracted/perched groundwater is discharged into the River Lea during the demolition and construction works.
- 5.3 A pre-commencement condition securing a feasibility assessment for waterbourne freight during demolition and construction stage should be secured, as well as a condition for a Landscape Management Plan.
- 5.4 Informatives should be secured for the necessary consents to be obtained by the developer for any works affecting the Canal & River Trust and any surface water discharge to the waterway.

Environment Agency

- 5.5 Initial objections due to the proximity of the proposal to the flood defence. Additional information requested in relation to the proximity of the proposed development to the buried elements forming part of the flood defence. A river wall raising strategy should be submitted.
- 5.6 Following of the submission of the changes to the proposals, the initial objections have been removed. Conditions have been suggested in relation to the implementation of the development in accordance with the plans, detailed balcony design and removal method, and ecological enhancement to the river wall. An informative should be put in relation to the flood risk activity permit.

Greater London Authority

- 5.7 The use of the site for residential and commercial floorspace along with public realm improvements is supported in line with the extant consent and to help achieve housing and jobs targets in the Opportunity Area. The reduced level of employment floorspace raises no strategic concern and meets with the objectives of the London Plan employment policies.
- 5.8 Further optimisation of the extant consent to deliver additional housing is supported in principle. Whilst the site was previously in industrial use, on the basis that the previous consent for residential-led mixed use development committed to delivering 35% affordable housing has been implemented, as well as the weighting of the affordable housing towards genuinely affordable, low cost rent housing, it is appropriate to apply a 35% affordable housing threshold in order to meet the fast track route. Rent levels, eligible income thresholds and an early stage viability review should be secured in the s106 agreement.
- 5.9 The proposed layout reflects the consented scheme with the exception of the three towers that would be slimmer and allow for better daylight and sunlight condition of the open space which is also considered to be an improvement on the previous series of smaller, compromised spaces. The proposed positioning of units and openings within block M, as

well as the landscape around the block would minimise the adverse impact of the adjacent A12.

- 5.10 The moderate increase in height across the site from the consented scheme is broadly comparable with the extant scheme and the buildings' layout and overall massing are considered to be an improvement. The internal layout of buildings raises no strategic concern. The architectural approach is expected to result in a high quality scheme and raises no strategic issues. Relevant details on external building materials, compliance with fire statement and accessible units should be secured by condition.
- 5.11 Whilst it is accepted that the impact on the highway network will be negligible, further details should be provided on the trip generation and impact on public transport. The reduction in car parking is welcomed and a parking management plan should be secured. The proposed cycle parking for Phase 2 will be in line with the London Plan standards, but spaces for oversized bicycles should be increased to include more provision for different bicycle types.
- 5.12 An Active Travel Zone assessment has been produced and the proposal includes a welcome focus on prioritising pedestrian and cycle movement. The design retains the safeguarding for the new bridge and the applicant should continue discuss with stakeholders. There would be increased use of crossing of the A12 and contribution should be secured, along with a financial contribution towards cycle hire docking station within the site. The relevant detailed plans relating to construction stage should be secured, as well as a residential and non-residential Travel Plans.
- 5.13 Further information should be provided with regards to the proposed energy strategy and whole life-cycle carbon to demonstrate the scheme's compliance with planning policies. Any carbon offset payment should be based on the GLA's recommended carbon offset price and secured in the s106 agreement. Initiatives outlined within the final version of the Circular Economy Statement should be appropriately secured.
- 5.14 Although the proposed would achieve less than 0.4 of the Urban Greening Factor, there would be many new areas of planting, including trees. The net gain in biodiversity is welcomed. The proposed surface water mitigation measures should be secured, as well as any air-quality mitigation measures and requirements in order to meet the policy requirements.

Greater London Archaeological Advisory Service

- 5.15 The application lies in an area of archaeological interest. The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological condition is recommended to provide an acceptable safeguard.

Historic England

- 5.16 No comments to make on the application.

Health and Safety Executive – Planning Gateway One

- 5.17 It has been noted that Phase 1 buildings have previous permission and the consultation relates to Phase 2 buildings. Phase 2 buildings A, B, C and M do not have any basement storeys which addresses previous concerns, and it is also noted that the revised design includes a second escape stair that serve all residential levels in these blocks.
- 5.18 Following a review of the revised information provided in the applicant's response, HSE is satisfied with the fire safety design to the extent that it affects land use planning.

Lea Valley Regional Park Authority

- 5.19 No comments received.

London Borough of Newham

5.20 No comments received.

London Bus Services

5.21 No comments received.

London City Airport

5.22 No safeguarding objections to the proposed development. London City Airport requires a notification of the future cranes that will/maybe operated on site. The details should include maximum height, operating radius, name and phone number of site manager, installation and dismantling dates.

London Fire & Emergency Planning Authority

5.23 No comments received.

London Legacy Development Corporation

5.24 No comments received.

London Underground/DLR Infrastructure Protection

5.25 No comments to make on this planning application as submitted.

Marine Management Organisation

5.26 The applicant should take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark. Applicants should be directed to the MMO's online portal.

Metropolitan Police – Crime Prevention Design Advisor

5.27 No objections to the application, subject to securing a condition to ensure Secured by Design strategy detailing the measures incorporated into the development in order to meet Secured by Design accreditation.

National Air Traffic Service

5.28 No safeguarding objection to the proposal.

National Amenities Society

5.29 No comments received.

National Grid (Plant Protection)

5.30 No comments received.

Natural England

5.31 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Planning Casework Unit

5.32 No comments to make on the environmental statement.

Port of London Authority

5.33 The River Lea is outside of the PLA's navigational jurisdiction, but within its landownership. An informative should be added regarding the potential of an estates license should these be required.

- 5.34 No details have been provided in relation to the proposals for the footbridge, and it must be ensured that there is an appropriate amount of land safeguarded to ensure there is no impediment to safe navigation and for future access/exist ramps etc. It is strongly recommended that the applicant makes contact with all stakeholders on any updates on the proposed bridge design.
- 5.35 The landscape proposals do not include any consideration for the provision of essential riparian equipment along the river edge, and the PLA consider this essential infrastructure must be provided, which can be secured through an appropriate worded planning condition. External lighting should be designed to minimise the impact on navigation and ecology.
- 5.36 The Construction Environment Management Plan and Construction Logistics Plan must give full consideration to the maximisation of use of the River Lea as part of the construction stage, which can be secured through a condition.

Thames Water Authority

- 5.37 There are public sewers and water mains crossing close to the development. A piling method statement should be secured via condition. There are no objections to the surface water and foul water sewerage network infrastructure capacities. Some capacity has been identified to serve 99 dwellings. A condition should be secured to ensure that there is no occupation beyond the 99th dwelling until all network upgrades have been completed or a development and infrastructure phasing plan has been agreed.

Transport for London

- 5.38 There is very limited assessment of the potential impact of additional rail, underground and DLR trips on nearby stations which will need to be provided to understand the cumulative impact on these routes. The proposal is not expected to have a significant effect on bus capacity to require mitigation.
- 5.39 The proposed streets within the development appears suitable for cycling and walking, and the use of permeable block paving is welcomed across the site. The strategic importance of the Lochnagar Street link has not been referenced in the application. The transition between the street, in the area around the turning head and the ramp to the bridge is not clear. There should be more emphasis on the place function.
- 5.40 An Active Travel Zone assessment has been produced in line with TfL's updated guidance. The increase in trips towards public transport would see increased use of crossing of the A12, and it is considered that a contribution towards enhancements within the subway below the A12 would benefit all users of the site.
- 5.41 The landscape masterplan includes indicative proposals for the A12 public realm works extending beyond the red line boundary, including the repaving and planting of the public highway. Further information and clarifications are requested on this element. A planning mechanism, funding strategy and trigger points for the proposed A12 public realm works would also need to be agreed, and the timing and phasing of payments and delivery will therefore need to be discussed. The applicant would need to bear all costs associated with such works.
- 5.42 The proposed car parking in line with the London Plan is welcomed. A parking management plan should be secured, along with electric vehicle charging points, two car club spaces and membership, restriction of Phase 2 residents applying for parking permits.
- 5.43 The quantum of the proposed cycle parking is in line with the London Plan standards, however, the number of spaces for oversized bicycles should be increased to include more provision for different bicycle types. Internal access in blocks A and C should be clarified. Provision for non-residential elements should include facilities for changing areas and storage. Cycle parking details should be secured by condition.
- 5.44 The original consent secured the location and delivery of a Cycle Hire docking station, which should be retained. A financial contribution towards implementation of cycle hire should be

secured in the s106 agreement, as well as implementation and monitoring of the Travel Plan.

- 5.45 There is no reference to the role of the management company in receiving deliveries. A final Delivery and Servicing Plan should be secured by condition, as well as a full Construction Transport Management Plan and Construction Logistics Plan.

Internal consultees

LBTH Biodiversity Officer

- 5.46 The application site has recently been cleared as part of the implementation of the extant planning permission and has negligible biodiversity value. However, the baseline for measuring biodiversity on site is before clearance which provided wildlife habitat. The invasive Japanese knotweed occurs on the site and a strategy for safe and legal eradication and disposal should be secured by condition.
- 5.47 The River Lea is a Site of Metropolitan Importance for Nature Conservation, which could be adversely affected by the development, both during construction and operation stages. The lighting strategy should follow the Guidance Note 09/19 on bats and artificial lighting in order to minimise the impact on bats. The lighting along the riverside walk should be low-level, directional lighting, and no illumination should be directed at treelines near the river.
- 5.48 Clarification should be provided on the referred meadow planting. *Tilia tomentosa* should be removed from the landscaping plan due to it being toxic to bees.
- 5.49 With the avoidance of lighting impacts, there would be a minor adverse impact on biodiversity from the loss of the existing vegetation on site. The proposals include numerous features which would enhance biodiversity and contribute to the Local Biodiversity Action Plan targets, including an intertidal terrace along the river wall, ground level landscaping, tree and shrub planting and three types of biodiverse roofs, as well as nest and bat boxes and log piles and bug houses. All of these should be secured by condition.

LBTH Energy Efficiency and Sustainability Officer

- 5.50 The use of a boiler is currently proposed within Phase 1 to deliver a portion of the heat demand. Whilst boilers are not normally accepted and alternative low carbon sources should be used, in this instance the boiler is considered acceptable due to its incorporation within the previous consent.
- 5.51 The total on-site wide CO₂ emission reduction is anticipated to be 45.1% against the Building Regulation baseline utilising the SAP10 carbon factors, through the use of energy efficient design and heat pumps. The remainder of the carbon offsetting should be secured as a financial contribution.
- 5.52 However, the applicant should also model additional energy efficiency measures to meet the energy efficiency target and also review the opportunities to deliver renewable energy generating technologies, including maximisation of solar PVs.

LBTH Environmental Health Team

- 5.53 No objection in terms of air quality subject to incorporation the condition for dust management plan and PM 10 monitoring, air quality standards for boilers, kitchen extract standards for commercial uses, non-road mobile machinery and mechanical ventilation.
- 5.54 In terms of contaminated land, a post completion verification report should be included as a condition.
- 5.55 Further details should be clarified with regards to the noise information presented in Chapter H of the ES. The applicant should demonstrate how the design of the proposed development would ensure there would be a relatively quiet ventilated space and external amenity space for the use of the household, as well as communal amenity space. Conditions should be secured for a noise insulation verification report for new residential units to be submitted,

section 61 Restriction on Demolition and Construction Activities, and compliance details for any mechanical plant and equipment to meet the acceptable noise levels.

LBTH Environmental Impact Assessment Officer

- 5.56 Following several reviews and provision of additional information, the ES is considered to be adequate for the submitted application. The decision documents, including a Committee report and decision notice, should contain the relevant details on the EIA process.

LBTH Growth and Economic Development Team

- 5.57 No comments received.

LBTH Housing Officer

- 5.58 The scheme provides a 35% affordable housing scheme by habitable rooms. The applicant should confirm the split in the affordable rented tenure and proposed intermediate product. Within Phase 2, affordable housing units are brought forward in block M which is close to the A12 and will need to ensure that all mitigation measures are included within the design to stop noise and pollution. The applicant has also made changes to the landscaped areas of the building.
- 5.59 The scheme is delivering 11% of wheelchair units through blocks A, B, C and M. Detailed drawings will need to be reviewed. It seems that some of the three bed 5 person units do not appear to have charging points. Details on car parking spaces for the affordable rented wheelchair units should be provided.
- 5.60 The applicant should look into some of the layout of the proposed units so these can be reconfigured so that bathroom door does not open into the living area of the unit. Internal doors within the general floor hallways of the building should be automated for wheelchair units, as well as the main entrance.

LBTH Infrastructure Planning Team

- 5.61 No comments received.

LBTH Occupational Therapist

- 5.62 The affordable units should be delivered as Part M (4)(3)(2)b. The front door and internal doors should be 850mm, with level access thresholds on all internal doorways with no wooden thresholds, including level access to the private amenity area.
- 5.63 The proposed units should have a fully wheelchair accessible kitchen and the minimum worktop length should be 6130mm. In bathrooms, there should be Part M wet room, 1500x1500x laid to fall shower area, height adjustable hand basin with flexible plumbing and splash back tiled suitable for heights 700mm to 1000mm, and toilets high 480mm and projecting 750mm clear of the wall.

LBTH Senior Arboricultural Officer

- 5.64 No comments received.

LBTH Surface Water Run Off Officer

- 5.65 No comments received.

LBTH Transportation & Highways

- 5.66 The proposals involve a number of changes to the approved scheme. The reduction in car parking spaces is welcomed as it brings down the overall site numbers of parking spaces from 210 to 91, which will help to mitigate the impact. A Permit Free agreement should be secured restricting all future residents from apply for parking permits. The blue badge bays should be on a lease and needs basis only. Free membership for at least three years should be offered to residents for the car club spaces.

- 5.67 The proposed quantum of cycle parking spaces meets the London Plan standards, however, there should be an increase in the provided 5% spaces for oversized/ adapted cycles to encourage sustainable freight. More inclusive spaces should be provided. All cycle facilities should meet the London Cycle Design Standards, and the relevant details should be secure by condition.
- 5.68 The proposed servicing is acceptable, but there are concerns with regards to the URS operation in Lochnagar Street in terms of safety, and the vehicle movement is likely to impact on pedestrian and cycle access to the proposed bridge. A Service Management Plan should be secured via condition.
- 5.69 The proposed development will open up a previously closed site and allows access to riverside, along with the safeguarding of the bridge land area. To the west the site suffers from severance along the A12 and a contribution should be provided towards improvements to the crossing facilities. Other relevant documents for travel plans and construction stage should be secured as appropriate.

LBTH Waste Officer

- 5.70 Clarification is required on the number of URS bins and their servicing, particular the ones for block C which could impede on the pedestrian from the bridge. More detail is required on the collection of food waste and the collection points. There should also be a separate space for the short-term storage of bulky items at the ground level. There are some concerns about the implications on the collections and the movement of vehicles through the estate. All commercial units should have sufficient waste storage facilities.
- 5.71 Additional comments raised an in-principle objection to the URS location on Lochnagar Street.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 6.2 In this case the Development Plan comprises:
- The London Plan (2021)
 - Tower Hamlets Local Plan 2031 (2020)
- 6.3 The key development plan policies relevant to the proposal are:

Land use

- London Plan: GG2, E1, SI16
- Tower Hamlets Local Plan: D.SG5, S.EMP1, D.EMP3, S.TC1, D.TC5, S.CF1, D.CF3

Housing

- London Plan: D2, D3, D6, D7, D12, D14, H1, H4, H5, H6, H10, S4
- Tower Hamlets Local Plan: D.SG5, S.H1, D.H2, D.H3

Design and Heritage

- London Plan: D1, D3, D4, D5, D8, D9, D11, HC1, HC2, HC3, HC4, HC5, G4, SI16
- Tower Hamlets Local Plan: S.DH1, D.DH2, S.DH3, D.DH4, S.DH5, D.DH6, D.DH7, D.DH9, S.OWS1, S.OWS2, D.OWS3, D.OWS4

Neighbour Amenity

- London Plan: D14
- Tower Hamlets Local Plan: D.SG4, D.DH8

Transport

- London Plan: T1, T2, T3, T4, T5, T6, T6.1, T7, T8
- Tower Hamlets Local Plan: D.SG4, S.TR1, D.TR2, D.TR3, D.TR4

Environment

- London Plan: G1, G5, G6, SI1, SI2, SI3, SI4, SI5, SI7, SI12, SI13
- Tower Hamlets Local Plan: D.SG3, D.SG5, S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.MW3

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

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2019)
- GLA Housing SPG (updated 2017)
- GLA Affordable Housing and Viability SPG (2017)
- GLA Sustainable Design and Construction (2014)
- GLA Accessible London (2014)
- GLA Character and Context SPG (2014)
- GLA London View Management Framework SPG (2012)
- GLA Play & Informal Recreation SPG (2012)
- GLA All London Green Grid (2012)
- LBTH Planning Obligations SPD (2021)
- LBTH Reuse, Recycling and Waste SPD (2021)
- LBTH High Density Living SPD (2020)
- Building Research Establishment (BRE) ‘Site layout planning for daylight and sunlight: a guide to good practice’ (2022).

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

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

Land Use

Designations

- 7.2 Policy SD1 of the London Plan seeks to ensure that the identified Opportunity Areas fully realise their growth and regeneration potential. The site is situated within the Lower Lea Valley OA which has the capacity to deliver additional housing and employment spaces.
- 7.3 The site forms part of the Ailsa Street Site Allocation which includes the area to the north and south of the application site. The site allocation policy sets out land use requirements which include housing and a range of employment floorspace, as well as an indicative site layout in the Site Allocation diagram, as seen in the below figure.

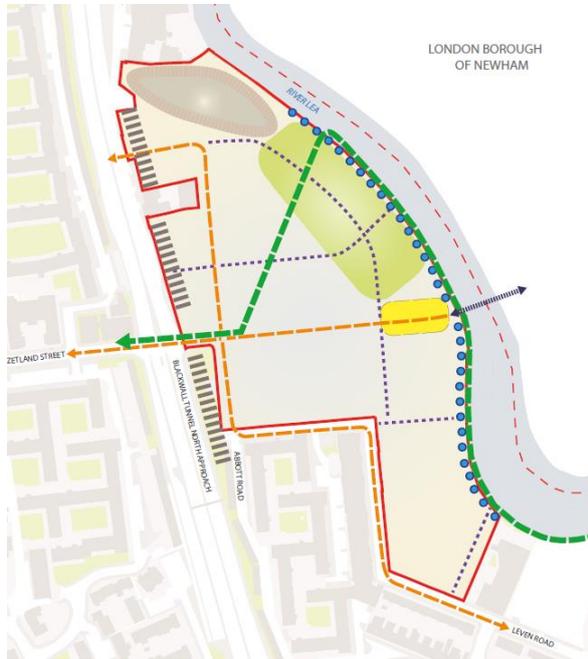


Figure 4. Ailsa Street Site Allocation diagram

Existing uses

- 7.4 The application site was previously used for industrial activities, increasing car breaking, vehicle salvage, waste transfer and open storage and scrap yards. The site is currently under construction for the implementation of the extant consent.
- 7.5 The applicant has confirmed that Phase 1 of the extant consent was implemented in July 2021, following which the demolition works of previous site structures were completed in September 2021. It was also stated that the remediation and site preparatory works were taking place at the time of the submission of the application and were completed early this year.
- 7.6 Given that the site is currently under construction for a mixed-use redevelopment, it is not necessary to consider the loss of previous industrial uses given that was established as part of the extant consent, which has been implemented.

Proposed residential use

- 7.7 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.
- 7.8 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, for the borough is required to deliver 34,730 (3,473 per year) new homes between 2019/2020 and 2028/2029.
- 7.9 At the local level, policy S.H1 of the Tower Hamlets Local Plan 2031 commits to securing delivery of at least 58,965 new homes across the borough (equating at least 3,931 new homes per year) between 2016 and 2031.

- 7.10 The site's inclusion within the Ailsa Street Site Allocation earmarks the site for significant housing delivery which would contribute to the borough's housing stock. As such, the principle of the residential is strongly supported.

Proposed commercial and retail uses

- 7.11 Policy SD7 of the London Plan states that development proposals should ensure that commercial floorspace relates to the size and the role and function of a town centre and its catchment.
- 7.12 Policy S.TC1 of the Tower Hamlets Local Plan 2031 defines a network of town centres and describes their role and function in the borough. For site outside of a town centre, such is the application site, other policies relate to the provision of retail and other uses to ensure the location and amount of such uses is appropriate.
- 7.13 Local Plan policy D.TC3 requires a sequential test and an impact assessment for individual units that exceed 200 square metres outside of the borough's Major, District and Neighbourhood centres. In the same locations, Local Plan policy D.TC4 only supports the delivery of financial and professional services where they are local in scale.
- 7.14 Policy D.TC5 of the Local Plan provides details on the desired locations of cafés and restaurants in the borough.
- 7.15 The proposal includes the delivery of 1,548 sqm of commercial floorspace under Use Class E. The proposed commercial floorspace would be delivered as follows: two smaller units in block C and two larger units in blocks A and B. In block M, a small unit is proposed on the ground floor in the north-western corner of the building, whilst the remainder of the space is proposed within the southern part of the ground floor and first floor.
- 7.16 The submission documents do not specify any particular type of the proposed commercial floorspace, and given the flexibility of Use Class E, this can incorporate various different uses from retail, financial and professional services, to cafés and restaurants.
- 7.17 When compared to the extant scheme which delivered 2,954 sqm of mixed commercial use, the proposed development would deliver significantly less commercial floorspace. Whilst this is likely to result in the decrease in the employment levels between the two schemes, it is not considered that this would have an adverse effect on the quality of the proposed scheme.
- 7.18 The level of the commercial floorspace is considered appropriate for the site which is outside of a town centre, and it is considered that the provided space would still have the opportunity to deliver a range of floor sizes as required by the Ailsa Street Site Allocation policy.

Conclusion

- 7.19 Notwithstanding that the proposed uses reflect the extant consent which has been formally implemented on the site, the above assessment concludes that the proposed uses are considered acceptable in terms of land use and in accordance with the relevant planning policies.

Housing

- 7.20 Development Plan policies set out a number of requirements which guide residential development in the borough.
- 7.21 The proposed development would provide a total of 952 residential units, out of which 35.5% would be affordable housing, based on the habitable room calculation. The housing mix of the proposed units is set out in the table below, and a detailed assessment is provided in the following sections.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Studio	139	0	0	141
1-bedroom unit	195	55	24	274
2-bedroom unit	238	23	75	335
3-bedroom unit	91	28	67	185
4-bedroom unit	4	3	10	17
Total	667	109	176	952

Table 1. Proposed housing mix.

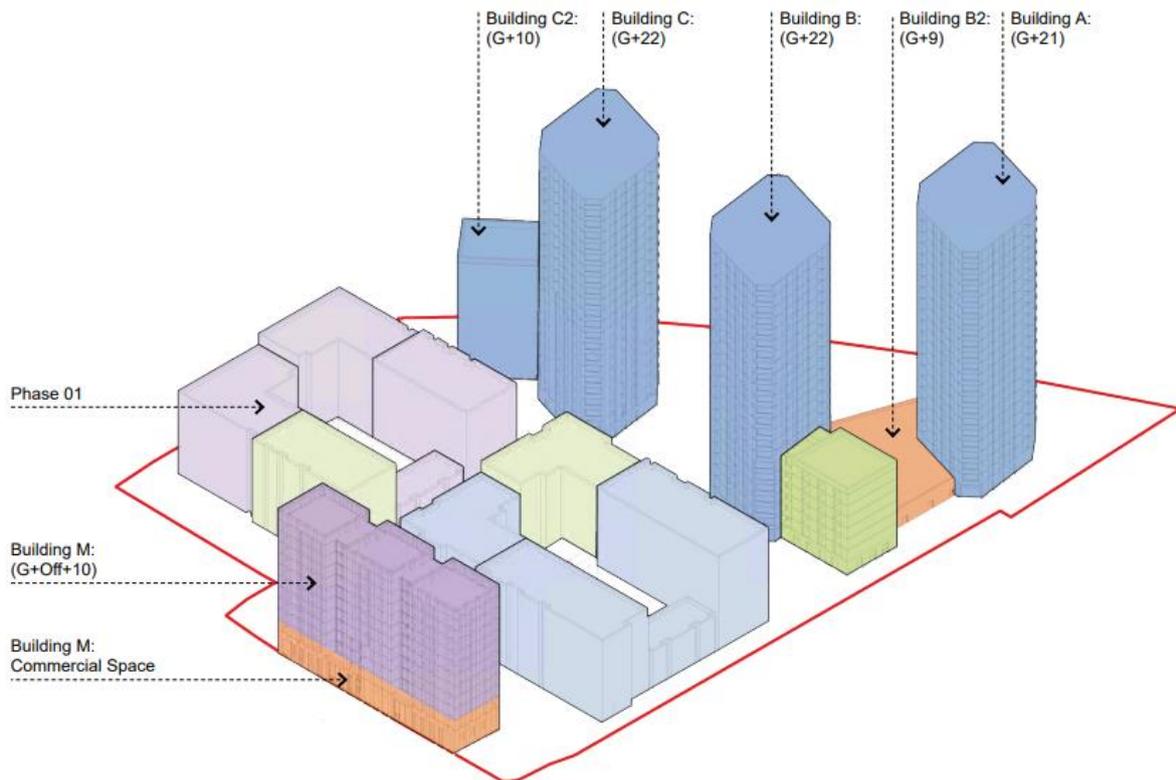


Figure 5. Proposed distribution of housing tenure across the site.

Key: Blue – private units, Green – intermediate units, Purple – affordable rented units.

- 7.22 It should be noted that whilst the current application considers the proposed housing mix as a whole, the applicant has not proposed any changes to Phase 1 given its current construction status. Throughout the pre-application stage, Officers have worked with the applicant to ensure that the new overall housing mix reflects the Local Plan requirements through the recalibration of the housing mix in Phase 2, given that the previous application was based on the previous Local Plan.
- 7.23 The following two tables set out the housing mixes for Phases 1 and 2, where Phase 1 reflects the extant consent, and it is not proposed to be changed as part of the proposals.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Location of Blocks	F1, F2, G, H	E, J2	I, J1, K, L	Phase 1
Studio	25	0	0	25
1-bedroom unit	64	24	24	112
2-bedroom unit	37	22	40	99
3-bedroom unit	18	21	37	76
4-bedroom unit	4	3	10	17
Total	148	70	111	329

Table 2. Proposed housing mix in Phase 1.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Location of Blocks	M	B2	A, B, C, C2	Phase 2
Studio	116	0	0	116
1-bedroom unit	131	31	0	162
2-bedroom unit	201	0	35	236
3-bedroom unit	71	8	30	109
4-bedroom unit	0	0	0	0
Total	519	39	65	623

Table 3. Proposed housing mix in Phase 2.

7.24 When compared to the extant scheme, the proposed development would deliver an additional 167 units in total. With regards to the affordable housing, there would be 53 additional units, out of which 29 would be intermediate and 24 affordable rented units. As a point of reference, the table below shows the housing mix for the whole site under the extant consent.

Unit Size/ Tenure	Market	Intermediate	Affordable rented	Total
Studio	73	0	0	73
1-bedroom unit	219	38	38	295
2-bedroom unit	181	20	63	264
3-bedroom unit	76	22	34	132
4-bedroom unit	4	0	17	21
Total	553	80	152	785

Table 4. Consented housing mix.

Housing Mix and Tenure

- 7.25 Policies H1 and 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.
- 7.26 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, the requirement of a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing.
- 7.27 Locally specific targets for unit mix and sizes based on the Council's most up to date Strategic Housing Market Assessment (2017) are set out in part 3 of Policy D.H2 of the Local Plan.
- 7.28 The table below sets out the scheme's housing mix against the policy requirements set out in policy D.H2.

Unit type	Market		Intermediate		Affordable rented	
	Policy Target	Scheme	Policy Target	Scheme	Policy Target	Scheme
1 bed	30%	50% (including studios)	15%	50%	25%	14%
2 bed	50%	36%	40%	20%	30%	43%
3 bed	20%	14%	45%	30%	30%	38%
4 bed					15%	6%

Table 5. Proposed housing mix assessed against the requirements of policy D.H2.

- 7.29 As it can be seen from the table above, there would be an overprovision of 1-bedroom units and under-provision of 2-bedroom units in the market and intermediate tenures. There would also be an under-provision of family-sized homes within both of these tenures, which would be lower for the market tenure.
- 7.30 The affordable rented unit mix aims to be the closest to the policy requirements, however, it should be noted that there would be an under-provision of 1-bedroom units and overprovision of 2-bedroom units. The proposed delivery of family-sized homes in the affordable rented tenure would be 44% against the policy requirement of 45%.
- 7.31 The extant scheme and the consented housing mix were based on the previous, now superseded Local Plan. The proposed development seeks to increase the delivery of homes in total and bring them closer to the current policy requirements as much as possible, which is based on the latest housing needs assessment. This was particularly emphasised by Officers at the pre-application stage as it represented an opportunity to deliver the development which is based on a more up-to-date housing needs requirements.
- 7.32 Given that the proposals do not include any changes to the Phase 1 buildings, the applicant made efforts to recalibrate the housing mix through the Phase 2 units. Whilst more flexibility is provided by the policy for the market unit mix, it has been noted that the affordable unit mix is not fully policy compliant.
- 7.33 It has been acknowledged that the aspiration to retain Phase 1 buildings as consented would ensure an earlier delivery of housing on site, as demonstrated by the commencement of construction works to date. As such, the unit mix is considered in conjunction with such benefits, including other improvements to the scheme. This is further detailed in the affordable housing section below.

Affordable Housing

- 7.34 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. To secure greater security of affordable housing delivery, Policy H4 requires major developments which trigger affordable housing requirements to provide affordable housing through the 'threshold approach' to applications.
- 7.35 Policy H5 of the London Plan sets out the threshold approach on residential developments to be a minimum of 35 per cent. In order to follow the Fast Track Route which does not require the submission of viability assessment, applications must meet or exceed the 35% affordable housing, be consistent with the relevant tenure split, meet other relevant policy requirements and obligations.
- 7.36 In addition, part C of policy H5 of the London Plan states that in order to follow the Fast Track Route, applications must meet or exceed the relevant threshold of affordable on site without public subsidy, be consistent with the relevant tenure split, meet other relevant policy requirements to the satisfaction of the borough and demonstrate they have taken account of the strategic 50 per cent target and have sought to increase the level of affordable housing.
- 7.37 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. The policy also reiterates that Part A must be met to qualify for the 'Fast Track' route.
- 7.38 At the local level, policy S.H1 of the Tower Hamlets Local Plan 2031 requires development to contribute towards the creation of mixed and balanced communities by requiring a mix of rented and intermediate affordable tenures. Policy D.H2 provides further guidance on requiring developments to maximise the provision of affordable housing in accordance with a 70% rented and 30% intermediate tenure split.
- 7.39 The proposed development would provide a total of 35.5% affordable housing which amounts to 285 affordable housing units. This includes 176 affordable rented and 109 intermediate units, based on a 66:34 split in favour of the affordable rented units. The intermediate units are proposed as shared ownership whilst the affordable rented units will be equally split between the Tower Hamlets Living Rent and London Affordable Rent.
- 7.40 As mentioned above, the applicant has implemented Phase 1 of the extant consent, which meant that the courtyard blocks within this phase were not able to be subject to the changes forming part of the proposals. However, the delivery of Phase 1 under the extant consent ensured an earlier delivery of over 60% of the total affordable housing proposed under the current scheme, given that Phase 1 included 181 affordable units when compared to 104 affordable units within the proposed Phase 2 blocks. It has been also noted that this difference in numbers is also due to the higher percentage of smaller units in Phase 2.
- 7.41 Given the specifics of the application site and the implementation of the extant scheme, as well as other improvements forming part of the proposed scheme as discussed in the report, it is acceptable to consider the application under the fast track route, which was also confirmed as acceptable by the GLA. In addition, the proposals include a slight increase in affordable housing when compared to the extant scheme. As such, the unit mix and tenure split of the affordable housing are considered acceptable on balance.

Quality of Residential Accommodation

Space standards

- 7.42 London Plan policy D6 sets out the minimum internal space standards for new dwellings. This policy also requires the maximisation of dual aspect dwellings, the provision of sufficient daylight and sunlight to new dwellings and a minimum floor-to-ceiling height to be 2.5m for at least 75% of gross internal area (GIA) of each dwelling.

- 7.43 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 and Housing SPG. Policy D.H3 also requires that affordable housing should not be externally distinguishable in quality from private housing.
- 7.44 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.
- 7.45 In addition, London Plan Housing SPG reiterates the above standards and states that a maximum of eight dwellings per each core on each floor.
- 7.46 All of the proposed units would meet the minimum internal space standards. Minimum private amenity spaces would be provided for all units, either in the form of projecting or inset balconies, whilst for block M these would be winter gardens along western, northern and southern elevations. There would be an exceedance of the minimum floor-to-ceiling height for residential units with the minimum being 2.75m for the majority of floors with the exception of top floors having slightly higher floor-to-ceiling height.
- 7.47 The submission documents state that the amount of dual aspect units would be 71% and there would be no single aspect north facing units. Additional details have been provided to demonstrate that the single aspect units within blocks A, B and C would not be considered as fully north facing as these units would be oriented less than 45 degrees from due north, as per the definition in the Housing SPG. Whilst it is accepted that these units would not be facing due north, it is considered that their orientation would still be north-west facing rather than fully west-facing. Particular details in relation to daylighting and sunlighting conditions of these units is provided in the section below which ensures that the units would still have good levels of natural light.
- 7.48 Phase 1 blocks and block M would not have more than eight units per core on each floor. Private residential blocks along the riverside would have more than eight units per core on each floor on the lower levels, where the residential towers are joined by the lower elements. For block C where there would be all private units this would amount to 10 units per core per floor whilst in block B this would include intermediate units within the lower element of the block, there would be 12 units per core per floor.
- 7.49 It has been noted that these blocks originally incorporated two staircases up to Level 9 for block B and Level 10 for block C regardless of the subsequent incorporation of the second staircase for the upper levels. The creation of separated lobbies on the subject floors with more than eight units per core per floor would ensure that these spaces have a sense of ownership by future occupiers in their respective areas.

Wheelchair units

- 7.50 Policy D7 of the London Plan requires residential developments to provide at least 10% per cent of dwellings which meet M4(3) (wheelchair user dwellings) and all other dwellings (90%) which meet requirement M4(2) (accessible and adaptable dwellings) of the Building Regulations Approved Document M: Access to and use of buildings.
- 7.51 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.
- 7.52 Within both phases, the proposed development would provide 11.8% of wheelchair user dwellings which would meet M4(3) standards. This amounts to 112 units, distributed across the tenures within the two phases as per the below table. All affordable rented wheelchair units would be delivered as accessible in accordance with M4(3)2b, while intermediate and private units would be adaptable units in as per M4(3)2a standards.

	Affordable rented	Intermediate	Private
Phase 1	18	14	10
Phase 2	10	7	53
Total	28	21	63

Table 6. Proposed wheelchair unit tenure distribution.

7.53 All of the wheelchair units would be provided as 2-bedroom or 3-bedroom units. The details on the distribution of unit sizes across the blocks and tenure have been provided in the table below.

Tenure	Location	Number of 2-bedroom units	Number of 3-bedroom units
Private	Blocks A, B, C, I, K	11	53
Intermediate	Blocks J2 and B2	6	13
Affordable	Blocks F1, F2 and M	16	10

7.54 The proposed development missed the opportunity to maximise the number of larger wheelchair units within the affordable rented tenure as this is where the highest need exists in the borough. Nonetheless, the proposed provision is considered to be acceptable on balance and further details on the layout of the wheelchair units will be secured via condition.

Air quality & Noise

7.55 Policy SI1 of the London Plan and D.ES2 of the Tower Hamlets Local Plan 2031 seek to ensure that developments adopt appropriate mitigation measures to minimise end users' exposure to poor quality.

7.56 Policy D13 of the London Plan and D.ES9 of the Tower Hamlets Local Plan 2031 require developments to minimise noise and vibration impacts and to ensure that new noise-sensitive land uses and activities avoid any conflict with existing noise-generating uses by ensuring good design and mitigation measures.

7.57 The proximity of the application site to the A12 poses poor existing air quality and noise conditions. Whilst this impact is the highest along the western boundary of the site due to the drop-off in pollutants when distancing from the pollution source, the proposed development should demonstrate how these constraints have impacted the design of the scheme.

7.58 Concerns have been raised about the location of the affordable block M given its location being immediately adjacent to the A12, where the noise pollution and poor air quality conditions are the highest. Whilst the location of this block reflects the extant consent, the change to a fully affordable rented block instead of a mix of affordable rented and intermediate units forms part of the changes to Phase 2 under this application.

7.59 Whilst this still remains a concern, it has been noted that including affordable rented units within other Phase 2 blocks would potentially create issues regarding the management of the units. In addition, there be no changes to Phase 1 blocks which creates an additional difficulty over mixing units in different blocks.

7.60 With regards to the unit layout within block M, the design aimed to ensure that the majority of the western part of the building is used for vertical movement in the building. There would be no single units facing the A12, and the private amenity space for these units would be provided as winter gardens, which is also the case for the corner units facing the courtyard blocks.

7.61 However, it has been noted that some of these private amenity spaces within block M would exceed the maximum guideline values of 55dB for such spaces, which is a concern due to the anticipated impact on future occupiers. As shown in the 3D noise model submitted by the

applicant, the exceeded values would be within private amenity areas of block M, but also the upper levels of other blocks.

- 7.62 It is considered that the applicant has explored sensible and reasonable means to mitigate the noise impact. The mitigation measures embedded in the scheme include careful specification of façade elements, plant, acoustically treated ventilation system, reduction of the ASHP use, restriction of delivery hours and other measures to reduce any noise impact generated by highways activities within the site.
- 7.63 With regards to the air quality conditions that will be experienced by the future occupiers of the development, the proposed scheme has been designed in a way to ensure that these impacts are minimised or where possible avoided. There would be minimising of the residential exposure along the ground floor level, particularly in block M where the commercial uses and workspace are proposed on the ground and first floor, as well as introduction of landscaping along the A12. The energy strategy seeks to ensure that systems used in buildings are minimising emissions. In addition, a car park exhaust will be placed at the roof level to ensure better dispersion of pollutants.
- 7.64 As a result, it is considered that the proposed scheme will minimise the adverse impact from the A12 onto the future occupiers, and details will be secured via conditions.

Privacy, Outlook & Sense of Enclosure

- 7.65 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires new development to maintain good levels of privacy and avoid an unreasonable level of overlooking or unacceptable increase in the sense of enclosure. The supporting text of the policy suggests that a distance of approximately of 18m is likely to reduce inter-visibility to a degree acceptable to most people. In addition, the policy seeks to ensure new and existing habitable rooms have an acceptable outlook.
- 7.66 The positioning of the proposed residential blocks used the opportunity to ensure that the minimum distance between habitable rooms has been secured as much as possible. This would be the case for most of the units, apart from the distance between the courtyard blocks which would be 14m. It should be noted that this would only be within the north-facing habitable rooms of the southern courtyard block and south-facing habitable rooms of the northern courtyard block. Residential units facing internal side of the courtyard blocks would maintain more than 18m distance between the habitable rooms.
- 7.67 There would be slightly lower distances between buildings in Phase 1 and Phase 2. Between the northern courtyard blocks and block C to the east, there would be 16.7m distance, however it has been noted that the angle of units within block C would ensure that the privacy between these blocks is safeguarded. Between the southern courtyard block and block M the distance would be 17.7m between the habitable rooms, which is considered a minor shortfall and as such, is considered acceptable.
- 7.68 Overall, it is considered that the proposed development would achieve acceptable levels of outlook and privacy and where separation distances between habitable rooms would be below 18m, this is considered acceptable on balance as explained in the above assessment.

Daylight, Sunlight & Overshadowing

- 7.69 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires the protection of the amenity of future residents and occupants by ensuring adequate levels of daylight and sunlight for new residential developments following the methodology set out in the most recent version of the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2022) and British Standard EN17037:2018 "Daylight in building".
- 7.70 The application is accompanied by an internal daylight, sunlight and overshadowing assessment relating to the proposed development, which has been prepared by Lichfields. Throughout the course of the application, the applicant submitted an updated assessment report to reflect the changes in the BRE guidance, which has been included as Appendix 15 of the Environmental Statement Further Environmental Information (April 2023).

- 7.71 The assessments in relation to daylight, sunlight and overshadowing for the proposed scheme have been undertaken and presented with the cumulative schemes in place, which includes the Islay Wharf and Former Poplar Bus Depot to the south-east along the River Lea, and Plot J of the Aberfeldy scheme situated at the opposite side of Lochnagar Street.
- 7.72 The Council appointed specialist consultants BRE for the review of the submitted information relating to the daylight, sunlight and overshadowing.

Daylight methodology

- 7.73 The updated BRE 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'.
- 7.74 BS EN 1730 suggests two possible methodologies for appraising daylight in new developments, which includes the illuminance method and the daylight factor method.
- 7.75 The first relates to the Illuminance Method which uses Climate Based Daylight Modelling (CBDM) to predict daylight illuminance using sun and sky conditions derived from standard meteorological data (climate or weather data). The second method for appraising daylight in new developments is the Daylight Factor Method. This 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.
- 7.76 The applicant has focused on the first method which 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.
- 7.77 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 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.
- 7.78 In addition to this, the applicant has also presented the results using the Average Daylight Factor (ADF) methodology, which was used in the previous editions of the BRE guidance and the former British Standard, which recommend the minimum ADF values of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. If a space has an ADF of 5%, it will not normally need supplementary electric lighting provided the uniformity is satisfactory. Where a room has a shared use, the higher minimum value should apply.

Daylight assessment

- 7.79 For the assessment of the target illuminance method, the applicant has used factors presented are included in the table below. Whilst these incorporate all factors which would be considered, it has been noted that these are at the upper end of the guidance where light surface finished have been specified. In their review, BRE have also commented on the potential overestimation of the maintenance factor for the balcony areas and frame

correction factor. It has also been noted that no balcony reflectance was included in the report and that the glazing transmittance used is reasonable.

Attribute	Factor presented in the Lichfields report and appendix 15
Internal wall reflectance	0.7
Ceiling reflectance	0.7 & 0.81
Floor reflectance	0.2 & 0.4
Below working plane factor	0.4 & 0.15
Surrounding buildings reflectance	0.3
River reflectance	0.1
Proposed scheme	0.4
Ground	0.3
Glazing transmittance	0.68
Maintenance factor	92%
Frame correction factor	0.8

Table 7. Factors used in the target illuminance assessment.

- 7.80 The applicant clarified factors used in the calculations, including that 0.4 has been used for floor reflectance and 0.81 for ceiling reflectance. The factor relating to the below working plane would not be relevant as this is used in the calculation of ADF and as such it is not relevant to the target illuminance method.
- 7.81 From the applicant's response, it would appear that there would be mainly the use of light-coloured paint and finishes internally within the flats, however, it is not clear how this would be maintained by future residents, and as such, there are concerns about the potential overestimation of the results.
- 7.82 From the submitted assessment, 1641 out of total 2560 of habitable rooms would meet the target illuminance, which presents 64% of the whole development. For specific room uses, this means 77% of all bedrooms meeting the 100 lux over at least 50% of the reference plane, 52% of the kitchen/ dining area meeting the kitchen recommendation of 200 lux, and 20% of the living areas meeting the 150 lux target recommendation. For other spaces, 44% of the combined living/kitchen/dining spaces and 20% of studio flats would meet the target recommendation of 200 lux over 50% of the points on the reference plane for half of the daylight hours of the year.
- 7.83 The table below summarises the results for rooms meeting the recommendations across each block and room type.

Block	Total Rooms	Bedrooms (Target illuminance 100 lux)	Studios (Target illuminance 200 lux)	LKD (Target 200 lux)	KD (Target illuminance of 200 lux)	Living Room (Target illuminance of 150 lux)
A	385	170/224	20/40	63/121	-	-
B	474	248/272	1/42	84/160	-	-
C	499	296/330	0/9	98/160	-	-
E	101	51/63	-	11/26	5/6	5/6
F1	121	73/83	-	9/22	4/8	4/8
F2	138	72/93	-	9/27	5/9	5/9
G	117	16/70	-	4/29	3/9	3/9
H	20	4/20	-	0/4	-	-
I	100	25/46	0/4	16/50	-	-

J1	108	38/76	-	3/32	-	-
J2	122	52/85	-	8/31	1/3	0/3
K	130	37/73	-	16/57	-	-
L	20	16/16	-	0/4	-	-
M	225	145/160	-	31/65	-	-
TOTAL	2560	1243/1607	21/95	352/788	18/35	7/35

Table 8. Habitable rooms within the proposed development meeting the BRE guidelines.

7.84 With regards to the analysis which assesses the ADF, it has been concluded in the applicant's assessment that 1728 out of 2560 rooms would meet the ADF. This represents 68% of habitable rooms throughout the proposed development. In terms of specific room uses, the table below sets out the results according to the room type, which would have different ADF targets.

Room type	ADF target	Habitable rooms meeting the ADF target
Living/ dining/ kitchen	1.5% (for a living room)	60%
Kitchen	2%	43%
Kitchen/ dining	2% (for a kitchen)	38%
Living room	1.5%	3%
Bedroom	1%	82%

Table 9. ADF summary table for the proposed development.

7.85 BRE have raised in their review that some of the analysed rooms appear to have been labelled incorrectly. Whilst it has been noted this includes several omissions, the ADF test has been provided as a supplementary set of information, given that the proposed scheme falls within the transitional arrangements between the two BRE guidance documents, where the applicant has updated the assessment throughout the course of the application to demonstrate the assessment against the 2022 BRE guidelines.

Sunlight methodology

7.86 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 21st. 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).

7.87 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 21st 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.

Sunlight assessment

7.88 The result presented by the applicant indicate that 1137 out of a total 2560 rooms analysed would meet the sunlight provision, which represents 44% of all habitable rooms. However, as noted by BRE, from the numerical result it would appear that at least 50% would meet the minimum recommendation of 1.5 hours received on 21st March.

7.89 With regards to living areas, 464 out of 918 spaces representing 51% of living/kitchen/dining, living rooms and studio flats, would meet at least the minimum requirements. For kitchen

areas, the compliance rate would be 74% while 98% of bedrooms would also meet the minimum BRE guidelines.

- 7.90 Overall, 598 out of 952 units, or 63%, would have at least one room meeting at least the minimum sunlight hours recommendation. While this is not considered to be high, it has been noted that the proposed courtyard buildings within Phase 1 can be challenging for meeting sunlight due to their layout, and buildings within Phase 2 would be all tall, with additional of the Islay Wharf tall building to the south-east corner.

Overshadowing methodology

- 7.91 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.

Overshadowing assessment

- 7.92 The submitted overshadowing assessment identified 10 open spaces within the proposed development, as shown in the figure below.



Figure 6. Analysed open spaces within the proposed development.

- 7.93 All but two analysed spaces would meet at least two hours of sun on ground on 21st March, both of which would be within Phase 1. For the internal courtyard of blocks I-L (A2), at least 46% would meet the two hours on 21st March, which would be marginally under the BRE recommendation. The other area below the recommendation for sunlight provision would be area to the north of blocks E-H (A7), which would meet only 20% of two hours on 21st March. This space would provide a small area dedicated to child play space.
- 7.94 All analysed open spaces within Phase 2 would meet the minimum sunlight recommendation. It has been noted that the riverside park area incorporating most of the publicly accessible child play space and amenity area would meet 66% of sunlight on ground.
- 7.95 Overall, most of the proposed open space would meet the minimum sunlight requirements. One of the child play spaces would have a significantly low percentage of sunlight on ground on 21st March, it has been noted that this is a very small area and situated immediately behind the northern courtyard block. Whilst this is not ideal, it is considered acceptable on balance.

Conclusion on Daylight, Sunlight and Overshadowing

- 7.96 From the above assessments, it is not considered that the proposed development as a whole would provide particularly high levels of daylight and sunlight for future occupiers. However, there are several things to note. There are no changes proposed within the

courtyard blocks forming part of Phase 1 and as such, the level of daylighting and sunlighting conditions for these units would remain as consented.

- 7.97 The proposed Phase 2 blocks seek to improve the consented scheme in terms of site layout by providing a more consolidated open space along the river, and additional communal amenity spaces for the riverside blocks which the extant consent did not provide. With regards to block M, while the layout of this block would remain largely the same as consented, it would resolve the issue of access to the Thames Water sewer along the southern edge.
- 7.98 Throughout the pre-application process, concerns have been raised about the positioning of the riverside blocks as these would result in the north-west and north-east elevation units and whilst these would not be north-facing, they would experience lower levels of daylight and sunlight. However, there is a need to balance other improvements of the proposed scheme when compared against the consented permission and as such, the daylighting, sunlighting and overshadowing conditions for the proposed development are considered acceptable on balance.

Fire safety

- 7.99 London Plan (2021) policy D12 requires all major applications to be submitted with a Fire Statement produced by a third party, suitably qualified assessor, demonstrating how the development proposals would achieve the highest standards of fire safety. The policy sets out the requirements in terms of details that Fire Statement should contain.
- 7.100 The application is supported by a Fire Statement prepared by Atelier Ten, and a fire statement form completed as per the requirements of the Planning Gateway One process under the Health and Safety Executive. Further information has been presented by the applicant throughout the course of the application, particularly in relation to the incorporation of a second staircase to blocks A, B, C and M, all of which are buildings over 30m in height.
- 7.101 Following the consultation with the HSE, it has been confirmed that the proposed fire strategy for the site is considered suitable and the HSE are content with the submitted information.
- 7.102 The most recent consultation on the fire safety legislation brought up the question of a second staircase being required for buildings over 18m in height, which would be applicable to the courtyard blocks given that their height would meet this threshold. However, it has been noted that the courtyard blocks have been implemented under the previous permission for the site, with their construction works progressing on site.
- 7.103 Overall, it is considered that the proposed fire strategy for the proposed development is considered appropriate, as confirmed by the HSE. Any implications from the 18m threshold for the second staircase will need to be considered by the applicant, once the transitional arrangement have been confirmed for properties which have commenced works on site.

Communal Amenity Space & Play Space

- 7.104 The proposed strategy for the provision of communal amenity and child play spaces for the whole site is provided in the figure below. These are separately discussed in the following sections.

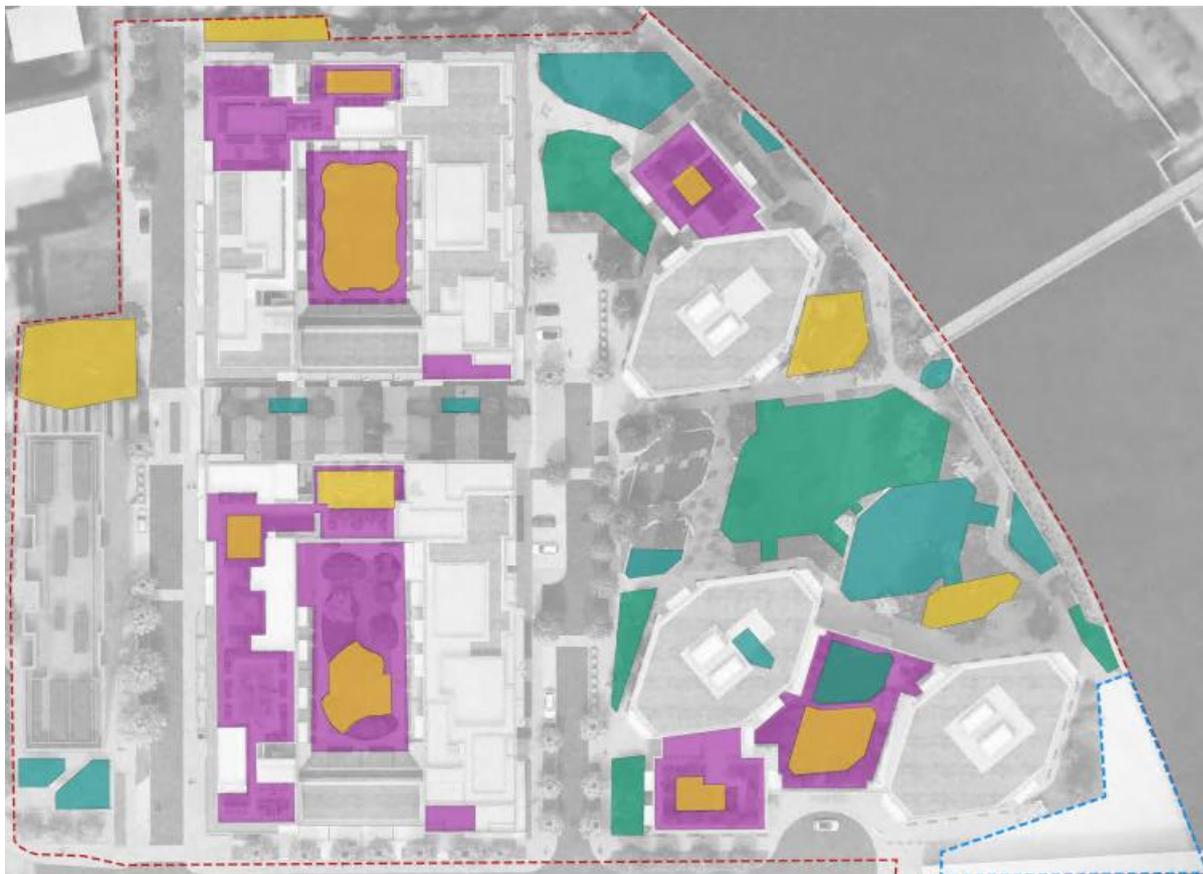


Figure 7. Location of the proposed child play spaces across the site.
 Key: Yellow: 0-5 years old; Green: 5-11 years old; Blue: 12+ years old;
 Purple – communal amenity space.

Communal amenity space

- 7.105 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.
- 7.106 The proposed development would deliver a total of 5,012 sqm of communal amenity space against the minimum requirement of 992 sqm for the whole development. The proposed communal amenity space would be provided both internally and externally, and across all blocks, as shown in the figure above.
- 7.107 The proposed provision of communal amenity spaces for the courtyard blocks within Phase 1 remains the same as secured in the extant consent. This includes a total of 2526 sqm provided within the internal courtyards, as well as a part of a roof terrace provided on Level 7 of the blocks.
- 7.108 In Phase 2, there would be a total of 2,486 sqm of communal amenity space, the majority would be provided within Blocks A and B where a total of 1,184 sqm space is proposed internally on the first floor with spaces such as multi-functional room, co-working space and gym and vitality poo. 870 sqm externally on the podium (Level 02) level between blocks A and B, as well as on the rooftop terrace of block B2. Block C would have 240 sqm of communal amenity space provided on the top Level 10 of the lower element of this block.
- 7.109 For block M, the applicant has originally proposed a smaller communal amenity space on every other floor, which were subsequently reduced in sized and located on every floor of this block as a result of the introduction of a second staircase. This was considered to be a poor provision of communal amenity space for this block.
- 7.110 The applicant made further changes and proposed the open space of about 192 sqm to the south of block M to serve as communal amenity space for future occupiers of this block.

Whilst concerns have been raised due to the proximity of this space to the A12, it has been noted that the landscaping would be included to mitigate the air and noise impact. In addition, this is considered to provide a more appropriate usable space for occupiers of block M than what was previously proposed.

7.111 Overall, it is considered that the proposed provision of communal amenity space within the proposed development would be acceptable. Each of the blocks would have their own respective communal amenity space which would provide convenient access to these spaces and in addition, the public open space along the riverside would also be used by future residents. Further detailing for these spaces would be secured via condition.

Child play space

7.112 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.

7.113 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. The SPD also provides details on the needs of different age groups.

7.114 At a local level, Policy D.H3 requires major development to provide a minimum of 10sqm of high-quality play space for each child. The child yield should be determined by the Tower Hamlets Child Yield Calculator.

7.115 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 Yield and Play Space calculator.

Age	Child yield	Required play space [sqm]	Provided play space [sqm]
0-4	156	1,558	1,555
5-11	122	1,222	1,290
12-18	106	1,064	939
Total	384	3,844	3,784

Table 8. Child yield, child play space requirements and provision for the proposed development.

7.116 As shown in Figure 7 above, the proposed child play space would be provided in various spaces across the proposed development, both within the blocks and on the ground level as publicly accessible. The amount of the provided floorspace would fall short for 60 sqm against the policy requirements and this would be mainly for age group 12-18, however it has been noted that there would be a slightly overprovision of space for 5-11 age group and as such, this is considered acceptable on balance.

7.117 For Phase 1, similarly as per the communal amenity space, the proposed child play space would be located within the internal courtyards and roof terrace level. With regards to Phase 2, the majority of the proposed child play space would be located within the landscape and would be publicly accessible while the remainder of the space would be provided on a podium level between blocks A and B, as well as the roof terrace level of the smaller elements of blocks B and C.

7.118 It is considered that most of the child play space would be situated in appropriate locations, however, some concerns were raised with regards to the location of the child play space to the north and south of block M, given the proximity to the A12 which is a significant air and noise pollution source. However, it has been noted that these spaces would aim to provide

greenery, and there would be additional landscaping along the A12, which would reduce the pollution to some extent. As such, this is considered acceptable on balance.

- 7.119 Details on the principle of child play spaces has been provided in the submitted Landscape Design and Access Statement. These are considered to be acceptable and further details would be secured via condition.
- 7.120 Overall, the proposed child play space provision is considered acceptable and would contribute to the delivery of residential amenities for the proposed development, which would also be publicly accessible promoting a wider social cohesion in the area.

Density

- 7.121 The London Plan no longer incorporates 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.
- 7.122 Policy D4 of the London Plan requires all proposals exceeding 30 metres high and 350 units per hectare to demonstrate they have undergone a local borough process of design scrutiny.
- 7.123 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.
- 7.124 Whilst the new London Plan is now part of the development plan, the Housing SPG remains an adopted document and a material consideration in planning decisions. The criteria set out in paragraphs 1.3.51 to 1.3.52 of the Housing SPG requires the consideration of a number of factors including but not limited to local context and character, transport capacity, design and place making principles, residential mix and associated play provision, appropriate management and design of refuse, recycling and cycle parking facilities and whether the proposals are located within the type of accessible locations the London Plan considers appropriate for higher density developments. The requirement to consider all of these factors have been encapsulated across various interlinked policies contained within both London Plan and Local Plan policies.
- 7.125 The LBTH High Density Living SPD provides guidance on how density is calculated. For the proposed mixed-use development which seeks to provide 952 units within the 2.39 hectare site area, an indicative density would amount to 1,102 habitable rooms per hectare. As such, the development is considered to be high density. The acceptability of the proposed density and design is further discussed in the sections below.

Design & Heritage

- 7.126 The importance of good design is emphasised in Chapter 12 of the NPPF and the National Design Guide and development Plan policies which 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. Therefore, within the borough, it is expected that development must do more than simply preserve, the requirement is to enhance and improve.
- 7.127 London Plan (2021) policy D3 promotes the design-led to optimise site capacity. The policy requires high density development to be located in sustainable location, in accordance with London Plan (2021) D2 which requires density of developments to be proportionate to the site's connectivity and accessibility.
- 7.128 Furthermore, policy D3 requires developments to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness, as well as to respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

- 7.129 London Plan policy D4 requires development proposals referable to the Mayor of London to have undergone at least one design review early on in their preparation before a planning application is made. As mentioned previously, the proposals had been reviewed and commented on by the Council's expert design panel.
- 7.130 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 and Access

- 7.131 The application site is clearly defined with a set of the existing defined structures and places. The site sits between the A12 and the River Lea. Its southern boundary is formed by Lochnagar Street and the north of the site adjoins the allocated waste site. In principle, the proposed site layout seeks to mirror the extant consent whilst using the opportunity to improve on it, particularly with respect to the delivery of public spaces and landscaping.
- 7.132 The positioning of the buildings has been informed by the key route within the site, as well as to the wider area. This includes the realignment of Ailsa Wharf, continuation of the Bromley Hall Road and the creation of an east-west route within the central part of the site linking the riverside park and towpath to the A12.
- 7.133 Given that there are no changes proposed to Phase 1, the courtyard blocks would remain as consented with a perimeter block wrapping around an internal courtyard. Block M on the A12, whilst in the same position, has been made smaller in footprint when compared to the extant consent due to the identification of a Thames Water infrastructure along the south of block M, which would require different access arrangements ensuring that there is no built structure over it. The proposed development would use the opportunity to provide a welcoming arrival point in this corner of the site.
- 7.134 Within the eastern half of the site, both the extant consent and proposed development include the delivery of three residential towers. The proposals aimed to consolidate the two residential towers with a podium level between them, which was previously a standalone block D reaching 6-8 storeys in height. This has allowed for a creation of a more consolidated open spaces along the riverside, which is strongly supported.
- 7.135 It is considered that a more consolidated open space instead of a set of interlinking smaller space would use the opportunity to ensure that the new open space along the riverside is perceived as publicly accessible. Within the south-eastern corner of the site, the proposed development would continue to provide the safeguarded area for the landing of the future Lochnagar bridge in this location.
- 7.136 With regards to the buildings within Phase 2, the building shape of block M would remain the same as a simple rectangular building. The proposed riverside blocks have been designed with a diamond-shaped footprint which would add visual interest to the area and as such, it is supported.
- 7.137 Overall, the proposed site layout is considered acceptable and would enhance the permeability of the site and the wider area. A more formal arrangement of buildings along the western part of the site closer to the A12 and a more organic, landscaped arrangement along the eastern part closer to the River Lea is supported.

Townscape, Massing and Heights

- 7.138 London Plan (2021) policy D9 provides a strategic guidance for tall buildings in the London area. The policy also sets out criteria which against which development proposals should be assessed and these include visual, functional and environmental impacts. With regards to visual impacts, the policy states that tall buildings should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views. Tall buildings

should also reinforce the spatial hierarchy of the local and wider context and aim legibility and wayfinding.

- 7.139 In general, Tower Hamlets Local Plan policy S.DH1 requires developments to be of an appropriate scale, height, mass, bulk and form in its site and context. More specifically, Local Plan policy D.DH6 seeks to guide and manage the location, scale and development of tall buildings in the borough. The policy identifies five tall buildings clusters in the borough and sets out principles of each of them.
- 7.140 Policy D.DH6 sets out a number of principles for tall buildings, including that development must demonstrate, amongst other, how they will be of appropriate height, scale and mass that are proportionate to their role, function and important of the location in the local, borough-wide and London context, taking account of the character of the immediate context and of their surroundings. The policy also requires developments to enhance the character and distinctiveness of an area and provide a positive contribution to the skyline.
- 7.141 The site is not situated within a designated Tall Buildings Zone, and as such part 3 of policy D.DH6 would be applicable which provides guidance for tall buildings outside of these zones. Such developments should demonstrate how they will:
- Be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas
 - Address deficiencies in the provision of strategic infrastructure
 - Significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
 - Not undermine the prominence and/or integrity of existing landmark buildings and tall buildings zones.
- 7.142 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).

Principle of tall buildings

- 7.143 The proposed developments includes buildings ranging from 3-23 storeys in height. The proposed courtyard buildings would range between 3-8 storeys in height, block M would be 12 storeys in height, while the riverside buildings would be the tallest buildings proposed reaching heights of 22 and 23 storeys.
- 7.144 The site benefits from low Public Transport Accessibility Level between 1a-3 where 6b constitutes the best PTAL rating. The site is not situated within a town centre but lies within the Lower Lea Valley and emerging Poplar Riverside Opportunity Area, as well as the Poplar Riverside Housing Zone. The site has been earmarked for regeneration within the Local Plan as the Ailsa Street Site Allocation.
- 7.145 With regards to the strategic infrastructure, the proposed development would secure the safeguarding landing area for the future bridge across the River Lea which would improve the connectivity in the wider area. In addition, the proposed development would provide a riverside park which would be publicly accessible and would benefit the wider area.
- 7.146 The proposed location of tall buildings on the site would mark the future river crossing and the proposed open space which would be used by future residents of the proposed scheme, as well as existing and future users within the wider area.
- 7.147 The proposed development is not in close proximity to any of the designated Tall Building Zones. In addition, there would be limited impact on any heritage landmarks and designated

views, as further evidenced in the sections below of this report. The surrounding area to the application site has been changing in character from a historically industrial to a more residential urban area, as evident with the recent developments to the south and north of the site.

7.148 Overall, it is considered that the principle of tall buildings outside of a Tall Building Zone has been justified in this instance.

Massing and heights

7.149 The main impact in terms of massing and heights from the proposed development would be as a result of the proposed changes to the Phase 2 buildings given that Phase 1 buildings would remain as consented and as such, it is not considered necessary to provide a detailed assessment of these. While for block M, this would include an additional two storeys, for the riverside buildings the increase in height would be more substantial.

7.150 The consented riverside buildings followed an increase in height north to south. The proposed changes seek to create a more varied townscape, particularly when being considered against the recent development in the area. The proposed development uses the opportunity to respond to the emerging context of the wider area, which is considered acceptable.



Figure 8. View of the proposed development from the A12.

7.151 During the application stage, one of the principles established and agreed with the applicant was that the proposed buildings should ensure that the consented building at Islay Wharf remains as the most prominent feature. The proposed heights respond to this principle.

7.152 The proposed changes to the Phase 2 blocks also include the changes to the form of the buildings which would be more slender looking buildings with a visually interesting appearance, as detailed in the following section. In addition, the proposed changes would result in the overall improvement to the consented scheme and as such, these are considered acceptable.

7.153 Overall, the proposed massing, height and scale of the proposed buildings within Phase 2 is considered acceptable and appropriate for the site.

Architecture & Appearance

7.154 For the Phase 1 building, mid-rise courtyard blocks would comprise solid brickwork with simple detailing and a less formal arrangement of “punched” openings for windows. On external facades, balconies are inset so as not to clutter street facades whereas within the courtyards they are external to maximise views beyond the development.

7.155 The design of the riverside buildings has taken clues from the heritage of the site and the Calico historical activity that took place in the area, which has resulted in the interest along the façade being intertwined with different elements. The main principle for the riverside building is accentuation of the principal facades of the diamond shaped building with expressed recessed between them.



Figure 9. View from the northern elevation of block M (right) towards east into the proposed development.

7.156 With regards to block M, the proposed architecture is expressed through three linked individual volumes with a vertical emphasis. Block M is proposed as a more robust element which is considered acceptable as the courtyard buildings would provide a subtle transition to the riverside blocks.

7.157 All buildings would have a mix of projecting and inset balconies, which has been designed to complement the overall architectural treatment of the proposed buildings.

Materiality

7.158 The proposed buildings would use brick as a primary material and metalwork as secondary for window frames and balcony balustrades. The riverside buildings would include three complimentary lighter brick shades as they are defined as waterside buildings. The shades would be graded from darker to lighter with the increase in height for each of the blocks.

7.159 The lower element of the riverside buildings would be tied with the taller elements, following the same material strategy and proposing a robust brick in a dark shade, which would also be used for the base of the waterside buildings. As such, the lower and taller elements would be visually joint, which is supported.

7.160 For block M, it is proposed to create a specific identify with a medium red brick and a more robust architectural appearance. Whilst the LBTH design officer questioned the need for a specific identity for block M, there are no objections to this element. In addition, it has been noted that this could be an opportunity to activate the A12.

7.161 Overall, the proposed materiality is considered acceptable and further details and samples of the proposed materials would be secured via condition.

Ground floor frontages

7.162 The proposed commercial uses within block M would activate the ground floor frontage along the A12 and along the south-eastern corner area along Bromley Hall Road, which is

supported. A small residential unit within block I of Phase 1 would additionally activate this space.

- 7.163 The proposals include the activation of the riverside park area with commercial units on the ground floors of blocks A and B, as well as block C. These units can spill out into the park to provide activity, as well as ensure the safety during all parts of the day.
- 7.164 Concerns have been raised by the LBTH design officer about the lack of active frontages along Lochnagar Street. While the southern courtyard block facing Lochnagar Street would provide some visual activity with the three storey dwellinghouses, it has been acknowledged that the southern ground floor frontage of blocks A and B would be given to the cycle storage and other operational areas. This is of particular importance given the adjacent safeguarded area for the future bridge across the River Lea.
- 7.165 Ideally, active frontages would have been provided along Lochnagar Street of blocks A and B, however, it is acknowledged that spaces such as cycle storage and other maintenance areas are required for operational purposes of the proposed residential development. Additional details have been presented to demonstrate how the proposed cycle storage in this location would aim to ensure a more transparent visual appearance to provide some activity. In addition, the applicant has sought to address the concerns raised at the pre-application stage to activate the park in order to ensure its use throughout all parts of the day.
- 7.166 It should also be noted that there would be an additional residential entrance along Lochnagar Street for blocks A and B. It is considered that this would provide some activity, albeit not to a large extent. However, the details proposed for this area appear to aim in securing high quality details which would help in addressing the issue about the lack of active frontages in this part of the site.



Figure 10. Proposed residential entrance for blocks A and B on Lochnagar Street

- 7.167 For other parts of the site, a more residential feel has been proposed along Ailsa Street. Whilst this is also the case for the route between the southern and northern courtyard blocks, its direct connection to the A12 underpass would ensure that the pedestrian and cyclist movement provides some activity along these spaces.

Landscaping & Public Realm

- 7.168 The proposed design has been developed with a strong focus on landscaping and improving the extant consent in this respect. The design evolution aimed to create distinctive landscape character areas across the site, as presented in the figure below.



Figure 11. Proposed landscape character area.

- 7.169 The central east-west route has been envisaged as a Green Link, creating an arrival point along the A12 and direct connection to the riverside park area with planters. Along the full length of the eastern boundary of the application site, the proposals include the delivery of a riverside walk which would have intertidal terraces and additional planting.
- 7.170 The two north-south routes have been designed as neighbourhood streets, which would incorporate one-way vehicle movement. The proposed design aimed to ensure a pleasant pedestrian movement, with greenery and some informal seating spaces where available.
- 7.171 The proposals include smaller area of open space to either side of block M. The space to the north of block M would serve as a residential corner incorporating child play space. Initially, the space to the south of block M was envisaged to serve as a commercial corner, however, after concerns were raised with regards to the poor delivery of communal amenity space for future units within block M, the proposals have been amended to include the southern area to cater for block M.
- 7.172 The Riverside Park is one of the main improvements to the site layout of the extant consent as it creates a more consolidated open space along the river which would be publicly accessible. This space would include intertidal terraces and planting supporting biodiversity, child play space, as well as seating areas and table tennis tables. Along the edge of blocks A and B, there would be overspilling of the commercial uses, additionally activating this space.



Figure 12. Proposed riverside park visualisation.

- 7.173 Additional publicly accessible child play is proposed to the north of block C, which would also incorporate a basketball half court and play equipment for children aged 5-11 years old. This child play space would be accessed from Ailsa Street, but also along the riverside walk.
- 7.174 With regards to the areas connecting the site with other strategic movement routes, the proposed development includes a safeguarded bridge landing area in the south-eastern corner of the application site. Whilst the bridge design and landscaping of the safeguarded area are developed under a separate planning permission, the applicant has referenced the emerging bridge design in the illustrative landscaping plan. The applicant has agreed to deliver the landscaping along the northern part of the safeguarded land, which would be secured via planning obligation.
- 7.175 Outside of the application along the western boundary, the proposals include improvements to the A12, including repaving and re-planting of the area adjacent to block M. As shown in the figure below, this would benefit entrance to the commercial units within block M, but also the wider area, particularly when using the underpass and the adjacent bus stop. In addition to these, the applicant has agreed to contribute with financial obligation to the improvement to the underpass that TfL are planning to carry out in the future.



Figure 13. Proposed A12 landscaping, leading to block M.

- 7.176 Overall, the proposed landscaping design is considered to be acceptable, and it would ensure the delivery of high-quality design of the scheme and future users of the proposed

spaces. The landscape principles and objectives presented in the submitted Landscape Design and Access Statement area supported, and additional details will be secured through a planning condition to ensure that the detailed design of the proposed landscaped area is carried through to the delivery stage.

Safety & Security

- 7.177 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.
- 7.178 The proposed development would provide more natural surveillance across the application site and to its immediate surroundings through the proposed design. This would particularly be the case along the A12 with the provision of active frontage within the ground floor area of block M, as well as within the riverside towers, where active ground floor frontages would face the park area, ensuring the space would be safe to be used throughout different times.
- 7.179 In general, the proposed development would contribute to the provision and improvements of more lit spaces along the streets, which would also positively benefit the surrounding area.
- 7.180 The Metropolitan Police Designing Out Crime Officer has been consulted and stated no objections to the proposed development, subject to further details being provided in a Secured by Design strategy, which will be secured as a condition.

Built Heritage and Views

- 7.181 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. Development Plan policies require developments affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, material and architectural detail.
- 7.182 The relevant assessments have included in the Environmental Statement as part of two distinctive chapter. The Built Heritage chapter deals with above-ground built heritage impacts, assessing the effects of the proposed development on the significance of the area's heritage assets. The Townscape and Views chapter gives consideration to townscape and visual effects through two separate but inter-related assessments consisting of consideration of the effects on the character and quality of the site and surrounding area, and an evaluation of the visual effects of the development on views, viewers and visual amenity.

Heritage assets

- 7.183 The north-western corner of the application site abuts the Limehouse Cut conservation run which stretches further to the north. The conservation area represents the former industrial landscape and is characterised by the waterscapes and relationship of the buildings with the waterspace along the Canal, the River Lea and Bow Creek.
- 7.184 To the south-west of the application site on the opposite side of the A12 sits the Langdon Park conservation area whilst further to its south is the Balfron Tower conservation area, both of which have listed buildings within their boundary with Balfron Tower being grade II* listed.
- 7.185 To the south of the application site, on the opposite side of Lochnagar Street behind a strip of land sits the grade II listed Bromley Hall School. Immediately to the north-west of the application sits the grade II listed Old Poplar Library and the grade II* listed Bromley Hall building. Bromley Hall is believed to date from the late C15 and was built as a manor house while the Old Poplar Library was designed in a classical Beaux Art style.
- 7.186 Further to the north of the site beyond the existing waste transfer site which abuts the northern boundary of the application site, sits the grade II listed converted Former Bow Fire Station, and the locally listed warehouse building at 23-26 Gillender Street and the adjacent

grade II listed building forming part of the industrial buildings associated with a former distillery on the site.

7.187 The ES assessment found that there would be no impact on any of the heritage receptors during both the construction and operation of the proposed development. Whilst in general there are no objections to the assessment and its conclusion, it should be noted that the proposed scheme would generally be a highly prominent feature along the Limehouse Cut conservation area, as well as within the settings of the immediately adjacent listed buildings. However, it is considered that the proposed development would represent an improvement on the existing site, particularly given the principles set out in the design, as detailed in the sections above.

Townscape and strategic views

7.188 London Plan policy HC4 provides requirements on the London View Management Framework (LVMF). The policy states that 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, as well as the preservation of the landmarks of World Heritage Sites (WHS). Development proposals in designated views should comply with the relevant criteria set out in the policy.

7.189 Tower Hamlets Local Plan 2031 policy D.DH4 reiterates the requirement to comply with the LVMF requirements and the WHS Management Plans. In addition, this policy requires development to demonstrate how they preserve or enhance townscape and views to and from the site which are important to the identity and character of the place.

7.190 The applicant has provided details on the assessed views, which were previously agreed with the Council's design officer. These mainly represent the local views in the area, given that no part of the site generally falls within the views set out in the London View Management Framework. It should be noted that the Balfour Tower is a borough designated landmark.

7.191 The assessment concludes that there would be minor to moderate adverse impacts on the townscape views during the construction period, however, it has been noted that these would not be significant, and it would be of the during the construction period, which is considered acceptable.

7.192 The ES concluded that the proposed development once built would have several beneficial impacts, most of which would not be significant apart from the impact on the townscape of the site. As concluded in the section above, Officers considered that the proposed development would sit comfortably within the area's townscape and it would complement the existing and emerging character of the wider area.

7.193 Overall, it is considered that the proposed development would have an acceptable impact on the townscape and views, particularly when taking into consideration the emerging context of the site's surrounds.

Archaeology

7.194 The application site lies within the Archaeological Priority Area and the proposed development could have an impact on archaeological remains associated with the early industrialisation of the area. As such, the application has been referred to the Greater London Archaeological Advisory Service (GLAAS) for comment.

7.195 The proposed development could cause harm to archaeological remains and field evaluation would be needed to determine appropriate mitigation. It has been noted that some works have been carried out as part of a pre-commencement condition of the extant consent, however, further mitigation measures would be secured for an archaeological watching brief to be undertaken for Phase 2.

7.196 In addition, a condition would be secured for a strategy of appropriate public benefit if archaeological remains are found which are of significance, as recommended by GLAAS and identified in the ES review.

Neighbour Amenity

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

7.198 The existing properties to the north-west corner of the application site include Katherine Court, Wellspring Close and 45 Gillender Street. The applicant included the consented scheme for the Leaside Business Centre site, however, it has been noted that this consent has not been implemented and that the existing container structures on the site are commercial in use.

7.199 The existing properties to the south include the Bromley Hall School and 40 Leven Road further to the south. Between the application site and Bromley Hall School sits Plot J of the Aberfeldy scheme which is currently under consideration. Along the south-east corner of the application site sits the consented residential Islay Wharf tower, beyond which is the consented Former Poplar Bus Depot scheme consisting of three residential towers and lower perimeter blocks along Leven Road.

7.200 The closest neighbouring properties on the opposite side of the A12 to the west of the application site are 90-152 Teviot Street and Poplar Baptist Church which contains both religious and residential uses.



Figure 14. Map of neighbouring properties.

Privacy, Outlook & Sense of Enclosure

7.201 Tower Hamlets Local Plan policy D.DH8 indicates a distance of approximately 18 metres between windows of habitable rooms in order to reduce inter-visibility between these to an acceptable level.

- 7.202 With regards to the proximity of the adjoining properties, proposed block M would be more than 18m distanced from Wellspring Close and Katherine Court properties to the west. As such, this would ensure that there would be acceptable impact on these properties.
- 7.203 Wellspring properties would be distanced about 14m from the northern courtyard building containing blocks E-H, whilst 45 Gillender Street would be between 15.6-16.9m from this block. It has been noted that the northern courtyard block has been designed with a set back from the boundary to provide a road and alleviate impact on the adjoining properties. In addition, it is considered that the impact would be limited and as such acceptable.
- 7.204 Further to the west for properties on the other side of the A12, including 90-152 Teviot Street and 164-224 Teviot Street and Poplar Baptist Church, the impact is considered to be limited given the significant constraint and width of the A12.
- 7.205 To the south, proposed block J forming part of the Aberfeldy scheme currently under consideration would be part 2, 3 and 5 storeys in height on the opposite side of Lochnagar Street. This block would be circa 16m distanced from proposed southern courtyard building incorporating blocks I-L. It is not considered that this would have a significant impact on the amenity of the future occupiers of the two schemes.
- 7.206 Further to the south-west is the consented Islay Wharf building which would be more than 18m distanced from block A, ensuring that any impact is mitigated with sufficient separation distance between the habitable rooms of the two schemes.
- 7.207 With regards to futureproofing of the Leaside Business site to the north currently containing office containers, blocks E-H are set back 15.7m diagonally from the boundary with the adjoining site which would ensure that any redevelopment of the site would be limited.
- 7.208 Overall, it is considered that the proposed development has been designed to have regard to the neighbouring residential properties. None of the separation distances would be significantly below the policy recommendation of 18m, ensuring that there would be acceptable impact on privacy, outlook and sense of enclosure enjoyed by neighbouring properties.

Daylight, Sunlight & Overshadowing

- 7.209 Tower Hamlets Local Plan policy D.DH8 requires developments to not result in any material deterioration of daylight and sunlight conditions of surrounding development or unacceptable level of overshadowing to surrounding open space. Guidelines relating to assessing daylight, sunlight and overshadowing is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight (2011).
- 7.210 The application is accompanied by an assessment of an impact on daylight, sunlight and overshadowing of the neighbouring properties and spaces, which has been prepared by Lichfields. Throughout the course of the application, the applicant submitted an updated assessment report to reflect the changes in the BRE guidance, which has been included as a summary in Section 8.0 of the Environmental Statement Further Environmental Information (April 2023), with more detailed information provided within Appendix 8 of the Addendum to the Further Environmental Statement (June 2023). The applicant has also submitted a response to the BRE's initial review.
- 7.211 The Council appointed specialist consultants BRE for the review of the submitted information. BRE have reviewed the information submitted information, including the response submitted by the applicant.
- 7.212 The following daylight and sunlight receptors have been assessed for losses, as identified in the figure below:
- 45 Gillender Street
 - Katherine Court
 - Wellspring Close
 - 90-152 Teviot Street

- 164-224 Teviot Street
- Poplar Baptist Church
- Former Bromley Hall School
- 2-22 Leven Road
- 40 Leven Road
- Islay Wharf
- Plot J of the Aberfeldy scheme.

7.213 The applicant has also included a development within the Leaside Business Centre site which has approved under PA/19/01628. However, it has been noted that this scheme has not been implemented during its lawful decision time and has since lapsed. As such, this report does not include the assessment on this site given that the current uses on the site are not residential, and any future redevelopment would be subject to a separate planning approval.

Daylight

7.214 For calculating daylight to neighbouring properties affected by the proposed development, the BRE guidance 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.

7.215 The first test uses the Vertical Sky Component (VSC) to assess the percentage of the sky visible from the centre of a window. 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.

7.216 The second test is the daylight distribution assessment (No Sky Line) which measures the distribution of daylight at the working plane within a room where internal room layouts are known or can be reasonably assumed. 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.

7.217 The BRE guidelines recommend that both the VSC and daylight distribution are used, where room layouts are known for the daylight distribution. The applicant has used both tests for all assessed properties, and the room layouts have been taken from the planning portal or estate agents' website for Katherine Court, 45 Gillender Street and 40 Leven Road. For other properties, it appears that assumptions for layouts were made.

7.218 With regards to the significance criteria against the assessment results, the Council uses a classification of impact which is applied on a window by window basis. Relative losses of less than 20% are classed as negligible, 20-30% as minor adverse, 30-40% moderate adverse, and more than 40% major adverse. This is an objective set of criteria, and the boundaries of the categories are reasonable, as confirmed by the BRE in their review report.

7.219 However, it must be noted that some of the impacts to the neighbouring properties appear to be underestimated by the applicant. This has been noted both by BRE in the review, as well as by Temple in the Environmental Statement review. The assessment in this report clarifies the significance impact on the neighbouring properties, in accordance with the reviews carried out by the Council's specialists.

7.220 Moderate and major effects are deemed to be significant while negligible and minor are considered to be not significant. As such, the section below focuses on properties where daylight losses would be moderate adverse as there would be no major impacts on any of the surrounding properties.

7.221 The submitted assessment identifies a baseline which incorporates all existing neighbouring buildings and any properties which are under construction. In addition to these, the

cumulative baseline contains neighbouring developments with planning consent which includes Islay Wharf and Former Poplar Bus Depot to the south, as well as Plot J within the Aberfeldy scheme which is currently under consideration by the GLA.

45 Gillender Street

7.222 This receptor is a three storey building comprising of flats, situated to the north-west of the application site. A total of 18 windows facing the proposed development have been included in the VSC assessment and 12 rooms were assessed for daylight distribution.

7.223 With regards to VSC, nine of the 18 windows analysed would not meet the BRE guidelines, with most of these experiencing minor adverse impact. In the cumulative scenario, this would increase to 12 windows not meeting the BRE guidelines. All 12 rooms analysed would meet the BRE guidelines for daylight distribution in both scenarios.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	9	8	1	-
Daylight Distribution	12	-	-	-

Table 9. Daylight impact on 45 Gillender Street.

7.224 The overall impact on the loss of daylight to this property is considered to be moderate adverse given that half of the windows would have losses of daylight outside the BRE guidelines for VSC. However, it has been taken into consideration that all of the rooms would meet the BRE guidelines for daylight distribution.

Katherine Court

7.225 Katherine Court is a six storey block of flats to the north-west of the application site. The assessment analysed 59 windows for VSC and 31 rooms for daylight distribution.

7.226 For VSC, 27 windows out of analysed 59 would not meet the BRE guidelines, out of which 15 would be moderate adverse and 6 major adverse. 9 out of analysed 31 rooms would have daylight distribution outside of the BRE guidelines. The impact would remain the same in the cumulative scenario.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	32	6	15	6
Daylight Distribution	22	4	1	4

Table 10. Daylight impact on Katherine Court.

7.227 The overall impact on this property in terms of loss of daylight would be moderate adverse given that slightly under half of the analysed windows would not meet the VSC guidelines, most of which would be moderate adverse. In addition, almost a third of rooms would be affected for daylight distribution.

Wellspring Close

7.228 Wellspring Close is a two storey building containing commercial units and one residential unit on the ground floor and three further flats on the first floor. The assessment analysed 10 windows for VSC and 3 rooms with a known layout for daylight distribution.

7.229 With regards to the VSC, none of the windows would meet the BRE guidelines, all of which would have a moderate adverse impact with a single window experiencing minor adverse impact. Two of the three windows analysed for daylight distribution would meet the BRE guidelines for daylight distribution whilst the remaining one would experience a moderate adverse impact.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	-	1	9	-
Daylight Distribution	2	-	1	-

7.230 It is considered that the overall impact on this property in terms of loss of daylight would be moderate adverse given that the vast majority of windows would in fact experience a moderate adverse impact. In addition, a third of the analysed rooms would be affected for daylight distribution.

90-152 Teviot Street

7.231 This property is a four-storey block situated to the west of the application site, on the opposite side of the A12. A total of 36 windows were analysed for VSC and 36 rooms were included in the daylight distribution assessment.

7.232 With regards to VSC, 8 out of 36 windows would fail to meet the BRE guidelines, and these are all windows on ground, first and second floors facing east towards the proposed development. Out of these, one window would be marginally below the guidelines. For daylight distribution, 24 out of 36 analysed rooms would be outside the BRE guidelines. It should be noted that five of the impacted rooms would be marginally below the guidelines. The impact would remain the same in the cumulative scenario.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	28	4	-	4
Daylight Distribution	12	10	13	1

Table 11. Daylight impact on 90-152 Teviot Street.

7.233 The overall impact on this receptor would be moderate adverse given that four of the windows affected in terms of VSC would have significant losses in the region between 25-30%, and two thirds of the analysed rooms would have the daylight distribution outside the guidelines.

Poplar Baptist Church

7.234 Poplar Baptist Church is a three storey building situated to the west of the application site, on the opposite side of the A12. A total of 8 windows and same number of rooms have been analysed.

7.235 The assessment shows that the loss of daylight would be negligible as only one window would be marginally outside the BRE guidelines for VSC. However, there would be a moderate adverse impact in the cumulative assessment given that only 1 out of 8 windows would be meet the VSC guidelines, however, all rooms would still meet the daylight distribution guidelines. It has been noted that the retained VSC values would be between 24.2-26.9%, however, these would represent 30-36% reduction.

40 Leven Road

7.236 40 Leven Road (also known as Atelier Court) is an eight storey block of flats situated to the south. The assessment analysed 28 windows for VSC and 28 rooms for daylight distribution for this property.

7.237 All windows and rooms would meet the BRE guidelines. In the cumulative scenario, 8 out of 28 windows would not meet the BRE guidelines and the retained VSC values would be between 21.9-26.8%. All rooms would still meet the daylight distribution guidelines. This would be assessed as overall moderate adverse impact in the cumulative scenario.

Islay Wharf

7.238 Islay Wharf is a consented development of two blocks ranging in height between 12 and 21 storeys, situated to the south of the application site on the opposite side of Lochnagar Street and facing the River Lea along its eastern boundary. A total of 433 windows and 186 rooms were included in the assessment for VSC and daylight distribution.

7.239 With regards to the VSC assessment, out of 433 analysed windows, 197 would meet the BRE guidelines while the remaining 236 would fail to meet these, of which 45 would be moderate adverse and 169 major adverse. With respect to daylight distribution, out of analysed 186 rooms, 135 would meet the BRE guidelines.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	197	22	45	169
Daylight Distribution	135	30	2	19

Table 12. Daylight impact on the Islay Wharf consented development.

7.240 The overall impact on the Islay Wharf development would be major adverse given that more than a third of the analysed windows would experience a major adverse loss and more than 25% of analysed rooms would have reduction in daylight distribution.

Plot J of the Aberfeldy scheme

7.241 The applicant has also included buildings within Plot J of the Aberfeldy scheme, which is currently under consideration. These properties are situated on the opposite of the proposed development on Lochangar Street. A total of 62 windows and 57 windows were analysed.

7.242 With regards to the VSC assessment, out of 62, only 4 windows would meet the BRE guidelines, while the majority of windows would experience major adverse impact. For the daylight distribution, 17 out of analysed rooms would meet the BRE guidelines, while the rest would experience adverse impacts as set out in the table below.

Impact	Negligible	Minor adverse	Moderate adverse	Major adverse
Vertical Sky Component	4	-	3	55
Daylight Distribution	17	10	13	18

Table 13. Daylight impact on Plot J of the Aberfeldy scheme.

7.243 It is considered that the proposed development would have an overall major adverse impact on Plot J currently under consideration as part of the wider Aberfeldy scheme, given the magnitude and number of impact properties, both in relation to VSC and daylight distribution.

Other analysed properties

7.244 With regards to other analysed properties for loss of daylight, there would be minor adverse impact to 164-224 Teviot Street and negligible impact to Bromley Hall School and 2-22 Leven Road.

Daylight Conclusion

7.245 In summary, the worst impacted properties would be the ones situated immediately adjacent to the north-west corner of the application site, including 45 Gillender Street, Katherine Court and Wellspring Close, as well as properties to the south, including consented development at Islay Wharf and Plot J of the Aberfeldy scheme currently under consideration. For other properties, the impact would be worsened in the cumulative scenario when additional impact would be taken into consideration from other neighbouring properties.

Sunlight

- 7.246 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.
- 7.247 The significance criteria for sunlight assessment uses the same classification of impact as detailed above for daylight assessment. Similarly, the assessment in this report clarifies the significance impact on the neighbouring properties, in accordance with the reviews carried out by the Council's specialists.
- 7.248 Given the location of the proposed development, only four properties have been analysed for sunlight as these would have windows facing within 90 degree of due south.
- 7.249 The assessment shows that there would be minor adverse impact to 45 Gillender Street as a result of two windows out of analysed 18 not meeting the BRE guidelines for winter sunlight. All other windows would meet the 25% of the annual probably sunlight hours guidelines.
- 7.250 Out of 34 windows analysed for loss of sunlight within Katherine Court, two would fail to meet the BRE guidelines for annual probably sunlight hours guidelines whilst 6 would fail to meet the 5% of winter probably hours. Given that this would only be a small number of windows affected, the overall impact would be minor adverse.
- 7.251 For the Wellspring Close properties, a total of 4 windows were relevant for the sunlight analysis and the impact on these would be negligible.
- 7.252 Poplar Baptist Church has one window due south which would meet the BRE guidelines for loss of sunlight. Similarly, all 126 windows within the Islay Wharf development would also meet the BRE guidelines.
- 7.253 For other properties, the proposed development would not cause issues to loss of sunlight as none of the windows face within 90 degree of due south.

Sunlight Conclusion

- 7.254 Overall, the impact of the proposed development on neighbouring properties would not cause significant losses of sunlight, which is considered acceptable.

Overshadowing

- 7.255 The BRE guidelines recommend that at least half of an amenity space should receive at least 2 hours sunlight on 21st March. If in an existing outdoor space, the area receiving at least two hours sun is less than this and less than 0.8 times the former area, then the loss of sunlight would be significant.
- 7.256 The submitted assessment does not include an assessment of loss of sunlight to open spaces. The applicant's collected information during site visit does not indicate that there are open spaces in the vicinity of the proposed development where loss of sunlight would be an issue. This has also been confirmed as acceptable by BRE.

Daylight, Sunlight and Overshadowing Conclusion

- 7.257 As outlined above, the proposed development would mainly result in significant impact to the daylighting conditions of the properties immediately adjacent to the north-west of the application site, where the proximity of these properties to the application site represents a particular challenge. In addition to these, one of the blocks on the opposite side of the A12 would also be impacted significantly.
- 7.258 Officers have acknowledged the indicated impact on the neighbouring properties. The proposed scheme would have a bigger impact than the consented scheme, albeit on the same properties, however, it has been noted that the two scheme were assessed against

the different BRE guidance. In addition, the surrounding area has been changing with additional sites being redeveloped which influenced a different baseline from the consented scheme.

- 7.259 Whilst the proposed impact would be significant, it is considered that the additional housing units, as well as overall improvements to the layout of Phase 2 would make the scheme acceptable on balance.

Noise & Vibration

- 7.260 Part E of policy D13 states that development proposals should not normally be permitted where they have not clearly demonstrated how noise and other nuisances will be mitigated and managed.
- 7.261 Policy D14 of the London Plan requires developments to manage noise by avoiding significant adverse noise impacts on health and quality of life, reflecting the Agent of Change principle and overall ensuring mitigation and minimisation of noise and controlling of any potential adverse effects.
- 7.262 Policy D.DH8 of the Tower Hamlets Local Plan 2031 requires developments to not create unacceptable levels of noise pollution during the construction and life of the development.
- 7.263 Policy D.ES9 of the Tower Hamlets Local Plan 2031 requires development to be designed in such a way to minimise noise and vibration impacts and identify mitigation measures to manage impact.
- 7.264 During the construction stage, the proposed development would have the potential to adversely impact on the existing neighbouring properties immediately to the north-west, as well as across the A12, and the properties to the south of Lochnagar Street along Leven Road. However, the incorporation of the relevant mitigation measures in the Construction Environmental Management Plan would ensure that the impact would be negligible to minor for most receptors, with some properties along Leven Road experiencing moderate adverse effects.
- 7.265 With respect to the operational stage of the proposed development, there would be a negligible impact on all existing receptors in the area, however, it has been noted that a mitigation measure in the form of restriction on opening hours and servicing of the commercial uses is proposed, which is welcomed and will be secured via condition.
- 7.266 As such, it is considered that the noise and vibration impact from the proposed development would be managed in order to safeguard the amenity of the neighbouring properties and the area in general.

Construction Impacts

- 7.267 Due to the planned redevelopment of various sites in the Lower Lea Valley, it is likely that the area will experience a significant volume of construction throughout the years. Conditions will be secured for the submission of further details to demonstrate how the construction impacts will be managed in a way that minimises any adverse impact to the area.
- 7.268 The applicant will be required to adhere to the latest Council's Code of Construction Practice to ensure that best practice is followed, which would further minimise the adverse impact. In addition, planning obligations will be sought towards development co-ordination and integration set out in the latest Planning Obligations SPD, as well as securing compliance with the Considerate Contractor Scheme.

Transport

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

- 7.270 The submitted information relating to transport considerations and impact has been included within Chapter G of the Environmental Statement and the appended Transport Assessment, as well as the additional environmental information subsequently received throughout the course of the application.
- 7.271 The existing site is currently closed for access given the ongoing works within Phase 1. The hoardings have been placed along the perimeter of the site to ensure public's safety.
- 7.272 The majority of the application site has a Public Transport Accessibility Level (PTAL) of 1a-1b on a scale of 1 to 6 where 6b is considered excellent. The south-western corner of the site has a PTAL of 3 given its proximity to the adjacent A12 underpass.

Vehicular, pedestrian and cycle access and movement

- 7.273 The application site would be accessed from Lochnagar Street by vehicles. The proposed design would have a reversed direction of the street accessing the site than consented scheme, which would be an improvement as the proposed arrangement would improve the safety.
- 7.274 The proposed pedestrian access into the site would generally be provided around each of the buildings, however, the main pedestrian routes would run along the proposed streets. This would allow for access from Lochnagar Street, the A12 and along the riverside walk. The figure below shows the proposed residential and commercial access points into each of the proposed blocks.



Figure 15. Proposed access points to buildings.
 Key: Yellow arrows – residential access points, Orange arrows – commercial access points.

- 7.275 Given the location of the riverside towers around the proposed open space, it has been noted that they would be provided with access points from the street side, as well as the park side, which is welcomed as the design uses the opportunity to provide different access options to future users.
- 7.276 The proposed cycle access would be similar to the pedestrian given the scheme seeks to ensure accessibility into the site, however, it has been noted that Lochnagar Street, and

street between the courtyard blocks and immediately adjacent to block M would form the principle cycle routes, as presented in the submitted information.

7.277 The proposed development would open up the site in an area which was historically closed for the wider movement, which is strongly supported. The proposed riverside walkway would ensure the continuity of the towpath further to the south. In addition, Lochnagar Street would become a strategic movement route once the bridge across the River Lea is delivered, which would link the borough with neighbouring Newham.

7.278 Overall, it is considered that the proposed movement strategy along and within the site, particularly for pedestrians and cyclists, would have a positive impact to the wider area.

Deliveries & Servicing

7.279 The application is supported by an Outline Delivery & Servicing Plan (DSP), as well as details on the swept paths of the servicing and waste vehicles.

7.280 The proposed deliveries and servicing arrangement, including waste collection, would occur as a clockwise one-way route within the site accessed from Lochnagar Street.

7.281 The applicant has addressed many of the concerns during the pre-application stage regarding the deliveries and servicing arrangements. There are no objections to this element of the scheme, and a final version of the DSP will be secured via condition.

Car Parking

7.282 London Plan policy T6 encourages car free development through the provision disabled persons parking in line with policy T6.1 which requires the provision of disabled persons parking for new residential developments ensuring 3% provision from the outset with additional 7% to be provided upon request. The policy also states that new residential car parking spaces should provide at 20% of active charging facilities with passive provision for all remaining spaces.

7.283 Tower Hamlets Local Plan policy D.TR3 requires all residential developments to be permit free and that all parking associated with the development should be provided off-street.

7.284 The consented scheme secured a ratio of 0.27 car parking spaces per dwelling which equated to a total of 210 spaces, of which 79 spaces were accessible. The proposed development would result in a reduction of the overall number of car parking spaces within the site from 210 to 95, which is supported.

7.285 The proposed car parking will remain as consented for Phase 1 and it would be situated within the basement level of the courtyard blocks provided as two separated car parking areas, both of which would be accessed from the eastern internal street. Given that there are no changes proposed to the courtyard blocks and the proposal would still result in a significant reduction of the overall number of car parking spaces, the retention of the car parking within Phase 1 is considered acceptable on balance.

7.286 For Phase 2, the proposals include a limited provision of car parking in order to comply with the current planning policies requiring developments to be permit-free. The proposed parking spaces associated with Phase 2 would only be for wheelchair units while remaining units would be secured as permit free. This would consist of the initially provided 3% amounting to 19 accessible car parking spaces on street level, with further 7% to be provided should the need arise at a later date. All of the accessible bays would be secured on a lease and needs basis only, as requested by the LBTH highways officer.

7.287 Of the proposed 95 residential car parking spaces within the whole development, 29 would be accessible. There would be a provision of 20% active electric vehicle charging points while the remaining 80% would be passive. For the non-residential component, there would be a provision of one accessible car park space on the street level. All details related to the car parking would be secured via condition in a Car Parking Design and Management Plan.

7.288 The proposals also include the provision of two car club spaces within Phase 2, which would be located on the western side of Ailsa Street. These would be secured on a three-year membership via a planning obligation.

Cycle Parking and Facilities

7.289 London Plan policy T5 sets out the minimum cycle storage requirements for each of the land uses. For residential developments, the size of units dictate the minimum standards, while for non-residential uses, this would depend on the proposed use. It should be noted that the cycle parking space requirements in the London Plan do not refer to the new Use Class E, but its predecessor Use Classes.

7.290 As per car parking, the cycle parking for Phase 1 would be delivered in accordance with the consented scheme, which equates to 524 long-stay and 9 short-stay cycle parking spaces for 329 residential units.

7.291 For Phase 2, a total of 1,049 long-stay and 16 short-stay cycle parking spaces would be provided for the proposed 623 residential units and commercial uses. This would satisfy the minimum requirements and as such, it is considered acceptable. The proposed residential cycle parking spaces would be situated within the ground floor area of the proposed blocks and would be provided as a combination of two-tier cycle racks and Sheffield stands. Both LBTH highways officer and TfL have suggested the provision of more than 5% minimum provision for oversized and adapted bicycles.

7.292 The proposed short-stay cycle parking spaces would be situated in front of the ground floor commercial space of block C overlooking the park. For blocks A and B, the proposed short-stay spaces would be situated within the buildings' setback ground floor area in the north-western and south-easter corners.

7.293 For the residential cycle parking, detailed design would be secured via condition, including compliance with the London Cycle Design Standards, as well as a requirement to maximise the provision of cycle parking spaces for larger and adapted bikes. In addition, a Cycle Parking Management Plan will be secured to demonstrate how users with specific needs will be allocated accessible spaces.

7.294 For the proposed non-residential uses, the applicant has confirmed that there should be facilities for changing areas and storage. Full details would be secured via condition.

Trip generation

7.295 The submitted Transport Assessment has undertaken a trip generation assessment to determine the multi modal trip generation of the existing site and the proposed development.

7.296 Clarifications have been provided through additional information to respond to the clarification queries initially requested by TfL. This included additional details on the three-hour period details for trip generation, as well as further assessment on the potential impact on rail, underground and DLR trips to nearby stations.

7.297 Overall, the provided information in relation to the trip generation is considered acceptable, and the assessment demonstrates that there would be negligible impact on the highway network from Phase 2 increase.

Travel Planning

7.298 A Framework Travel Plan and Residential Travel Plan have been submitted in support of the application to demonstrate how the proposals would encourage the use of public transport, walking and cycling. Final Travel Plans will be secured via condition to ensure that this has been addressed, which would be secured for construction, and residential and commercial elements of the proposed development.

Active Travel and Healthy Streets

- 7.299 The applicant carried out the Active Travel Zone assessment using the Healthy Streets indicator to key destinations within the 20-minute cycle catchment area for the site.
- 7.300 The proposed development would contribute to the improvement of the pedestrian and cyclist movement within and along the perimeter of the application, which would benefit the wider area. This includes connections to the A12 underpass through Lochnagar Street and provision of other routes within the site, all of which would have a welcome focus on prioritising pedestrian and cyclist movement, with the appropriate provision of soft landscaping.
- 7.301 Along its eastern boundary, the proposed development would deliver a riverside walk, which would ensure the continuation of the towpath from the south, as well as access to the proposed riverside open space also secured as part of the proposed development. These measures would secure the delivery of the Council's Green Grid network, which is strongly supported.
- 7.302 The proposals include the improvement works along the A12 through the repaving and replanting of the footway adjacent to proposed block M, and financial contributions for a delivery of a cycle hire docking station amounting to £220,000 which would be situated immediately to the east of block M, as well as a financial contribution towards the underpass improvement works of £250,000. These contributions have been requested by TfL and accepted by the applicant and will be secured via planning obligations.
- 7.303 In addition to these, the proposed development would continue to safeguard the landing area for the bridge proposed at the of Lochnagar Street offering connection to Newham on the eastern bank of the River Lea. In addition, the applicant has agreed to deliver the landscaping within the safeguarded area of the bridge, which would represent a continuation of the Ailsa Wharf landscaping further to the north.
- 7.304 Overall, it is considered that the proposed development would significantly contribute to the delivery of measures seeking to encourage active travel within the proposed development and the wider area.

Demolition and Construction Traffic

- 7.305 The application is supported by an Outline Construction Logistics Plan, draft Construction Traffic Management Plan and Construction Environmental Management Plan. Final versions of these documents would be secured via a condition to ensure that they consider and manage the impact on the surrounding area.

Summary

- 7.306 As detailed in the sections above, it is considered that the proposed development would comply with the planning policies and objectives which seek to ensure that impact on the highways network has been minimised and that future occupiers would be provided with suitable parking facilities.

Environment

Environmental Impact Assessment

- 7.307 The proposed development represents Environmental Impact Assessment (EIA) development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) and is accompanied by an Environmental Statement (ES) coordinated by Lichfields.
- 7.308 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.

- 7.309 The submitted ES assesses the environmental impacts of the development under the following topics:
- Air Quality (Chapter I of the ES);
 - Archaeology (Chapter M of the ES);
 - Built Heritage (Chapter N of the ES);
 - Climate Change and Resilience (Chapter P of the ES);
 - Daylight and Sunlight (Chapter K of the ES);
 - Ecology and Nature Conservation (Chapter O of the ES);
 - Ground Conditions and Contamination (Chapter E of the ES);
 - Noise and Vibration (Chapter H of the ES);
 - Socio-Economics (Chapter J of the ES);
 - Townscape and Views (Chapter D of the ES);
 - Transport (Chapter G of the ES);
 - Water Environment, including Flood Risk (Chapter F of the ES); and
 - Wind Environment (Chapter L of the ES).
- 7.310 The ES has been reviewed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (EIA Regulations).
- 7.311 The application has been supported by an ES and Updated Non-Technical Summary (NTS) (June 2023), Environmental Statement Further Environmental Information (April 2023) and Addendum to the Further Environmental Statement (June 2023). The two set of responses containing additional ES information were considered to be 'further information' under Regulation 25, for which the relevant consultations were carried out in accordance with the legislation requirements, as detailed in section 4 of this report.
- 7.312 The Council appointed Temple Group to independently examine the ES to confirm whether the ES satisfies the Regulations. This is supported by review reports consisting of the Interim Review Report (dated 04/05/2022), Final Review Report 001 (dated 19/08/2022), Review of Further Supplementary Environment Statement Report, Final Review Report 002 (dated 12/05/2023), and Final Review Report 003 (dated 25/07/2023).
- 7.313 Clarifications were sought across a broad range of topics in the Final Review Report 002, with the following topics including matters considered as further information under Regulation 25:
- Climate change and Resilience,
 - Ecology and Nature Conservation,
 - Socio-Economics,
 - Transport, and
 - Wind Environment.
- 7.314 The first Regulation 25 consultation related to the further information presented for the above topics, whilst the second Regulation 25 consultation was with regards to the revised NTS document that included additional information on the likely significant effects.
- 7.315 During the construction stage of the proposed development, significant adverse effects have been reported in the ES in relation to the noise and vibration (minor to moderate) and climate change impacts, which would arise from construction activities.
- 7.316 During the operation of the proposed development, the ES sets out that there would be significant adverse effects on transport (moderate) and daylight, sunlight and overshadowing whilst significant beneficial effects have been reported for townscape and views (major), and socio-economics (moderate). Cumulative significant adverse effects have been reported in relation to socio-economics regarding the education and healthcare provision, as well as climate change.
- 7.317 With regards to the particular significant effects on daylight sunlight and overshadowing, these have not been reported as significant in the ES, however, it has been acknowledged

that there would be a major adverse impact on sunlight to a unit in the Leaside Business Park and as such, it is appropriate to consider the effect to be significant.

- 7.318 The Council's EIA Officer and the Council's appointed EIA consultants have confirmed that the submitted ES, including the subsequent ES submission as set out above, meets the requirements of the EIA Regulations.
- 7.319 The 'environmental information' has been examined by the Council and has been taken into consideration by officers to reach a reasoned conclusion of the significant effects of the proposed development, which forms the basis of the assessment presented in the report.
- 7.320 Appropriate mitigation and monitoring measures as proposed in the ES will be secured through planning conditions and planning obligations. The environmental information comprises the ES, including further information and all other information, any representations made by consultation bodies and by any other person about the environmental effects of the proposed development.

Air Quality

- 7.321 London Plan policy SI1 and Tower Hamlets Local Plan policy D.ES2 require major developments to submit an Air Quality Assessment demonstrating to meet or exceed at least Air Quality Neutral standard. London Plan policy also requires EIA developments to consider ways to maximise benefits to local air quality and measures and design features to reduce exposure to pollution.
- 7.322 The submitted information relating to air quality has been included in Chapter I of the Environmental Statement. The assessment has considered impacts during the construction and operational stage of the proposed development.
- 7.323 Through the ES review, additional clarifications have been requested regarding the methodology of the presented information, mainly in relation to the model use for the assessment, baseline data, location of receptors, and the Air Quality Neutral assessment. The applicant has provided further information on these, which were considered appropriate for the assessment.
- 7.324 The applicant has included the relevant details in the Air Quality Positive Matrix instead of producing an Air Quality Positive Assessment, which demonstrates that the mitigation measures would benefit air quality and minimise exposure to poor air quality.
- 7.325 The assessment has concluded that the impacts from the construction road transport emissions, as well as the dust generation would have a negligible effect. In addition, these effects would be temporary and relatively short term, all managed through the relevant planning conditions relating to the Construction Environmental Management Plan, Construction Logistics Plan, Dust Management Plan, Non-Road Mobile Machinery emission standards and compliance with the Dust from Demolition and Construction SPG,
- 7.326 During the operational stage of the proposed development, the impact from the increase in traffic and emissions generated by the energy centre would result in a negligible effect on the environment and surrounding receptors, which is considered acceptable. Conditions will be secured with regards to the air quality standards for boilers, location of car park exhausts, kitchen extract standards for commercial uses, and mechanical ventilation for the proposed residential units.
- 7.327 The proposed scheme also seeks to maximise the landscaping features along the A12 which would result in mitigating the existing air pollution and improving the air quality in the area, which is welcomed. Whilst it has been noted in the ES review that the applicant has not used the opportunity to explain whether the proposals would maximise benefits to the air quality, given the proposed improvement to the worst impacted part of the site along the A12, as well as other mitigation measures, this is considered acceptable.

Biodiversity and Ecology

- 7.328 London Plan policy G6 and Tower Hamlets Local Plan D.ES3 require developments to protect and enhance biodiversity. In addition, London Plan policy G5 recommends a target score for Urban Greening Factor (UGF) of 0.4 for predominantly residential development.
- 7.329 The information relating to biodiversity and ecology has been provided within Chapter O of the Environmental Statement, and consists of Preliminary Ecological Appraisals of the site, a Bat Assessment and Bat Emergence Survey, and the Biodiversity Net Gain Assessment report.
- 7.330 The application site is situated immediately adjacent to the River Lea, a Site of Metropolitan Importance for Nature Conservation (SINC), which demonstrates the site's ecological sensitiveness. The existing site has been cleared as part of the implementation of the extant planning permission and as such, has negligible biodiversity value; however, a baseline included in the Biodiversity Net Gain Assessment also includes the vegetation that previously existed on site, which is considered appropriate. It has been noted that the Japanese knotweed has been safely eradicated and disposed of as part of the site clearance works.
- 7.331 Overall, there would be a minor adverse impact on biodiversity from the loss of existing vegetation on site. A condition for a lighting strategy will be secured to ensure that there is no impact from lighting, both during the construction and operational stage of the proposed development.
- 7.332 It has been noted that the Urban Greening Factor (UGF) for the proposed development would be 0.27 against a minimum of 0.4 for predominantly residential development. Whilst the UGF would meet the policy aspirations, there would be substantial planting and green areas proposed on site.
- 7.333 The ES recommended a pre- Landscape Ecological Management Plan to manage the habitats created during the construction phase, which will be secured via a pre-commencement condition. In addition, a condition will be secured for an assessment of the impact of percussive piling on fish, if required.
- 7.334 The ES also reported minor beneficial effects on the adjacent SINC. As noted by the biodiversity officer, the proposals include numerous biodiversity enhancements which would contribute to the targets set out in the Local Biodiversity Action Plan. Further details of these features will be secured through planning conditions.

Energy & Environmental Sustainability

- 7.335 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),
 - Use Renewable Energy (Be Green), and
 - Monitor and report (Be Seen)
- 7.336 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.

Energy

- 7.337 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in the London Plan 2021 and the Borough's Local Plan Policy D.ES7 collectively require new development to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

- 7.338 Local Plan Policy D.ES7 requires zero carbon emission development to be achieved through a minimum 45% reduction in regulated carbon dioxide emissions on-site, and the remaining regulated carbon dioxide emissions to 100%, to be offset through a cash in lieu contribution. This is applicable to all developments.
- 7.339 As mentioned, no changes are proposed to the Phase 1 buildings, which would continue to have CHPs as their energy source as consented as part of the extant permission. Whilst CHPs are no longer acceptable due to the ongoing decarbonisation agenda and the need for alternative low carbon sources, it has been acknowledged that the courtyard blocks have commenced with construction. At the pre-application stage, it has been agreed with the applicant and the GLA Officers that the main changes should be made to the Phase 2 buildings, which should be fully compliant with the current policy requirements.
- 7.340 For Phase 2 buildings, the proposed development seeks to reduce the overall energy demand through energy efficient measures, efficient heating system consisting of air source heat pumps (ASHP), and photovoltaic array as a renewable energy generating technology. These are all considered to be acceptable.
- 7.341 The total on-site wide CO₂ emission reduction would equate to 462.82 and it is anticipated to be 45.1% against the Building Regulation baseline utilising the SAP10 carbon factors. Whilst this would meet the current policy requirements, it would fail to meet the current Building Regulation which have changed recently. In addition, the calculations would be based on the most recent SAP 10.2 factors.
- 7.342 Given that the Phase 2 building would need to be built out in accordance with the latest requirements, a condition will be secured for an updated Energy Assessment to be submitted to demonstrate compliance. This would be secured as a pre-commencement condition.
- 7.343 However, in order to fully meet the policy requirement for a net zero carbon development, all residual carbon emissions on site would need to be offset through a financial payment. Given that these are not known at the moment as they would be calculated once the updated Energy Assessment becomes available, it is considered acceptable to base the carbon offsetting contributions on the following formula as suggested by the LBTH energy and sustainability officer:

Carbon offset contribution = carbon gap (tonnes of CO₂) x price of carbon (£) x 30 (years)

- 7.344 Overall, the proposed development would achieve to meet the policy requirements with regards to energy, and further information will be provided via conditions, following which appropriate carbon offsetting contribution will be agreed based on the formula which would be secured as a planning obligation.

Environmental sustainability

- 7.345 Policy D.ES6 requires new residential development achieve a maximum water use of 105 litres per person per day, to minimise the pressure on the combined sewer network and to demonstrate that the local water supply and public sewerage networks have adequate capacity both on and off-site to serve the development, taking into consideration the cumulative impact of current and proposed development.
- 7.346 Local Plan Policy D.ES7 states 'All new non-residential development over 500 square metres floorspace (gross) are expected to meet or exceed BREEAM 'Excellent' rating'. In addition, Local Plan policy D.ES7 encourages new residential buildings to meet the Home Quality Mark.
- 7.347 As required by policy, a compliance condition will be secured to ensure the maximum water use of 105 per person per day.
- 7.348 The proposal mainly includes commercial uses within Phase 2 of the development, however, only the commercial unit on the first floor of block M with a separate access on the ground

floor of this block, would be over 500 sqm in size. A condition will be secured for this unit to demonstrate BREEAM 'Excellent' rating as required by the policy.

Flood Risk & Drainage

- 7.349 Policy SI12 of the London Plan seeks to manage the current and expected flood risk from all sources and requires development to minimise and mitigate the flood risk and address the residual risk, to contribute to the delivery of the measures set out in the Thames Estuary 2100 Plan, and to protect the integrity of flood defences and allow access for future maintenance and upgrading.
- 7.350 Policy SI13 of the London Plan requires development to manage surface water run-off through the relevant drainage hierarchy.
- 7.351 Tower Hamlets Local Plan policies D.ES4 and D.ES5 seek to manage flood risk and encourage the use of Sustainable Urban Drain is protected to a very high standards by the Thames tidal flood defences up to a 1 in 1000 (0.1%) change in any given year. This is also referred to as an area with a 'Medium' probability of flooding, in which the application site is situated.
- 7.352 Chapter F of the Environmental Statement assessment the impact of the proposed development with regards to flood risk and surface water drainage, which is accompanied by a Flood Risk Assessment and a Surface Water Drainage Strategy.
- 7.353 The site is considered as being at a low risk of fluvial and tidal flooding, however, there remains a residual risk in the event of a breach in the flood risk defences along the River Lea and the River Thames. This would be managed through the enhancement works to the existing river wall.
- 7.354 Initially, the Environment Agency objected to the proposals given that the submitted information did not adequately demonstrate that the flood defences can be accesses, protected and raised to the levels required by the TE2100 Plan.
- 7.355 Following this, the applicant engaged with the EA to resolve these issues which resulted in setback of block C by further 3m into the site from the River Lea. Having responded to the amended set of information, the EA removed their initial objection, subject to the inclusion of conditions that would ensure the implementation of the relevant measures and provide details of the ecological enhancements of the river wall, and a detailed balcony design and removal method that would ensure appropriate access to the river wall in case of maintenance.
- 7.356 It has been noted that a River Wall raising Strategy has been submitted as requested by the EA and a compliance condition will be secured to ensure that the river wall works would be carried out in accordance with the approved details.
- 7.357 Further to the above, it is considered that the proposed development is considered acceptable and would ensure that the integrity of existing and future flood defences will be protected. Furthermore, additional mitigation measures will be secured, as recommended in the ES with regards to the flood resilience measures and a Flood Warning and Evacuation Plan.

Health Impact Assessment

- 7.358 London Plan GG3 requires developments to assess their potential impacts on the mental and physical health and wellbeing of communities through the use of Health Impact Assessments (HIAs). Tower Hamlets Local Plan D.SG3 requires major developments referable to the GLA to provide an HIA.
- 7.359 The application is supported by a Health Impact Assessment report which assesses the proposed development against the key wider determinants of health to identify potential health impacts, both during the construction and operational phases.

- 7.360 The report concludes that there would be an overall negligible effect during the construction phase and an overall minor to moderate beneficial effect once operational. The positive impacts include the provision of new housing and particularly affordable homes, commercial uses on the site generating employment and catering for the wider area, the creation of publicly accessible open and child play spaces.
- 7.361 Of particular importance would be improvements to the public realm along Lochnagar Street and the A12, as well as the provision of the safeguarded land for the delivery of the Lochnagar bridge that would have an even wider impact to the communities across the River Lea. This would also promote active travel as one of the key health determinants.
- 7.362 The majority of the measures contributing positively to health and wellbeing would be embedded in the proposed development, and where relevant would be secured via planning conditions and obligations.

Land Contamination

- 7.363 The existing ground conditions and contamination impact have been presented in Chapter E of the ES.
- 7.364 Given that the extant consent has been implemented, this also included the remediation works which were subject to the discharged conditions under the previous permissions. Whilst it is not necessary to re-discharge this information again under this application, appropriate compliance condition for the approved documents and a condition for a verification report will be secured.
- 7.365 The LBTH contaminated land officer had no objections to the details in the submission documents, and the EA raised no issues with regards to the groundwater contamination.
- 7.366 As noted in the ES review reports, the relevant planning conditions will be secured to ensure that the additional mitigation measures have been included. These relate to a requirement for a piling environmental method statement and details on the discharge of contaminated water, as well as compliance conditions for the implementation of the further works.

Waste, Water & Wastewater Management

- 7.367 Policy D.MW3 of the Local Plan 2031 requires adequate refuse and recycling storage alongside and combined with appropriate management and collection arrangements. The policy requires new major residential development to incorporate high quality on-site waste collection system that do not include traditional methods of storage and collection.
- 7.368 The supporting text of the policy further explains that the Council is seeking to move away from the traditional waste storage methods, including Euro bin containers. The policy also states that supporting evidence must be submitted with the application to demonstrate where non-traditional waste methods are not practicable.
- 7.369 The Council's Reuse, Recycle and Waste SPD sets out design guidelines regarding waste management for new residential developments and provides a decision tree to ensure that the correct waste storage and collection methods are chosen for developments.
- 7.370 The High Density SPD also provides a set of guidelines for high density scheme. In relation to waste, design guidelines AB.14 states that traditional waste systems will be resisted.
- 7.371 Policy D.ES6 of the Tower Hamlets Local Plan 2031 requires developments to reduce water consumption and achieve a maximum water use of 105 litres per person per day, as well as the demonstrate that the local water supply and public sewerage networks have adequate capacity to cater for the proposed development while taking into account the cumulative impact of current and proposed development.
- 7.372 In addition to these, policy SI5 of the London Plan seeks from developments to incorporate other measures such as smart metering, water saving and recycling measures to achieve lower water consumption rates. The policy also seeks that development proposals should also seek to ensure that adequate wastewater infrastructure capacity is provided.

- 7.373 The courtyard blocks within Phase 1 will be based on the traditional waste management and collection system, which will be coordinated by the Facilities team on site. For blocks E, G, I and K, the waste collection will occur directly from the bin store, whilst for all other blocks in Phase 1, this will be done from a consolidated collection point situated to the west of block E.
- 7.374 For Phase 2, the proposed waste strategy uses an Underground Refuse Storage (URS) system for collections of residential waste and recycling whilst for food waste in Phase 2, there would be a traditional waste collection system.
- 7.375 Significant concerns have been raised in relation to the location of a URS at the end of Lochnagar Street given its location which would be immediately adjacent to the safeguarding landing area for the future bridge. It was considered that this would impede the movement from the bridge and around it.
- 7.376 In addition, LBTH highways and waste officers have raised significant concerns with regards to the URS waste collection on a public highway, given that this has proved to be challenging on a public highway during the operation of developments.
- 7.377 The applicant has re-located the URS bins from Lochnagar Street to the south-eastern part of Ailsa Street. It has been noted that the original location on Lochnagar Street resulted in a carrying distance of 25m for residents in block A which increased to 95m at the amended location on Ailsa Street, exceeding the minimum 30m carrying distance.
- 7.378 It has been noted that there are additional URS bins slightly further to the north on Ailsa Street, however, all of the bins would ensure the necessary capacity for the proposed development. In addition, a balanced view needed to be taken with respect to the carrying distance and a preference for a collection off the public highway, particularly as the location of the bins are on a natural way out from blocks A and B. As such, this element of the scheme is considered acceptable on balance.
- 7.379 A condition will be secured for a detailed Waste Management Plan to be submitted prior to the occupation of the proposed development.
- 7.380 In terms of the layout of the Phase 2 buildings, block M is in the same location, however, shortened along the southern edge to provide appropriate access to the Thames Water infrastructure, which was an issue with the extant scheme that intended to build over the relevant access point. It is welcomed that the applicant has worked with Thames Water to address this concern.
- 7.381 With regards to the waste and wastewater infrastructure, Thames Water reviewed the application and raised no objections. A condition has been recommended for no occupation beyond the 99th dwelling until all network upgrades have been completed or a development and infrastructure phasing plan has been agreed. However, it is considered that a pre-occupational condition is more appropriate to be secured, particularly in case further upgrades would need to take place before the occupation.
- 7.382 Overall, the waste, water and wastewater implications of the proposed development are considered to be acceptable, and further details will be secured via planning conditions as suggested.

Wind and Microclimate

- 7.383 The relevant information detailing the conditions and impacts on wind and microclimate has been included in Chapter L of the ES.
- 7.384 The submitted information provides details on the assessment and results from a wind tunnel testing carried out through five scenarios to determine the expected suitability of wind conditions based on the industry standard Lawson criteria for pedestrian comfort and safety. Additional clarifications have been requested in relation to the conclusions of the testing and any additional mitigation measures that might be required.

- 7.385 The information presented in the ES and its supporting documentation confirms that the proposed mitigation measures would ensure that all of the spaces within the proposed development would be suitable for their intended use, including open spaces containing amenity and child play space, podium level amenity space, balconies of the proposed development, as well as private, communal and other amenity spaces of the adjacent schemes. Overall, there would be a negligible impact on all assessed receptors.
- 7.386 The embedded mitigation measures would be included in the scheme through the proposed soft landscaping, particularly in relation to the positioning of the evergreen trees, and the increased solidity of the balcony balustrades. These details would be secured via compliance condition.

Infrastructure Impact

- 7.387 It is estimated that the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) and Mayor of London CIL payments.
- 7.388 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure.
- 7.389 The applicant has agreed to meet all of the financial contributions that are sought by the Council's Planning Obligations SPD, as detailed below.

Human Rights & Equalities

- 7.390 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.
- 7.391 The proposed new residential accommodation would meet inclusive design standards and would provide wheelchair accessible units.
- 7.392 In addition, the proposed affordable housing would be of particular benefit to groups that are socially and/or economically disadvantaged. It should be noted that the additional benefit comes from an increase in affordable and wheelchair units when compared to the extant scheme which is already under construction.
- 7.393 To conclude, the proposed development would not result in adverse impacts upon human rights, equalities, or social cohesion.

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £374,372 towards construction phase employment skills training
- b. £26,649 towards end-user phase employment skills training
- c. £28,000 towards Legible London wayfinding
- d. £220,000 towards Cycle Hire docking station
- e. £250,000 towards the A12 subway enhancements
- f. £96,755 towards development co-ordination and integration
- g. Formula-based contributions towards carbon emission off-setting

- h. Monitoring fee for financial contribution of 5% of the first £100,000 of contribution, 3% of the part of the contribution between £100,000 - £1 million, 1% of the part of the contribution over £1 million – 1%. Monitoring fee for non-financial contributions of £1,000 per 100 units or 10,000 sqm - £1,000.

Total financial contributions: £995,776 (excluding carbon emission off-setting contribution and monitoring fees).

8.3 Non-financial obligations:

- a. Affordable housing (35.5% by habitable room, 285 units in total)
- 88 units at London Affordable Rent
 - 88 units at Tower Hamlets Living Rent
 - 109 units as Shared Ownership
 - Early Stage Review
 - Details of marketing of London Affordable Rent/Tower Hamlets Living Rent 'wheelchair accessible' dwellings (to M4 (3)(2)(b) standard)
- b. Access to employment
- 20% local procurement
 - 20% local labour in construction
 - 53 x construction phase apprenticeships
- c. Transport matters:
- Permit Free development
 - Car Club (details of 2 x spaces, plus three years free membership for households)
 - Residential and Workspace Travel Plans
 - S278 Agreement (highway improvement works to Lochnagar Street and the A12)
 - Repaving and replanting of the footway along the A12
- d. Safeguarding of public access routes and public realm, including a Public Realm Management Plan (covering the riverside walk and park, and all publicly accessible areas).
- e. Safeguarded land for the bridge and delivery of landscaping within the safeguarded area.
- f. Compliance with the Code of Construction Practice and signing up to Considerate Constructors Scheme.
- g. Architect retention.
- 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. A12/TLRN infrastructure protection.
4. Compliance with the Fire Statement.
5. Air quality standards for boilers (low NOx<40mgNOx/Nm3).
6. Location of car park exhausts.

7. Ecological improvements on site during the construction stage.
8. No discharge of extracted/perched groundwater into the River Lea during the demolition and construction works.
9. Percussive piling assessment if used during the work.
10. Wind mitigation details.
11. Ground conditions and contamination compliance works details.
12. Operating hours of commercial uses.
13. Water consumption (105 litres per day per person).
14. Restriction of permitted development on the change of use of commercial, business and services uses (Use Class) to Residential (C3).
15. Restriction of permitted development on erection of fences.
16. Smart meter installation.
17. Section 61 restrictions on demolition and construction activities.
18. Active ground frontage retention and restriction of roller shutters use.
19. Notification to London City Airport if a crane is used.
20. No lighting directed over the adjacent SINC during construction.
21. Remediation details.
22. Works to the river wall in accordance with the River Wall Raising Strategy.

Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording

23. Construction Environmental Management Plan, Construction Traffic Management Plan and Construction Logistics Plan (Phase 2).
24. Archaeological findings and details.
25. Dust Management Plan, PM10 monitoring and Non-Road Mobile Machinery (Phase 2).
26. Waterborne transport feasibility, in consultation with Canal & River Trust and Port of London Authority (Phase 2).
27. Piling Method Statement (Phase 2).
28. Ecological enhancement of the river wall, in consultation with the Environment Agency.
29. Air quality mechanical ventilation details.
30. Nesting bird strategy (Phase 2).
31. Landscape Ecological Management Plan (Phase 2, construction).
32. Contaminated waste discharge details.
33. Updated Energy Assessment and details (Phase 2).

Pre-superstructure works

34. Landscaping details of all landscape character areas, including soft and hard landscaping, lighting scheme and any other street equipment features, and Landscape Management Plan (in consultation with Canal and River Trust).
35. Details and equipment associated with all child play spaces and communal amenity spaces.
36. Full details of plant equipment.
37. Secured by Design.
38. CHP details for Phase 1.
39. Detailed balcony design and removal method, in consultation with the Environment Agency.

40. Wheelchair units detailed layout design.
41. Biodiversity enhancement details.
42. SUDS strategy.

Prior to specific works taking place

43. Details of external facing materials and architectural detailing.
44. Block M ventilation details.

Pre-occupation

45. Network upgrades or Development and Infrastructure Phasing Plan, in consultation with Thames Water.
46. Car Parking Design and Management Plan, including electric vehicle charging points provision.
47. Delivery and Servicing Plan.
48. Residential and commercial cycle parking detailed design in line with London Cycle Design Standards, including maximisation of spaces for larger and adapted bikes and Cycle Parking Management Plan.
49. Remediation verification report.
50. Flood Warning and Evacuation Plan, including flood resilience measures in basement relating to the continued operation of power and other services.
51. Waste Management Plan.
52. Circular Economy Statement.
53. Whole Life Cycle Carbon.
54. Noise insulation details and verification report for residential units.
55. BREEAM Excellent rating for Block M commercial unit.
56. Kitchen extract standards for commercial uses.
57. Signage and shopfront details for the proposed commercial units.
58. Provision of essential riparian equipment along the river edge.

8.7 Informatives

1. Permission subject to legal agreement.
2. Development is CIL liable.
3. Thames Water – proximity to assets.
4. Requirements for Canal & River Trust's consents.
5. Requirement for Port of London Authority's estates licences.
6. Requirement for the Environment Agency's Flood Risk Activity Permit.
7. Details on the conditions previously discharged under the extant permission.

APPENDIX 1 – List of Plans and Documents for Approval

Schedule of Drawings

Site Location Plan, Drawing No. AIL-BMA-P2-00-PL-A-90200 P1
Site Plans Existing Site, Drawing No. AIL-BMA-P2-00-PL-A-90201 P1
Site Plans Proposed Site, Drawing No. AIL-BMA-P2-00-PL-A-90203 P4
General Arrangement Plans Phase 2 Level B01 – Basement, Drawing No. AIL-BMA-P2-BS-PL-A-90399 P9
General Arrangement Plans Phase 2 Level 00, Drawing No. AIL-BMA-P2-00-PL-A-90300 P17
General Arrangement Plans Phase 2 – Level 00 Indicative, Drawing No. AIL-BMA-P2-00-PL-A-91300 P2
General Arrangement Plans Phase 2 Level 01, Drawing No. AIL-BMA-P2-01-PL-A-90301 P13
General Arrangement Plans Phase 2 Level 02, Drawing No. AIL-BMA-P2-02-PL-A-90302 P14
General Arrangement Plan Phase 2 Blocks A and B Level 02, Drawing No. AIL-BMA-P2-07-PL-A-90320 P2
General Arrangement Plans Phase 2 Levels 03 and 4, Drawing No. AIL-BMA-P2-XX-PL-A-90308 P3
General Arrangement Plans Phase 2 Level 05, Drawing No. AIL-BMA-P2-05-PL-A-90310 P3
General Arrangement Plans Phase 2 Level 06, Drawing No. AIL-BMA-P2-06-PL-A-90311 P3
General Arrangement Plans Phase 2 Level 7, Drawing No. AIL-BMA-P2-07-PL-A-90312 P3
General Arrangement Plans Phase 2 Level 08, Drawing No. AIL-BMA-P2-08-PL-A-90303 P11
General Arrangement Plans Phase 2 Level 09, Drawing No. AIL-BMA-P2-09-PL-A-90304 P11
General Arrangement Plans Phase 2 Level 10, Drawing No. AIL-BMA-P2-10-PL-A-90305 P11
General Arrangement Plans Phase 2 Levels 11 to 21, Drawing No. AIL-BMA-P2-XX-PL-A-90306 P12
General Arrangement Plans Phase 2 Level 22, Drawing No. AIL-BMA-P2-22-PL-A-90307 P11
General Arrangement Plans Phase 2 Level 23 – Roof, Drawing No. AIL-BMA-P2-RF-PL-A-90309 P11
Site Elevation Lochnagar Street Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90501 P5
Site Elevation River Site Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90502 P4
Site Elevation Elevation 03 Ailsa Street Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90503 P1
Site Elevations Elevation 04 North Site Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90504 P4
Site Elevation West Elevation, Drawing No. AIL-BMA-P2-XX-EL-A-90505 P4
Building Elevation Typical Tower Façade North East & South East, Drawing No. AIL-BMA-P2-XX-EL-A-90509 P4
Block M Elevations, North & East Elevations, Drawing No. AIL-BMA-M-XX-EL-A-90541 P4
Building Elevation Block M, South & West Elevations, Drawing No: AIL-BMA-M-XX-EL-A-90542 P5
Block ABC – Bay Study 01 – Ground Floor, Drawing No. AIL-BMA-P2-XX-DE-A-90601 P3
Façade Bay Study Blocks ABC Bay Study 02 – Podium, Drawing No. AIL-BMA-P2-XX-DE-A-90602 P5
Façade Bay Study Blocks ABC Bay Study 03 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90603 P4
Façade Bay Study Blocks ABC Bay Study 04 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90604 P5
Façade Bay Study Blocks ABC Bay Study 05 – Blocks ABC Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90605 P4
Façade Bay Study Blocks ABC Bay Study 07 – Blocks ABC Residential Top, Drawing No. AIL-BMA-P2-XX-DE-A-90607 P2

Façade Bay Study Blocks B2 and C2 Bay Study 09 – Blocks B2 and C2 Residential, Drawing No. AIL-BMA-P2-XX-DE-A-90609 P5
Façade Bay Study Block M Bay Study 11 – Commercaill Façade, Drawing No. AIL-BMA-P2-XX-DE-A-90611 P4
Façade Bay Study Block M Bay Study 12 – Residential Façade – Typical, Drawing No. AIL-BMA-P2-XX-DE-A-90612 P4
Façade Bay Study Block M Bay Study 13 – Residential Façade – Top, Drawing No. AIL-BMA-P2-XX-DE-A-90613 P3
Façade Bay Study Block M Bay Study 16 – Residential Balconies – Inset, Drawing No. AIL-BMA-P2-XX-DE-A-90616 P2
Site Sections Section AA, Drawing No. AIL-BMA-P2-XX-SE-A-90451 P4
Site Sections Section BB, Drawing No. AIL-BMA-P2-XX-SE-A-90452 P5
Site Sections Section CC, Drawing No. AIL-BMA-P2-XX-SE-A-90453 P4
Illustrative Colour Masterplan, Drawing No. AIL-FAB-ZZ-ZZ-PL-L-92000 P01
Combined Hard and Soft Landscape General Arrangement – Sheet 1 of 4, Drawing No. AIL FAB ZZ 00 PL L 92001 P01
Combined Hard and Soft Landscape General Arrangement – Sheet 2 of 4, Drawing No. AIL FAB ZZ 00 PL L 92002 P01
Combined Hard and Soft Landscape General Arrangement – Sheet 3 of 4, Drawing No. AIL FAB ZZ 00 PL L 92003 P01
Combined Hard and Soft Landscape General Arrangement – Sheet 4 of 4, Drawing No. AIL FAB ZZ 00 PL L 92004 P01
Indicative Sitewide Sections – Sheet 1 of 2, Drawing No. AIL FAB ZZ 00 SE L 98001 P01
Indicative Sitewide Sections – Sheet 2 of 2, Drawing No. AIL FAB ZZ 00 SE L 98002 P01
Indicative Roof Level Sections, Drawing No. AIL FAB ZZ 00 SE L 98003 P01
Combined Hard and Soft Landscape General Arrangement – Level 2, Drawing No. AIL FAX ZZ 02 PL L 92001 P01
Combined Hard and Soft Landscape Roof Plan – Sheet 1 of 4, Drawing No. AIL FAB ZZ RF PL L 92001 P01
Combined Hard and Soft Landscape Roof Plan – Sheet 2 of 4, Drawing No. AIL FAB ZZ RF PL L 92002 P01
Combined Hard and Soft Landscape Roof Plan – Sheet 3 of 4, Drawing No. AIL FAB ZZ RF PL L 92031 P01
Combined Hard and Soft Landscape Roof Plan – Sheet 4 of 4, Drawing No. AIL FAB ZZ RF PL L 92004 P01
Gross Internal Area Plans Site Wide Levels B01 to 02, Drawing No. AIL-BMA-P2-XX-DE-A-98001 P2
Gross Internal Area Plans Site Wide Levels 03 to 21, Drawing No. AIL-BMA-P2-XX-DE-A-98002 P2
Gross Internal Area Plans Site Wide Level 22 and Totals, Drawing No. AIL-BMA-P2-XX-DE-A-98003 P2
Proximity of Phase 2 Building to River Wall: Ground Floor, Drawing No. AIL-ABA-XX-XX-DR-S-2111 P01
Proximity of Phase 2 Building to River Wall: Upper Floors, Drawing No. AIL-ABA-XX-XX-DR-S-2112 P01
River Walls overall scheme, Drawing No. AIL-ABA-XX-XX-DR-S-4500 C03
River Walls General Arrangement Zone 5, Drawing No. AIL-ABA-XX-XX-DR-S-4505 C04
River Walls General Arrangement Zone 6, Drawing No. AIL-ABA-XX-XX-DR-S-4506 C04

Schedule of Documents

Affordable Housing Statement, by Lichfields, dated August 2023
Ailsa Wharf BRE Client Report Response, by Lichfields, dated 02 August 2023
Aisa Wharf – Core Arrangement, by Broadway Malyan
Atelier ten's letter dated 19 October 2022
Block C relocation – Landscape Alterations, by Broadway Malyan
Circular Economy Statement, by Stantec, dated January 2022
Concept: Wheelchair Unit Schedule, by Broadway Malyan, dated 09.06.2022
Cycle Store Façade Treatment Blocks A B & B2, by Broadway Malyan, dated 12 July 2022
Design and Access Statement, by Broadway Malyan

Drawing Register/Issue, by Broadway Malyan, dated October 2023
Energy Memo: GLA Consultation, dated 4/8/2022 with applicant's responses
Environmental Statement, by Lichfields, dated January 2022
ES Updated Non-Technical Summary, dated June 2023
Environmental Statement Further Environmental Information, dated April 2023
Addendum to the Further Environmental Statement, dated June 2023
External Lighting Statement, by atelier ten, dated March 2022
Fire Statement, by atelier ten, dated January 2022
Fire statement form, dated 26/07/2022
Health Impact Assessment, by Lichfields, dated January 2022
Landscape Design and Access Statement, by fabrik, dated January 2022
LBTH noise comments – response provided by Scotch Partners
Lichfields Letter dated 29 July 2022, response to planning application ref. PA/22/00210
consultation comments
Lichfields Letter dated 21 December 2022, response to planning application ref.
PA/22/00210 consultation comments December 2022
Lichfields Letter dated 13 April 2023, response to planning application ref. PA/22/00210
consultation comments
Lichfields Letter dated 9 August 2023, Updates to the housing mix to planning application
ref. PA/22/00210
Operational Waste Strategy, by Stantec, dated July 2022
Planning Statement, by Lichfields, dated January 2022
Proposed Mix & Tenure Schedule, by Broadway Malyan, dated 13/07/2023
River Wall Raising Strategy, by Alan Baxter, dated March 2023
SAP Spreadsheets Block A, Version: 1.0.5.50
SAP Spreadsheets Block B, Version: 1.0.5.50
SAP Spreadsheets Block C, Version: 1.0.5.50
SAP Spreadsheets Block EFGH, Version: 1.0.5.50
SAP Spreadsheets Block IJKL, Version: 1.0.5.50
SAP Spreadsheets Block M, Version: 1.0.5.50
Solar Reflection Analysis Report, by Lichfields, dated August 2022
Statement of Community Involvement, by Lichfields, dated January 2022
Sustainability and Energy Statement, by atelier ten, dated January 2022
Technical Note, by Steer, dated 22 June 2022
Utilities Statement, by Utility Results, dated January 2022
Whole Life-cycle Carbon Assessment, by Stantec, dated January 2022
WLC Memo: GLA Consultation, dated 4/4/2022 with applicant's responses

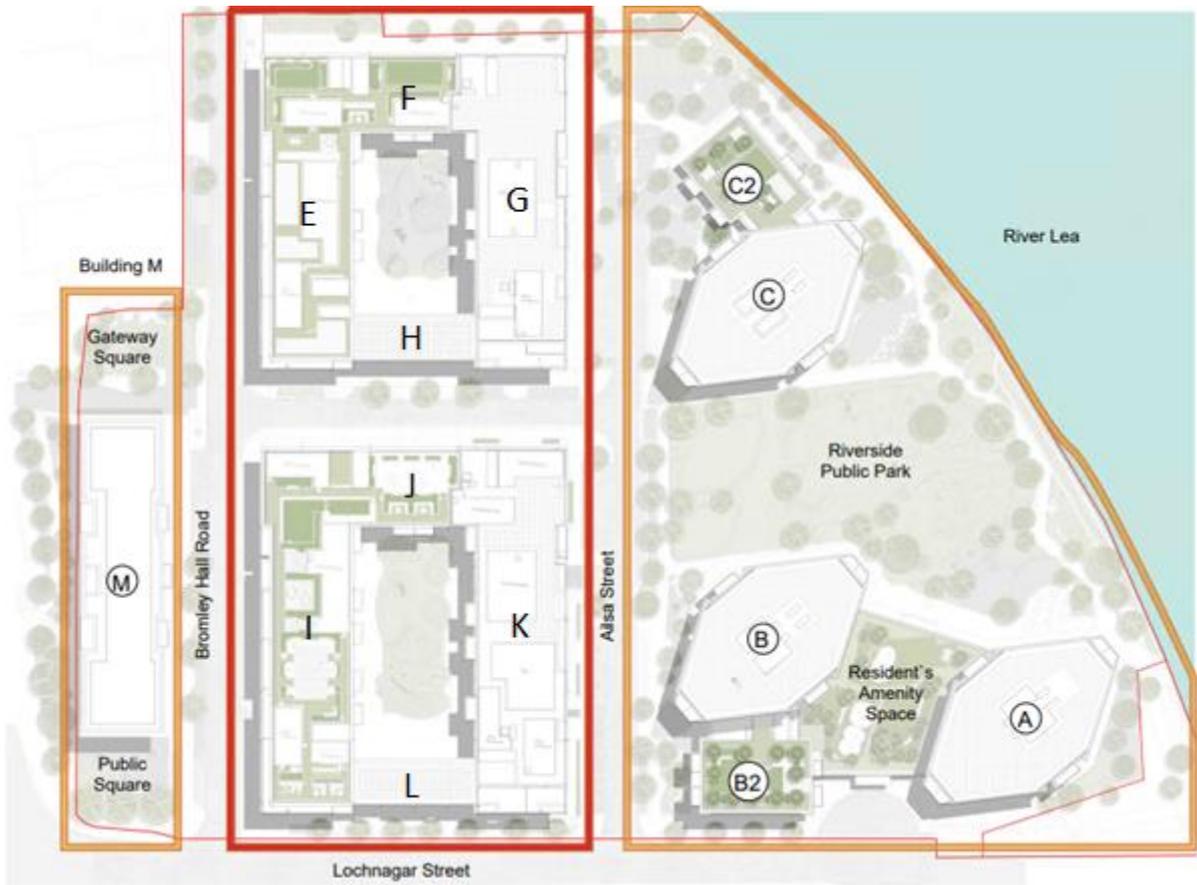
APPENDIX 2 – Selection of Proposed Drawings and Images



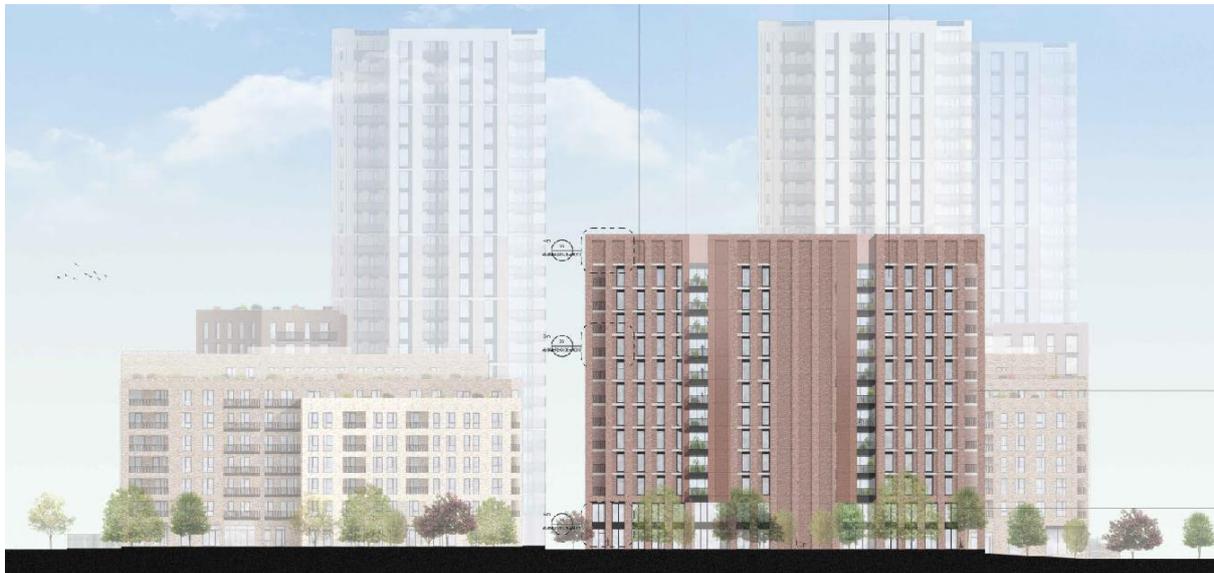
Proposed site layout.



Ground floor plan showing the proposed bridge structure.



Phasing strategy.



Proposed western site elevation (along the A12).



Proposed southern site elevation (along Lochnagar Street).



Proposed northern site elevation.



Proposed river elevation.