

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

Reference	PA/24/00164/A1
Site	Caxton Hall Community Centre & Adjoining Land, Caxton Grove, E3 2EE
Ward	Bow West
Proposal	Demolition of existing building and ballcourt and construction of a part-7 and part-9 storey building, with part-basement, containing 36 in number dwellings (Class C3) and replacement community centre (Class E (e-f), Class F1 (e-f), Class F2 (b)) with associated amenity areas, accessible car parking, cycle parking, refuse/recycling stores and landscaping works, including formation of a raised crossover on Malmesbury Road/Caxton Grove intersection, associated public realm alterations, and alterations to retained public open space (Four Seasons Green).
Summary Recommendation	Grant planning permission with conditions and planning obligations
Applicant	London Borough of Tower Hamlets (Capital Delivery)
Architect/agent	Tim Waters - Stockwool Architects/RENEW Planning Limited
Case Officer	Daniel Jeffries
Key dates	<ul style="list-style-type: none">- Application registered as valid on 05/02/2024- Public consultation finished on 15/03/2024- Design review panel on 31/10/2023

EXECUTIVE SUMMARY

The application site includes the single storey building Caxton Grove Community Centre and the adjoining ballcourt to the west. The site is accessed from Caxton Grove to the south and Malmesbury Road to the west.

The site is not within a conservation area and the existing community centre building is not a listed building. The nearest conservation areas are situated c.65m to the east (Fairfield Road) and 185m to the south west (Tredegar) when measured from the community centre and the nearest listed buildings are 130m away. The area to the south of the community centre is Four Seasons Green, which is designated as publicly accessible Open Space. However, the footprint of the proposed building is not designated as publicly accessible Open Space.

The redevelopment of the site would result in no loss of community use floorspace, with the existing community centre, which would be demolished, being reprovided at ground floor in a part nine, part seven storey building which would contain 36 self-contained residential units.

The proposal would result in the loss of the existing ballcourt, which would be mitigated by a commuted sum to enable improvements to the existing Malmesbury Road MUGA.

At a maximum height of over 30m the proposal meets the definition of a Tall building. The site is located outside a Tall Building Zone. The Council acknowledges that the proposal would not meet any of the criteria in Part 3 of Local plan Policy D.H6. However, given that the proposal would deliver a 100% affordable housing scheme it is considered that this favourable material consideration provides sufficient planning justification for non-compliance with Local Plan tall building policy D.6. The height of the building does not give rise to undue design concerns within its immediate local context that consists of residential building of varied height, form and scale.

The design would have a masonry-based finish ensuring it assimilates comfortably with the lower rise surroundings, with a clear distinction of the community centre. Given the scale of the proposed building, it would be visible from the public realm within the setting of heritage assets, which has been identified to result in some harm. However, this is considered to result in a low level of less than substantial harm which needs to be balanced against the public benefits to the scheme including provision of 100% affordable housing on site (in the form of social rent).

Whilst the site is immediately adjacent to two public highways, the provision of safe and satisfactory servicing and delivery arrangements alongside provision of Blue Badge and cycle parking. The proposal would also include highways works to allow for improved pedestrian access.

The proposal would also result in some major impacts on the amenity of occupiers of neighbouring properties, in terms of the levels of daylight/sunlight. However, these impacts need to be assessed in relation to the constraints and land use designation relating to the application site and its urban location, as well as being weighed in the balance against the benefits of the development.

The public benefits of the scheme include the delivery of affordable housing, which would provide a good level of accommodation for future residents of the development, notable improvements to the landscaping of the Four Seasons Green, provision of a new community centre which would provide improved facilities for future occupiers and better energy performance.

A strategy for minimising carbon dioxide emissions from the development is appropriate subject to condition, with a carbon offset contribution formula to be secured.

The landscaping of the Four Seasons Green would enable biodiversity enhancements to be achieved through the required landscaping scheme for these areas resulting in a biodiversity net gain for the site overall.



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/24/00164</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p> <p>Scale : 50m grid squares</p>	 <p>TOWER HAMLETS London Borough of Tower Hamlets</p> <p>Date: 02 May 2024</p>
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1. SITE AND SURROUNDINGS

- 1.1 The application site consists of the Caxton Grove Community Centre (195m² GIA) and adjoining ball court to the west and an area of public open space to the south known as Four Seasons Green. The site is located to the north and east of the public highway of Caxton Grove.
- 1.2 The site is bounded to the north by a railway line, to the east by a dismantled railway line, and to the south by 4-storey housing blocks dating from the 1960s on Caxton Grove and Bow PDSA Pet Hospital (at 171 Malmesbury Road).
- 1.3 The surrounding area has buildings of varying scale and height with 4-storey housing blocks to the south and southwest on Caxton Grove and Malmesbury Road; a part-6 and part-7 storey housing block to the east on Fairfield Road and a 6-storey housing block beyond the railway line to the north on Morville Street.
- 1.4 The site is situated within an area of 'very good' public transport accessibility (PTAL 4) with Bow Road Station (District Line) and Bow Road Church (DLR) stations and the bus services on Bow Road (3 routes) all within a 5 minutes' walk.
- 1.5 The site is not situated within a conservation area and the existing community centre building is not a listed building. The nearest listed buildings are the Fairfield Match Works (Grade II listed and situated c.130m from the eastern boundary of the site to the northeast on Fairfield Road beyond the railway line), the London Transport Trolley Bus Depot (Grade II listed and situated approximately c.90m to the southeast on Fairfield Road) and Severn Bollards (Grade II listed and situated c.186m to the south of the proposed building, on Kitcat Terrace). The nearest conservation area (Fairfield Road) is situated c.65m to the east from the proposed building, and 185m to the southwest (Tredegar). There are also two other conservation areas which are situated 250m to the south (Tomlins) and 300m to the southwest (Tower Hamlets Cemetery).

2. PROPOSAL

- 2.1 The proposed development involves the demolition of the existing community centre and the ball court. This would be replaced by the construction of a part-7 storey and part-9 storey building (including part-basement) containing 36 residential dwellings (Class C3) on the upper floors, all of which would be affordable rent housing tenure (in the form of social rent). The proposal would also include a replacement community centre at ground floor level in the southeast corner of the building with its main entrance facing directly towards Four Seasons Green to the south.
- 2.2 The massing of the new building would be split between a seven-storey to the west rising to nine storeys. The overall maximum height of the proposed building would be approximately 30.8m to parapet and 32.9m to the highest part of the plant screen.
- 2.3 The proposed building would incorporate a community centre at ground floor to the south east corner of the building measuring 205sqm and the entrance to the residential units. The residential units would be located at first floor and above, would benefit from communal amenity space to the rear (north), and users the community centre would benefit from the use of an area of amenity space adjacent to the east elevation.
- 2.4 The Four Seasons Green immediately to the south and to the front of the building would be landscaped and include playspace, a dog area and tree planting. This is in addition to creation of areas of hardstanding and highways improvement works with the creation of a raised crossover on the corner of Malmesbury Road and Caxton Grove.

3. RELEVANT PLANNING HISTORY

Planning Applications

- 3.1 PA/99/00968 | New sports hall, incorporating changing rooms, offices and incorporates Caxton Green and the disused railway cutting as part of a Fitness Trail leading to new all-weather 5-7-A-side football pitch to the south of Four Seasons Green. | Approved on 6 Oct 1999
- 3.2 PA/86/00503 | Erection of a community hall. | Approved 13 May 1986

Pre-application

- 3.3 PF/23/00076 - Residential development consisting of a part seven, part eight storey building to allow for the creation of 33 self-contained residential (C3) units with community centre at ground floor level. Landscaping of existing open space
- 3.4 PF/21/00193 - Residential development of six storeys comprising 26 dwellings with re-landscaped public open space to the south.
- 3.5 PF/20/0121 - A residential development of 56 dwellings contained within two separate six storey buildings. A community facility of 214sqm - comparable to the existing building on site, is incorporated within one of the blocks. An alternative option (Option Two) which delivers 58 dwellings with no community facility provided is also proposed 56 (58 within Option Two) for consideration. All dwellings are intended for affordable rent.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The applicant carried out the pre-application consultation with the local community in January and September 2021, and January 2023, which is detailed in the submitted Planning Statement prepared by Renew Planning.
- 4.2 As evidenced in the Planning Statement, the applicant's engagement consisted of public exhibitions with the primary concerns raised with the emerging proposal during these consultation events related to matters of height and scale of development, overlooking and loss of privacy, the potential loss of the community centre and the likelihood of increased anti-social behaviour (ASB) problems. However, there were also expressions of support for the provision of affordable housing, the planned improvements to Four Seasons Green and the omission of the existing MUGA.
- 4.3 During the pre-application stage, the scheme was presented to the Council's Conservation and Design Advisory Panel on 31st October 2023. 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. Letters were sent to 237 addresses surrounding the site notifying occupants of the application. In addition, the application was publicised by display of site notices in the vicinity of the site and by publication of a notice in the local newspaper.
- 4.5 A total of 48 representations were received all letters of objections to the application.
- 4.6 It should be noted that whilst the below provides a summary of the responses received, officers have had regard to the full submissions when assessing the proposed development.

Public responses in objection:

- Loss of the recreational spaces and community centre and lack of other services within proposal

- Concerns about the standard of the accommodation of the proposed community centre
- Lack of affordable housing homes in the scheme
- Visual appearance and impact on the surrounding heritage assets (including scale, bulk and massing and general design) and conflicts with Tall Building policy
- Amenity Impact on occupiers of neighbouring properties (loss of daylight/sunlight, outlook, privacy, increased noise, pollution, overshadowing, sense of enclosure)
- Daylight/Sunlight Report within the application submission is inaccurate
- Concerns in terms of alterations to Four Seasons Green (including loss of dog park, impact on biodiversity, green spaces and existing trees)
- Impact on the local highway (increased number of vehicles, traffic and demand on vehicle parking)
- Fire safety
- Lack of consultation
- Concerns over unexploded bomb risk

Non-material considerations raised:

- Impact on rental/sale values of existing residential units
- Loss of view

4.7 The material planning considerations raised above are addressed in the main body of this report.

5. CONSULTATION RESPONSES

External consultees

Greater London Authority

5.1 Provided the following commentary:

That Tower Hamlets Council be advised that the application may comply with the London Plan, subject to addressing the comments set out in paragraph 74 of this report. In this instance, due to the nature of the proposal and the strategic planning issues raised by this application, it is considered that these can be addressed by the Council and there is no need for the application to be referred back to the Mayor.

- Land Use Principle: The proposed uses, comprising residential and replacement community facilities would be acceptable, subject to the delivery and management of the new community centre being appropriately secured by S106.
- Housing: The proposals would be 100% affordable at social rent levels. This is strongly supported and should be secured.
- Design: The site is not located in an area identified as suitable for tall buildings, though the proposed tall building may be acceptable, subject to satisfactory visual, functional, environmental and cumulative impacts. Further consideration is recommended in relation to fire safety, residential quality, inclusive design, public toilets, free drinking water and noise mitigation.
- Heritage: GLA officers have identified a low degree of less than substantial harm to the Fairfield Road Conservation Area. The Council will assess in detail the heritage impacts of the proposals and carry out the NPPF para. 208 balance.
- Transport: A night time ATZ (Active Travel Zone Assessment) is requested. Conditions and obligations are recommended.
- Environment: Further consideration is recommended on energy, whole life-cycle carbon and circular economy. Conditions and obligations are also recommended

Health and Safety Executive – Fire Safety

- 5.2 Confirmed the fire safety design of the application is considered satisfactory when assessed against the adopted standard BS 9991:2015. However, requested that a number of matters are addressed including consideration of fire safety relating to presence of electrical vehicles photovoltaic panels and hydrants. The HS requests are all capable of being secured by condition.

London Fire Brigade

- 5.3 Confirmed that they have no observations to make but advises the applicant to ensure that the conform to Part B of Approved Document of the Building Regulations and the application is submitted to Building Control/Approved Inspector.

Metropolitan Police – Secured by Design

- 5.4 Requested that a condition is attached to any permission requiring a Secured by Design Strategy which details how the development will achieve Secured by Design accreditation.

Transport for London – TfL Spatial Planning

- 5.5 Raised no objections to the proposal subject to:
- Active Travel Zone (ATZ) improvements being secured.
 - Ensuring plans detail the cycle parking provision for both for occupiers of the residential units and the community centre.
 - Ensuring apart those retaining car parking permits, as part of the Council's Permit Transfer Scheme, or blue badge holders the proposal should be car free, and the blue badge parking spaces are equipped with active electronic vehicle charging points. Requests further clarification on blue badge provision for the community centre and that a parking design management plan is secured.
 - The Delivery and Servicing Plan and Construction Logistics Plan is secured.
 - The Proposed Development should include suitable protection against noise and vibration in line with the 'agent of change' principle.

Internal consultees

LBTH Arboricultural Officer

- 5.6 Confirmed that they are satisfied with BS categorisation of the trees and protection measures in the submitted Arboricultural Method Statement. Raises no objection to the removal of T28 and T29 which is considered to have a negligible impact and would be mitigated by comprehensive landscaping including tree replacements.

LBTH Biodiversity

- 5.7 Raised no objections to the proposal and welcomes the biodiversity enhancements and has identified as a key driver to the proposed, which will contribute to and recommended conditions relating to the Local Biodiversity Action Plan objectives and targets. Recommends conditions for the biodiversity mitigation and enhancements and timing of the site clearance.

LBTH Urban Design and Conservation Team

- 5.8 Raised no objections to the principle of the development but raised the following comments:
- Raised concerns about the additional height beyond six storeys including scale, bulk and massing, and its visual prominence.
 - Raised concerns about the impact to the setting of heritage assets building, noting that it would be visible from various locations within the conservation area, with varying degrees of visibility.

- Raised concerns about the general design include the façade, including the use of oriel windows, and materiality. Advised that the design could be simplified and the angled roof form is less successful than Place Shaping officers had hoped. They also note that it is essential to acknowledge that the building has some lovely design details, including the terracotta-coloured ribbed precast concrete elements, which help to create visual interest, texture, and articulation. advising it is crucial to use high-quality bricks and that the chosen brick (and mortar) colours complement each other and work well with the terracotta-coloured precast concrete. If the case officer decides to grant consent, we suggest that all exterior materials be secured with a condition. Recommends that this condition should also require the applicant to construct sample panels.
- Raised some concerns about the quality amenity space to the rear and are unconvinced that this north-facing area would result in a high-quality, usable communal amenity area or an inclusive and stimulating play space. Also considers that the rear lacks informal surveillance, which is accentuated by the building's shape, which creates blind corners where individuals can hide or engage in anti-social behaviour. Recommends details of the rear communal amenity space (i.e. the hard and soft landscaping, seating and play equipment) should be secured with a condition.
- Welcomed the changes made to the community centre, including the position within the building and increased daylight/sunlight but raised concerns about the shape of the building which impact the shape of the rooms.
- Welcomed the improvements to Four Seasons Green which is considered to be strongest element of the scheme and have the potential to create an exciting and inclusive space.

LBTH Environmental Health Officer – Contaminated Land

- 5.9 No objections subject to conditions covering the following matters:
- Remediation scheme for ground contamination
 - Noise insulation
 - Restrictions on Demolition and Construction Activities
 - Questions asking justification about noise levels assessed when windows closed

LBTH Environment Health Officer – Air Quality

- 5.10 Confirmed that the submitted information is acceptable but requested a number of conditions relating to:
- Dust management plan
 - Kitchen extract details
 - Construction plant and machinery
 - Air quality neutral assessment

LBTH Health Impact Officer

- 5.11 Raised concerns in terms of the loss of playspace in an area already in high need as described by the Play Spaces Audit. The children's play area on Four Seasons Green and the MUGA to the west of the site will require a significant improvement, developed in collaboration with the local community to ensure it meets their needs, to be sufficient. Also advises the Community Centre should also be temporarily relocated during construction to ensure community cohesion and opportunities for social interaction are maintained.

LBTH Occupational Therapist

- 5.12 Raised no objections and confirmed they are satisfied with proposed layouts.

LBTH Local Flood Authority

- 5.13 Raised no objections to the scheme but recommends the design continues to investigate improved passive design measures, in particular looking at enhanced u-values for windows and commit to achieving air permeability rates in line with LETI standards. Advises that the

proposals are for a 28.32 tonnes/CO2 reduction in on-site emissions and would result in a carbon offsetting contribution of £28,471.50 to offset the remaining 9.99 tonnes CO2 and achieve net zero carbon. Welcomes that the development will employ a site-wide heat network (air source heat pump) for all uses to future proof the scheme to connect with a future district heat network if one becomes available and viable in the area, which should be secured through a suitable condition or legal wording. Recommends conditions seek to ensure:

- PV energy generation maximised with Biosolar roofs installed where feasible.
- The carbon savings are delivered as identified in the Energy Statement
- Details of future district heating connection safe guarding are provided
- Post completion report (including As Build calculations) is submitted to demonstrate energy / CO2 savings have been delivered.

LBTH Transportation & Highways

- 5.14 Raised no objections but requested condition relating to the ensuring that there are no doors opening outwards.

LBTH Waste Policy and Development

- 5.15 Raised no objections, subject to securing the appropriate planning conditions and welcomes the segregation of residential and commercial waste storage arrangement. The proposed access for waste collection is considered acceptable. The refuse storage at ground floor will be within recommended drag distance for residents and for waste collection and swept paths analysis of a standard refuse vehicle has been provided.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

London Plan (2021)

Chapter 1 Planning London's Future - Good Growth

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG5 Growing a good economy

Chapter 3 Design

D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D8 Public realm
D9 Tall buildings
D12 Fire safety
D13 Agent of Change

Chapter 4 Housing

Policy H1 Increasing housing supply

Policy H4 Delivering affordable housing
Policy H6 Affordable housing tenure
Policy H7 Monitoring of affordable housing
Policy H10 Housing size mix

Chapter 5 Social Infrastructure

Policy S1 Developing London's social infrastructure
Policy S4 Play and informal recreation
Policy S5 Sports and recreation facilities

Chapter 7 Heritage and Culture

HC1 Heritage conservation and growth

Chapter 8 Green Infrastructure and Natural Environment

G5 Urban greening
G6 Biodiversity and access to nature

Chapter 9 Sustainable Infrastructure

SI1 Improving air quality
SI2 Minimising greenhouse gas emissions
SI3 Energy infrastructure SI4 Managing heat risk
SI5 Water infrastructure
SI7 Reducing waste and supporting the circular economy
SI12 Flood risk management
SI13 Sustainable drainage

Chapter 10 Transport

T1 Strategic approach to transport
T2 Healthy streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.2 Office parking
T6.5 Hotel and leisure uses parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

Tower Hamlets Local Plan 2031 Achieving sustainable growth

Achieving sustainable growth

Policy S.SG1: Areas of growth and opportunity within Tower Hamlets
Policy S.SG2: Delivering sustainable growth in Tower Hamlets
Policy D.SG3: Health impact assessments
Policy D.SG4: Planning and construction of new development

Creating attractive and distinctive places

Policy S.DH1: Delivering high quality design
Policy D.DH2: Attractive streets, spaces and public realm
Policy S.DH3: Heritage and the historic environment
Policy D.DH6: Tall buildings
Policy D.DH7: Density

Policy D.DH8: Amenity

Meeting housing needs

Policy S.H1: Meeting housing needs

Policy D.H2: Affordable housing and housing mix

Policy D.H3: Housing standards and quality

Supporting community facilities

Policy S.CF1: Supporting community facilities

Policy D.CF2: Existing community facilities

Policy D.CF3: New and enhanced community facilities

Enhancing open spaces and water spaces

Policy S.OWS1: Creating a network of open spaces

Policy D.OWS3: Open space and green grid networks

Protecting and managing our environment

Policy S.ES1: Protecting and enhancing our environment

Policy D.ES2: Air quality

Policy D.ES3: Urban greening and biodiversity

Policy D.ES4: Flood risk

Policy D.ES5: Sustainable drainage

Policy D.ES6: Sustainable water and wastewater management

Policy D.ES7: A zero carbon borough

Policy D.ES8: Contaminated land and storage of hazardous substances

Policy D.ES9: Noise and vibration

Policy D.ES10: Overheating

Managing our waste

Policy S.MW1: Managing our waste

Policy D.MW2: New and enhanced waste facilities

Policy D.MW3: Waste collection facilities in new development

Improving connectivity and travel choice

Policy S.TR1: Sustainable travel

Policy D.TR2: Impacts on the transport network

Policy D.TR3: Parking and permit-free

Policy D.TR4: Sustainable delivery and servicing

6.4 Supplementary Planning Guidance/ Other Documents:

- National Planning Policy Framework (2023)
- National Planning Practice Guidance (updated 2021)
- National Design Guide
- LP Housing Design Standards LPG (2023)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LBTH High Density Living SPD
- LBTH Tall Building SPD
- LBTH Planning Obligations SPD (2016)
- Historic England Advice Note 4 – Tall Buildings
- Historic England Good Practice Advice in Planning: 3 (2nd Edition) The Setting of Heritage Assets

- BRE Guidelines (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

- 7.2 The site is located within the Central Sub Area, as identified within paragraph 7.7 of the Local Plan, whilst not an opportunity area, it *is an area which has the potential to absorb additional growth, primarily through infill and land use intensification which respects the character of the surrounding streetscape*. It identifies that *new development will be expected to have regard to the design and development principles set out in Section 4 and other relevant policies set out in the Local Plan*.
- 7.3 The site on Tower Hamlets owned housing land consists of Caxton Grove Community Centre and adjoining ball court to the west which would be demolished. Adjacent to the site to the south is designated Publicly Accessible Open Space, the Four Seasons Green. This land is not managed by the Council's Park Team. Policy S1 of the London Plan seeks to protect existing social infrastructure (which includes community facilities) unless there are realistic proposals for re-provision that continue to serve the needs of the neighbourhood and wider community, or the loss is part of a wider public service transformation plan to provide modern, fit for purpose infrastructure and facilities to meet future population needs or to sustain and improve services.
- 7.4 The Local Plan policies S.CF1, D.CF2 and D.CF3 also seeks to ensure that developments protect and encourage new and improved community facilities. Policy D.CF2 seeks to ensure existing community facilities are retained unless it can be demonstrated that either there is no longer a need for the facility, or an alternative community use within the local community, or a replacement facility of similar nature that would better meet the needs of the local community is provided, and that the quality and accessibility of these facilities (including public access) are enhanced.
- 7.5 The Local Plan Policy S.OWS1 seeks to ensure developments *provide or contribute to the delivery of an improved accessible, well-connected and sustainable network of open spaces, to ensure that there is no net loss (except where it meets the criteria set out in Policy D.OWS3), improving its quality, value and accessibility and maximising the opportunities to create/increase publicly accessible open space (including playing pitches and ancillary sporting facilities) with a range of sizes and for a range of users*.
- 7.6 The proposal would result in the loss of the existing community centre building, which consists of 195sqm GIA and the adjacent ball court. The application confirms that the existing community centre is Council owned and leased to the Malmesbury Youth Project, which sublets the space to Age Concern, which is the main user of the premises Monday to Friday.

- 7.7 The applicant has confirmed that the existing community centre building cannot be retained (due to the existing condition and energy efficiency of the building) and the proposal would therefore reprovide a community centre at ground floor level of the proposed building. The scheme would allow for the new community facility to be used by the existing main user group (Age Concern) but also open up the opportunity for the space to be used more widely by the local community and more frequently including both in the evenings and upon the weekend. . The new facilities would be marginally larger (by 10sq.m) than the existing community facility at 205sqm of floor space, as well as more fit for purpose than the existing facility and would have access to its own external amenity space set to the east of the building. In terms of the quality of the proposed facilities the space would include various rooms, including workshop, a hall, a kitchen, fully wheelchair accessible WCs, storage and dedicated enclosed refuse area. The main areas of the workshop and hall have dual aspect and access to daylight/sunlight, with a generous 3.4m internal floor to ceiling heights. The application confirms that the current occupiers of the community centre would retain the option to use use of the proposed facility. In summary it is concluded the proposal would provide improved community facilities for future occupiers compared to the existing community centre.
- 7.8 The existing ballcourt, to the west of the existing community centre, would fall within the footprint of the proposed development and therefore the proposals would result in its loss. The existing facility is stated to be surplus to requirements within the application documentation. The proposal would also result in alterations to the Four Seasons Green, Publicly Accessible Open Space, including improvements to the quality of landscaping and the inclusion of play equipment.
- 7.9 Paragraph 103 of the National Planning policy Framework states that:
- Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- a)an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b)the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c)the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use*
- 7.10 Paragraph 8.4.1 emphasises the importance of open space confirming that it provides a wide range of social, health and environmental benefits, and are a vital component of London's infrastructure. The associated Policy G4 seeks to ensure that proposed development does not result in the loss of protected open space.
- 7.11 Local Plan Policy D.OSW3 only supports development on designated open space in exceptional circumstances including development where it provides essential facilities that enhance the function, use and enjoyment of the open space (e.g. ancillary sport facilities to the playing field use), or as part of a wider development proposal, both an increase of open space and a higher quality of open space can be achieved, provided that it would not result in any adverse impacts on the existing ecological, heritage or recreational value of the open space and the flood risk levels within and beyond the boundaries of the site.
- 7.12 The changes proposed to the Four Seasons Green consist of a combination of landscaping and the introduction of playground equipment associated with the child's play space for the future occupiers of the proposed residential component of the development. Whilst further assessment on the impact on the ecological, heritage and recreational value of the open space is provided later in this report, amongst other issues, the principle of the proposed changes are concluded to be acceptable as they would support the function and enhanced enjoyment of the designated area of open space.

- 7.13 As noted above the proposal would result in the existing facility which has been described as ballcourt and a Multi-Use Games Area by the applicant and consists of an area of hardstanding measuring approximately 600sqm and includes a basketball court.
- 7.14 London Plan Policy S5 seeks to ensure *existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 7.15 London Plan Policy S4 seeks to ensure that development proposals increase opportunities for play and informal recreation and enable children and young people to be independently mobile and not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand.
- 7.16 London Plan Policy S5 (C) also seeks to ensure existing sports and recreational land (including playing fields) and facilities for sports and recreation should be retained unless:
- *an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - *the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
- 7.17 As noted above, Local Plan Policy D.CF2 seeks to protect existing community facilities. Paragraph 12.14 in the supporting text for this policy states that *the loss of sports and recreational facilities will only be justified where an applicant can provide a robust assessment demonstrating surplus provision or where the proposal includes a replacement of the facility with at least an equivalent function, quality and quantity of sport provision that better meets the needs of the community.*
- 7.18 It is acknowledged that the proposal would not result in a re-provision of the existing ballcourt. However, the applicant has identified that there is an existing ballcourt, which also has a basketball court located within close proximity to the application site, being located 200m walk to the west along Malmesbury Road (between Alfred St and Whitton Walk). This facility has been in situ for several years, with historical photos confirming its existence since July 2008.
- 7.19 The applicant has identified that both of these ballcourts are of low quality and require significant improvements. To mitigate the loss of the existing ballcourt within the footprint of the proposed building the application includes a commuted sum which would be secured to improve the retained Malmesbury Road MUGA. These improvements which shall include improvements to the surface, the inclusion of seating TBC
- 7.20 Sport England is a statutory consultee on planning applications for development affecting playing fields. Sport England's playing fields policy and how it assesses such applications is set out in its Playing Fields Policy and Guidance document. The policy and supporting guidance are in line with the Government's commitment in the NPPF to the protection of sport and recreational provision. The document also provides helpful clarification and additional guidance to assist all with assessing related planning applications and protecting provision.

- 7.21 The Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the 2015 Order”) states that a local planning authority shall consult Sport England on “development which:
- is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field;*
or
- is on land which has been—*
- used as a playing field at any time in the five years before the making of the relevant application and which remains undeveloped; or*
- allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or*
- involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface.”*
- 7.22 The 2015 Order defines a playing field as ‘the whole of a site which encompasses at least one playing pitch’. The 2015 Order also defines a playing pitch as ‘*a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo.*’
- 7.23 In this instance, the existing ballcourt is not considered to meet the requirements to require consultation with Sport England, as the existing facility is less than 0.2 hectares in area and is not area used for the above sports and therefore does not meet the definition of a playing pitch.
- 7.24 Policy H1 of the London Plan seeks to amongst other things, optimise the potential for housing delivery on all suitable and available brownfield sites through Development Plans and planning decisions. The policy sets ten-year targets for net housing completions for each Local Planning Authority. For Tower Hamlets, Table 4.1 sets a ten-year target of 34,730 net housing completions covering the period between 2019/20 – 2028/29.
- 7.25 Policy S.H1 of the Local Plan commits to securing the delivery of at least 58,965 new homes across the Borough (equating to at least 3,931 new homes per year) between 2016 and 2031.
- 7.26 The provision of new housing would positively contribute to the Borough’s housing stock, noting that there is an acute local and national demand for increased housing, particular affordable housing. The principle of the housing on the site would be acceptable in land use terms subject to the development demonstrating compliance with relevant Development Plan policies.

Conclusion

- 7.27 To summarise, the proposal would result in the loss of the existing community centre and ballcourt within the footprint of the development. However, the proposed development would provide a new community centre at ground floor, providing improved facilities, along with the creation of 36 residential units. The loss of the existing ballcourt is mitigated by the inclusion of an improved replacement community centre as well as a commuted sum for the improvement of the existing Malmesbury Road MUGA. The proposal would also result in the landscaping and improvement of the existing Four Seasons Green. It is therefore considered that principle of the development is acceptable, subject to compliance with all other material considerations.

Housing

- 7.28 Policy S.DH1 of the Local Plan stipulates 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 the provision of mixed unit sizes and tenures which meet local need, and which are inclusive of varied housing products. All housing must be well-designed and take appropriate account of cumulative development. This policy also seeks to maximise the delivery of affordable housing on-site.

Affordable Housing

- 7.29 Policy H4 of the London Plan sets a strategic target of 50 per cent of all new homes delivered across London to be genuinely affordable. Specific measures to achieve this aim include the requirement to deliver 50 per cent affordable housing on public sector land on each site.
- 7.30 Policy H5 of the London Plan outlines the threshold approach toward affordable housing schemes greater than 10 units. In this instance, the proposal would be for 100% affordable housing.
- 7.31 Policy H6 identifies the preferred affordable housing tenure that should be applied to residential development as follows:
- 1) A minimum of 30 per cent low cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes.
 - 2) A minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership.
 - 3) The remaining 40 per cent to be determined by the borough as low cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need
- 7.32 Policy D.H2 seeks to maximise the provision of affordable housing in accordance with a 70% rented and 30% intermediate tenure split.
- 7.33 The proposal would result in the creation of 36 new residential homes, all of which would be for social rent, which while it does not meet the above requirements, can be said to significantly exceed them in relation to the delivery of much needed low cost affordable housing. This is therefore welcomed and a significant merit of the scheme.

Housing mix

- 7.34 The Table below shows how the proposal compares with the recommended housing mix in the Local Plan for the affordable rented tenure in housing schemes:

	No of units	Required mix	Provided mix	Difference
1 bed	6	25%	16.6%	-8.4%
2 bed	16	30%	44.4%	+14.4%
3 bed	10	30%	27.7%	-2.3%
4 bed	4	15%	11.1%	-3.9%

- 7.60 As shown in the above table the proposed does not strictly accord with the proposed housing mix. However, this scheme would vastly overprovide low cost affordable rented accommodation when assessed against policy requirements (because the scheme is being delivered as 100% social rent) and as such any deviation from the required unit mix, presents no policy issued and would be acceptable. Notwithstanding the unit mix, it is also important to assess the standard of the proposed residential accommodation, which is assessed below.

- 7.61 The proposed units would meet the minimum floorspace standards and floor to ceiling heights in the London Plan and have acceptable sized living areas and bedrooms and layouts.
- 7.62 It is acknowledged that 14 (38.9%) of the 36 proposed dwellings would have single aspect. These units are located within the central section of the facade and are all two bedroom dwellings. The Design and Access Statement confirms that during the design process alternative options which sought to introduce a secondary aspect to these dwellings. However, the applicant considered that the limited aspect from the deck areas and the challenges associated with a northern aspect set towards the railway line, facing south was the most appropriate solution for these dwellings. Officers accept this justification.
- 7.63 For the remaining dwellings, 14 (38.9%) would have dual aspect, facing either north-west or southwest whilst 8 (22.2%), which are family sized 3 and 4 bedroom homes, have aspect in three directions. However, it should be noted that the 2 of the flats on the western end of each floor (10 in total) have openings which face towards the adjacent site to the west. To prevent unacceptable overlooking and compromising future development of this adjacent site, the application has designed the openings on this elevation to projecting directional oriel windows, with the units towards the front of the building having two of these windows serving a bedroom and the main living areas, and the flats to the rear having one window serving the main living area. These windows have been designed with clear glass to the shorter sides of these windows, which allow for aspect north and south, with the larger west-facing plane using opaque glass to restrict views. It is acknowledged that the proposed design of these windows would restrict the levels of outlook and aspect from these windows. However, it is noted that the windows serving the main living areas are secondary windows, and as such future occupiers of these rooms would experience good levels of outlook and aspect. It is acknowledged that the windows serving the bedrooms are single aspect, however, given that bedrooms have a less requirement for outlook and aspect and the standard of accommodation including the levels of dual aspect and outlook throughout these homes this flat layout is considered acceptable.
- 7.64 Local Plan Policy D.ES10 seeks to ensure new development is required to ensure that buildings (both internally and externally) and the spaces around them are designed to avoid overheating and excessive heat generation, while minimising the need for internal air conditioning systems. The supporting text (paragraph 14.73) in the Local Plan states that *Major development schemes are expected to evidence compliance with this policy within their design and access statements. Details should include the measures used to avoid overheating (including overheating analysis against a mid-range climate scenario for the 2030s) and excessive heat generation. This should look at not only the physical form of the building but also the operation of the building.*
- 7.65 The application includes the submission of the document titled 'Residential Overheating Risk Assessment' by XCO2. This confirms that all habitable residential rooms have been assessed against Part O overheating risk criteria for the London Weather Centre DSY1 future weather data set (2020 High 50th Percentile). The report confirms that the development requires a combination of natural ventilation and solar control techniques in the design.
- 7.66 The report recommends that the proposal includes the provision of trim cooling as part of the MVHR system is recommended to mitigate overheating risk in all of the residential units, as well as a number of measures including to the windows, to be opened inwards, fully openable the use of glass of low g-value (0.50) for all windows and glazed doors, use of internal shading amongst other measures, including the use of lighting and to make use of private amenity areas.
- 7.67 For the community centre, the guidance set out in CIBSE Technical Memorandum (TM52) has been used in the analysis of the non-dwelling areas, as this is the recommended methodology for assessing overheating risk in non-domestic developments. The report confirms that all occupied spaces were found to satisfy the overheating risk criteria using the

weather data DSY1 (2020s, high emissions, 50% percentile scenario) for the London Weather Centre incorporating natural ventilation in combination with efficient lighting and a reduced g-value (0.5).

7.68 Given the proposal would be in compliance with the guidance set out above it is considered compliant with Local Plan Policy D.ES10 in this regard.

7.69 The application has been accompanied by the submitted document titled 'Daylight and Sunlight Report (Within Development)' by Right to Light Consulting in order to demonstrate that the proposed units would be in compliance with the BRE Guidelines (2022) and uses Climate Based Daylight Modelling. The targets are:

- Median of 100 Lux to be achieved over 50% of the assessment grid for at least half the daylight hours for bedrooms.
- Median of 150 Lux to be achieved over 50% of the assessment grid for at least half the daylight hours for living rooms.
- Median of 200 Lux to be achieved over 50% of the assessment grid for at least half the daylight hours for kitchens.

7.70 Where there is a combined use, i.e. living/kitchen/diner, the highest target should be applied, in this case 200 lux for the kitchen. It should be acknowledged that living/kitchen/diners often place the kitchen to the rear, so this is difficult to achieve.

Sunlight Methodology

7.71 For new buildings, a space needs to achieve 1.5 hours of sunlight on a selected dated between 1st February to 21st March with the BRE suggesting the 21st of March be used with cloudless conditions. For dwellings at least one habitable room, preferably a living room should achieve the minimum 1.5 hours of sunlight.

7.72 The report confirms that 107 of 128 rooms (83.5%) tested would be in full compliance with BRE Guidelines within the proposed development, between 1st February to 21st March. The report confirms that the 21 rooms that fail to meet the requirements are all bedrooms and relate to 21 different homes. However, this assessment does not consider the use of obscure glazing on the western elevation oriel windows. The applicant has confirmed that the daylight/sunlight consultant has run a comparable assessment (internally) predicated on the windows being semi-transparent and using an Opti Float Opal glass system which gives a light transmittance of 0.74 (opposed to the 0.82 clear glass as a standard). The results show 81% (105 out of 129 rooms) meeting the criteria, resulting in an additional two rooms falling short of the target guidance. The additional two impacted rooms would be located at first floor level, which would fall slightly short as a result of the amended transmittance for the glazing.

7.73 Notwithstanding the above, the daylight report notes that some of the rooms which do not meet the BRE interior daylighting recommendations, have balconies above them, which explains some of the restrictions to the daylight received to these rooms. This is in order to provide private amenity space to the occupants. Were the scheme to come forward without private the interior daylighting levels would greatly improve. However, officers conclude the benefits provided by the homes having access to balconies (with good views from them) outweigh the disbenefits in terms of reduction in daylight to the affected rooms.

7.74 Taking into account the size and urban setting of the proposed development, the proposed daylight results provide a good level of adherence to BRE guidance.

7.75 The 4 wheelchair accessible homes on the first, second, third and fourth floors would meet M4 (3) (b) regulations and the lift is a fire lift for evacuations. The proposed residential entrance can be accessed from the south elevation, off the shared amenity area. The entrances would also be step free, with appropriate sloped pathways ensuring accessibility for as many people as possible.

Communal Amenity Space & Play Space

- 7.76 Private amenity space requirements are determined by the predicted number of occupants of a dwelling. Policy D.H3 of the Tower Hamlets Local Plan sets out that a minimum of 5sqm is required for 1-2 person dwellings with an extra 1sqm provided for each additional occupant. If in the form of balconies, they should have a minimum width of 1500mm. The proposals provide amenity space, in the form of inset and projecting balconies (with each of the 3 and 4-bedroom family-sized dwellings benefiting from two balconies to provide flexibility of use and variety of aspect) and garden areas that would comply with the above quantitative standards.
- 7.77 Part 5c and d of policy D.H3 requires communal amenity space and child play space for all developments with ten or more units. The communal amenity requirement for this development is 76sqm which would be exceeded. The child play space requirement is 10sqm per child as determined by the Tower Hamlets Child Yield Calculator.
- 7.78 Using the Tower Hamlets Child Yield Calculator the below requirements for child play provision are generated:

Age Group	Number of Children	Area Required (sqm)	
Years 0-4	19	191	
Years 5-11	16	161	7.94
Years 12-18	17	167	7.95
			7.96
Total	52	519	7.97
			7.98
			7.99

- 7.100 As detailed above the development is predicted to yield 52 children and therefore 519 sqm of child play space is required, split across three different age groups set out in the GLA's Play and Informal Recreation SPG (2012).
- 7.101 The submitted Planning Statement confirms that the communal garden configured at ground floor level to the rear of the building would be 297.6sqm. In terms of child play space, the proposed development involves reconfiguring and improving the adjoining area of public open space (Four Seasons Green). The submitted Landscape Statement confirms that this space can be reconfigured to provide an overall child play space area of 558m² (comprising 217sqm for 0-4 years, 165sqm for 5-11 years and 176sqm for 12-18 years).
- 7.102 Therefore, the proposed development would be reliant on an existing area of public open space to meet the required child play space needs the development. Whilst new housing schemes should be providing their own play space on site and not rely on existing open space in this instance officers accept given the investment and qualitative improvements the scheme will make to the Four Seasons Green including provision of enhanced play space areas with play equipment installed as part of the scheme the outcome would be acceptable, notwithstanding the given the constraints of the application site, the proximity of Four Seasons Green open space to the site and the pressing need for additional affordable rent housing in the area.
- 7.103 A condition has been recommended to secure full details of all play space and landscaping. To ensure that the child play space would be appropriate of users within the local area, the condition should include further consultation and active engagement with local residents including young people as future users of the space.

Overshadowing/Amenity Spaces

- 7.104 The results within the submitted document titled 'Daylight and Sunlight Report (Within Development)' by Right to Light Consulting show that garden 1, sited to the north of the proposal, would not receive at least two hours of sunlight on 21 March, with only 24% of this

area achieving this which is equivalent to 89.5% of the overall communal amenity space requirement of the proposed development (76m²). However, the results show that the main large communal amenity space (garden 2) would receive at least two hours of sunlight on 21 March to 100% of its area. This would represent significantly better compliance than the BRE recommendation which states that at least 50% of any garden or amenity area should receive at least two hours of sunlight on 21 March.

- 7.105 With consideration for the above, and that the proposed units would also benefit from private amenity spaces in the form of inset balconies, it is concluded the provisions of access to direct sunlight to the communal amenity spaces are acceptable on balance.

Conclusion

- 7.106 Overall, the proposal will prove an acceptable standard of accommodation and amenity for future occupiers of the proposed residential homes.

Design & Heritage

- 7.107 Development Plan policies requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. Developments should be of an appropriate scale, height, mass, bulk and form in its site and context. Policy S.DH3 requires that the significance of heritage assets are preserved in any development scheme.

- 7.108 Policy D.DH2 of the Local Plan requires development to contribute to improving and enhancing connectivity, permeability and legibility across the borough. Developments should optimise active frontages towards public streets and spaces, provide clear definition of building frontage and massing and allow connection and continuity of pedestrian desire lines at a human scale.

- 7.109 Policy S.DH1 of the Local Plan requires development to be of the highest standard which respond an responds positively to its local context, is appropriate in scale height, and form, complements streetscape rhythm and complements its surroundings. Policy D.DH6 requires that developments with tall buildings are of a height, scale and massing proportionate to their role, function and importance, achieve exceptional architectural quality and are directed towards Tall Building Zones, unless exceptions are met. London Plan policy D3 advocates a design-led approach to optimising the capacity of development sites, taking into consideration form, layout, experience, quality and character.

Height, Scale and Massing

- 7.110 The proposed new building is made up of two principal elements: the seven storey element towards the west covers a third of the building, with the remaining part of the proposed building being nine storeys in height. The maximum height of the proposed nine storey element of the building would be 32.9m and the seven storey being 26m when measured from ground level, both of these elements include a 2.1m high parapet.

- 7.111 LBTH Local plan D.DH6 advises that the development of tall buildings will be directed towards designated Tall Building Zones and must apply the identified design principles, having regard to the Tall Buildings Study and other relevant policies. Outside these zones, tall building proposals (including those on-site allocations) will be supported provided they meet the criteria set out in Part 1 and can demonstrate how they will:

- a) be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas
- b) address deficiencies in the provision of strategic infrastructure
- c) significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area, and
- d) not undermine the prominence and/or integrity of existing landmark buildings and tall building zones (taking account of the principles set out in Figure 8).

- 7.112 Part a of the policies requires tall building proposals to be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas.
- 7.113 The Site is located within the Central Sub Area, as outlined in the Land use section above whilst not an opportunity area, *is an area which has the potential to absorb additional growth, primarily through infill and land use intensification which respects the character of the surrounding streetscape*. The site is well served with good public transport links and has a Public Transport Accessibility Level (PTAL) of 4 (where 6b is the highest level of accessibility and 0 is the lowest).
- 7.114 Part b requires tall buildings outside designated zones to address deficiencies in the provision of strategic infrastructure. The Local Planning Authority acknowledges that the proposal would not unlock strategic infrastructure. However, the proposal would be for 36 self-contained residential units all of which would be for affordable rented housing.
- 7.115 Part c requires that tall buildings to 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. As mentioned above, the site is not within close proximity to a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area.
- 7.116 Finally, part d states that tall buildings must not undermine the prominence and/or integrity of existing landmark buildings and tall building zones. There are no landmark buildings or tall building zones within the immediate vicinity of the site. Whilst it is acknowledged that the proposal would be greater in height than the existing buildings to the south and west, there are a number of buildings within close proximity to the development site which are tall, wide and long and are of a significant scale, being five and six-storey buildings on Morville Street and Fairfield Road beyond the viaduct to the north and east. Therefore, whilst the proposal would appear as a visually prominent building, when viewed from the south or west, along Caxton Grove and Malmesbury Road, as well as to the north, from Ordell Street, it would appear in this context. The design of the building includes a rise from seven to nine storeys to the west to the east of the building which would allow the gradual stepping up of heights which is also to mitigate its impact.
- 7.117 Overall, whilst the site is located outside a Tall Building Zone, and it is acknowledged would not meet the exception criteria found within LBTH Local Plan policy D.DH6. However it is considered the design including height and scale of the building is adjudged to sit reasonably comfortably within its immediate site context, would not be an unduly jarring or overbearing presence on Fours Seasons Green nor upon surrounding housing and as such would be acceptable assessed against the development plan and design policies taken as a whole and with having due regard to other material consideration including the provision of new 100% affordable rent housing. It is noted by officers the GLA in their Stage 1 Report to this scheme had no objection to the principle of a defined tall building on this site..

Impact on Heritage Assets

- 7.118 The Council has a statutory duty to consider a proposal's impact on heritage assets, including listed buildings and their settings and conservation areas. This is contained in Sections 66(1) and 72(1) (respectively) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and is reflected in national, regional and local policy and guidance.
- 7.119 Section 16 of the NPPF entitled "Conserving and enhancing the historic environment" contains guidance in consideration of development proposals and their effect on the historic environment. Section 16 of the NPPF is consistent with the aforementioned statutory duty in requiring that determining planning authorities give great weight to an assets conservation.
- 7.120 Paragraph 197 of the NPPF states that in determining planning applications local planning authorities need to take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.121 Paragraphs 201 to 204 set out the process for where a proposal leads to substantial or less than substantial harm to the significance of a heritage asset and the effect of an application on non-designated heritage assets.

7.122 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

7.123 Local Plan Policy S.DH3 expects development in the vicinity of listed buildings to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.

7.124 The site itself is not within a conservation area, nor are there any statutory listed buildings or locally listed buildings within the red line plan. However, there are a number of statutory and locally listed buildings and conservation areas close to the site.

7.125 The submitted document titled Heritage Townscape and Visual Impact Assessment by HCUK Group identifies the potential impact of the proposed development on the surrounding assets has been tested through a series of views.

7.126 The report has identified that the nearest designated and non-designated heritage assets include the following:

- Fairfield Road Conservation Area
- Tredegar Square Conservation Area
- Tomlins Grove Conservation Area
- Several Grade II Listed Buildings
- Several Locally Listed Buildings

7.127 The Fairfield Conservation Area boundary encompasses land to the east and west of Fairfield Road, to the east of the site boundary. The Conservation Area Character Appraisal confirms that the area is *defined by its mixed character, with a strongly industrial feel bordering the railway and a more typically residential character to the south, east of Fairfield Road.*

7.128 The report confirms that the closest listed buildings to the Site are within the Fairfield Road Conservation Area to the northeast of the site, and to the east of Fairfield Road, with the key listed buildings including the ex-Bryant and May Match Factory, converted into flats and forms part of a historic and new apartment development between 6-7 storeys with 10 storey towers.

7.129 The nearest locally listed buildings within this conservation area are located along Kitcat Terrace to the south east of the site and include St Mary's Church Hall and no's 2-9 Kitcat Terrace, with no's 9-49 and 51-67 Fairfiled Road and 9-16 Hatfield Terrace, to the east of the site. The report has identified 3 different views (Views 1, 2 and 3) within Fairfield Conservation Area.

7.130 The report establishes from View 1 (taken from Fairfield Road near Paton Close) that the proposed building would be entirely screened by existing buildings as such provides no cause for concern . The proposal would be visible from View 2 and 3.



Figure 1: View 2 (from Fairfield Road) from submitted Heritage Townscape and Visual Impact Assessment

7.131 In relation to View 2 (Figure 1) taken from Fairfield Road a small part of the new building would be above a contemporary block of Polydamas Close. However, the impact in the character and appearance of the conservation area would be minimal as it would sit well below the roofline of the house in view within Fairfield Road itself.



Figure 2: View 3 (from Kitcat Terrace) from submitted Heritage Townscape and Visual Impact Assessment

7.132 View 3 (Figure 2) taken from Kitcat Terrace to the south east below shows that the proposal would be visible and rise as a quiet prominent feature in the backdrop of the existing buildings shown in the view. The Borough Conservation and Urban Design Team have

expressed concern about this adverse impact on the Fairfield Conservation Area resulting from intruding and removing the sky space. St Marys Church Hall on Kitcat Terrace is a locally listed building, it is a well detailed and well-proportioned and the distinctive chimneys with the clear space, do contribute to their heritage significance. As such officers do acknowledge the proposal will incur some harm to the setting of this local listed building and to the character and appearance of the conservation area.

7.133 With the benefit of the Heritage Impact Assessment has identified that the proposal would result in the lowest level of less than substantial harm to the heritage values of the Fairfield Road Conservation Area and has been assessed as affecting the heritage values of the locally listed buildings along Kitcat Terrace and St Marys Church Hall. The submitted Heritage Impact Assessment (which was prepared following engagement on the views selected with input from the Place Shaping Team) indicate the massing of the scheme would not impact adversely on key views of statutorily listed building within this conservation area.

7.134 As for Tredegar Square Conservation Area officers are satisfied the visual impact of the scheme would be minimal with no material adverse impact on the conservation area given the distance of the proposed building and the screening provided by existing buildings. As is evident from Figure 3 and 4 below.



Figure 3: View 9 (Benworth Street) from submitted Heritage Townscape and Visual Impact Assessment



Figure 4: View 10 (from Morgan Street) from submitted Heritage Townscape and Visual Impact Assessment

- 7.135 View 4 provided within Heritage Impact Assessment looking towards Morgan Street and located within Tomlin's Grove Conservation Area shows the scheme would not be visible at all and as such have no negative impact on the appearance of the conservation area.

Public benefits vs Heritage Harm

- 7.136 In the context of the NPPF (paras 205-208), where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Officers have identified that the proposal would result in less than substantial harm to the setting of the Fairfield Road Conservation Area and has been assessed as affecting the heritage values of the locally listed buildings along Kitcat Terrace and St Marys Church Hall. This harm would therefore need to be weighed against the public benefits of the proposal, which are listed as follows:

- The provision of 36 high quality new affordable homes
- Redevelopment of Four Seasons Green
- Improved community centre

Officers conclude there is less than substantial harm identified to the setting of heritage assets and as such to the character and appearance of the Fairfield Road Conservation Area. It is important in line with the NPPF and relevant statutory obligations that decision-maker attaches great weight to any harm to heritage asset. Notwithstanding these important requirements it is identified the harm to be less than substantial and indeed towards the bottom end of less than substantial. Taking account of the significant public benefits that can be attached to the scheme as identified above it is concluded by officers that overall the public benefits outweigh the harm identified and as such the scheme is acceptable and accords with the relevant requirements of the development plan.

Layout, Landscaping, and Public Realm

- 7.137 In terms of the layout of the existing buildings in the surrounding area includes the four storey block of flats fronting the public highway of Caxton Grove and Malmesbury Road, as well as the being the single storey buildings of the community centre (within the application site) and no. 171 Malmesbury Road. There are a number of five and six-storey buildings on Morville Street and Fairfield Road beyond the viaduct to the north and east.

- 7.138 In terms of the layout of the proposed development, the proposed building would front Malmesbury Road and would be marginally set forward of existing building line of the

existing community and the adjacent building to the west along Malmesbury Road. Given the existing relationship with the public highway and the adjacent building this is considered appropriate.

- 7.139 The rear (north) and side (east) elevation are set away from the existing boundaries of the site to allow for amenity space for both the future occupiers of the proposed residential units and the community centre, as well as from the west elevation to allow for potential future development of the adjacent site, which is welcomed. However, there are concerns in terms of the irregular shape of the community centre which could have implications on the internal arrangement and anti-social behaviour.
- 7.140 The existing footprint of the proposed building, which contains an area of hardstanding in the form of a ballcourt and a playground is currently limited in terms of landscaping and biodiversity. The proposal includes an area of amenity to the rear, whilst there are concerns of the level of daylight/sunlight and the lack of surveillance of this area, this is welcomed. The proposed landscaping of the Four Seasons Green together with the creation of this communal amenity space to the rear mean that the development will have a positive impact on biodiversity. If permission is granted, a planning would be imposed to ensure that biodiversity enhancements are secured and delivered.
- 7.141 The proposal would also include improvements in the form of a raised crossover on the bend of the public highways of Caxton Grove and Malmesbury Road, with ramps provided, to encourage slower speeds and enhance pedestrians access the proposed development.
- 7.142 Overall, it is considered that the proposed layout would allow provide a good amount of active frontage and passive surveillance, including improved public realm and permeability around the site. Full details of hard and soft landscaping features would be secured by condition, subject to approval. For the reasons above, the proposed layout is considered to accord with Development Plan.

Architecture and Materials

- 7.143 The appearance of the building is made up of two distinct elements, being part nine storey part seven storey building, including a step down towards the west of the building, with angled parapets at roof level. The building has a contemporary overall appearance albeit the Borough Urban Design officer has also identified brutalist, and classical design elements also contained within it. The fenestration pattern is characterised as having a grid like pattern, with recessed and projecting balconies set on the front elevation and deck access to the rear elevation. The front elevation of the base of the building at ground floor level is predominantly glazed apart from doors to storage areas for the residential components of the building. Opportunities could have been taken to simply the external design and appearance of the building and this was sought be the urban design officer, although features present within the design to provide visual interest and make it distinctive from other residential building. Taken overall the general design of the building is considered to be acceptable, visually interesting and sympathetic in appearance to the surrounding area.
- 7.144 In terms of materiality, the proposed building would be of predominately masonry construction, with brickwork being used for the majority of the building, with terracotta coloured stone cladding panels for the ground floor entrance to the proposed community centre, which is also used to provide horizontal banding to each floor. The brickwork for the residential entrance at ground floor is described as 'dusty grey' and the upper being a light red in colour
- 7.145 The use of brickwork is a suitably robust material which is befitting of the solidity that is required at the base of a tall building, particularly in a central location. It would have a 'fluted' profile which would add texture. The proposed horizontal banding is welcomed which is considered to help reduce the verticality of the building. There are some reservations regarding the proposed colour and type of bricks. Given the size of the development and its visibility from surrounding areas, it is crucial to use high-quality bricks and that the chosen brick (and mortar) colours complement each other and work well with the terracotta-coloured

precast concrete. A condition will be imposed to ensure further details are received of all exterior materials prior to construction, with sample panels provided to ensure the brick and other details including brick colour are acceptable and of a high quality.

- 7.146 The proposal includes projecting windows on the west elevation to help mitigate the impact of the blank western façade and to ensure that the proposal would not inhibit the neighbouring site's development potential. There are concerns in terms of these windows, which would project from this elevation in terms of their visual prominence, due to the existing low-scale buildings surrounding the site and the impact on the outlook to future occupiers of the rooms to which these windows serve. However, given the improved residential quality arising as result and the tight relationships with the neighbouring site, this arrangement is considered on balance to be acceptable.
- 7.147 The arrangement of openings and the choice and detailing of materials adequately demonstrate that the applicant's commitment to high quality and means that the base of the building would successfully assimilate with the lower scale surroundings.
- 7.148 1:20 sections are required to demonstrate the details of both brickwork and GRC/reconstituted stone, opening reveals, brick coursing detail, plinth element, balcony, balustrade, soffit, parapet, signage, entrances/ external doors and gates. Full details and samples of external materials would be secured by condition, if the application was to be approved. Conditions ensuring clear glazing for ground floor commercial uses, and restrictions of arials, pipework, external plant and fencing would be required, subject to approval. Overall, the materials and overall appearance of the building are considered to be consistent with guidance within the Development Plan.

Inclusive design

- 7.149 London Plan Policy D5 requires that development proposals should achieve the highest standards of accessible and inclusive design. This includes ensuring there are no disabling barriers and ensuring dignified access and evacuation for all.
- 7.150 London Plan Policy D7 seeks to ensure 10% of the proposed residential units would be designed to be accessible for wheelchair uses. The ground floor would accommodate two wheelchair accessible units, which is 10% of the total number of units.

Safety and security

- 7.151 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.
- 7.152 No objections to the proposal have been received from the Metropolitan Police: Designing Out Crime Officer and in accordance with the Police's consultation response it is recommended that a condition is attached to any permission ensuring that the development is designed to Secure by Design standards and achieves accreditation.

Fire safety

- 7.153 Policy D12 of the London Plan seeks to ensure that development proposals achieve the highest standards of fire safety, beyond what is covered by Part B of the Building Regulations, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, considering issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.
- 7.154 All residential cores would include a fire evacuation lift in addition to the firefighting lift. It appears that all residential cores in buildings over 30m would be served by two staircases.

- 7.155 The application has been accompanied by the document titled 'Planning Fire Safety Strategy + Fire Statement'. The Strategy sets out fire safety measures for the community centre and residential units. This also includes an assessment against London Plan criteria of fire safety measures incorporated into the design.
- 7.156 The application is referable to the Health and Safety executive (HSE) as it includes two or more dwellings in a building 18m in height or over. The HSE have confirmed that the level of information to considered satisfactory when assessed against the adopted standard BS 9991:2015. However, it has been requested that a number of matters are addressed including consideration of fire safety relating to presence of electrical vehicles photovoltaic panels and hydrants. These matters have been secured by condition.
- 7.157 As requested by the GLA response an outline management plan, including how the evacuation lift will be operated, has been secured condition, alongside the measures identified in the submitted report. Notwithstanding the above, whilst the fire strategy is considered to be acceptable the proposal will ultimately be required to comply with the functional requirements of Building Regulations.

Neighbour Amenity

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

Privacy & Outlook

- 7.159 The Local Plan seeks to ensure a separation distance of 18m between habitable rooms. The site is within a location characterised by predominantly residential development with some commercial uses interspersed amongst this. The proposal would achieve the 18m separation distance between neighbouring residential properties. In addition, there is a public highway and railway track between the residential properties to the south side of Malmesbury Road and to the north of the proposed development respectively.
- 7.160 As outlined above, to ensure the proposal would not prejudice the future development of the adjacent site, to ensure that there would not be an unacceptable overlooking from future occupiers, the proposal includes projecting windows which would be obscure glazed on the west elevation, whilst still providing some outlook to the north and south. It is considered that subject to a condition requiring the use of obscure glazing.
- 7.161 In terms of outlook, the proposed building will feature more prominently within the outlook of some residential properties. However, this will not be unusual or uncharacteristic in the context and the surrounding buildings benefit from a separation from the proposed building.

Daylight, Sunlight & Overshadowing

- 7.162 For calculating daylight to neighbouring residential properties affected by the proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no skyline (NSL) or daylight distribution (DD) assessment where internal room layouts are known or can reasonably be assumed. These tests measure whether buildings maintain most of the daylight they currently receive.
- 7.163 BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. For full compliance with the BRE guidance the VSC should be at least 27% or should not be reduced by more than 20% of the former value, to ensure sufficient light is still reaching windows.
- 7.164 The NSL calculation considers the distribution of daylight within the room, and again, figures for full compliance with the BRE guidance should not exhibit a reduction beyond 20% of the former value.

7.165 In regard to sunlight, a window is considered to be adversely affected if a point at the centre of the window receives in the year less than 25% of the Annual Probable Sunlight Hours (APSH), including at least 5% of the Winter Probable Sunlight Hours (WPSH) (September 21st - March 21st) and less than 0.8 times its former sunlight hours during either period. Sunlight is relevant to main living rooms (i.e. habitable rooms) of dwellings and conservatories, if they have a window facing within 90° of due south.

7.166 Figure 7 below contains LBTH numerical classifications that are applied to aid categorising impacts:

Reduction to daylight (VSC % NSL) and sunlight (APSH & WPSH)	Effect classification
0 – 19.9%	Negligible
20% - 29.9%	Minor adverse
30% - 39.9%	Moderate adverse
40% +	Major adverse

7.177 Regarding overshadowing, BRE guidance suggests that for a space to appear sunlit throughout the year, at least 50% of the amenity area should receive at least 2 hours of direct sunlight on March 21st. It states that the “availability of sunlight should be checked for all open spaces,” which usually includes gardens, sitting-out areas, parks, or playgrounds.

7.178 The application has been accompanied by the report titled ‘Daylight and Sunlight Report (Neighbouring Properties)’ prepared by Right of Light Consulting chartered surveyors. The report assesses the impact of the proposed development on neighbouring residential properties using the methodology set out in the Building Research Establishment publication ‘Site layout planning for daylight and sunlight a guide to good practice, third edition 2022’. A 3D model of the proposal in context with the neighbouring properties is shown below.

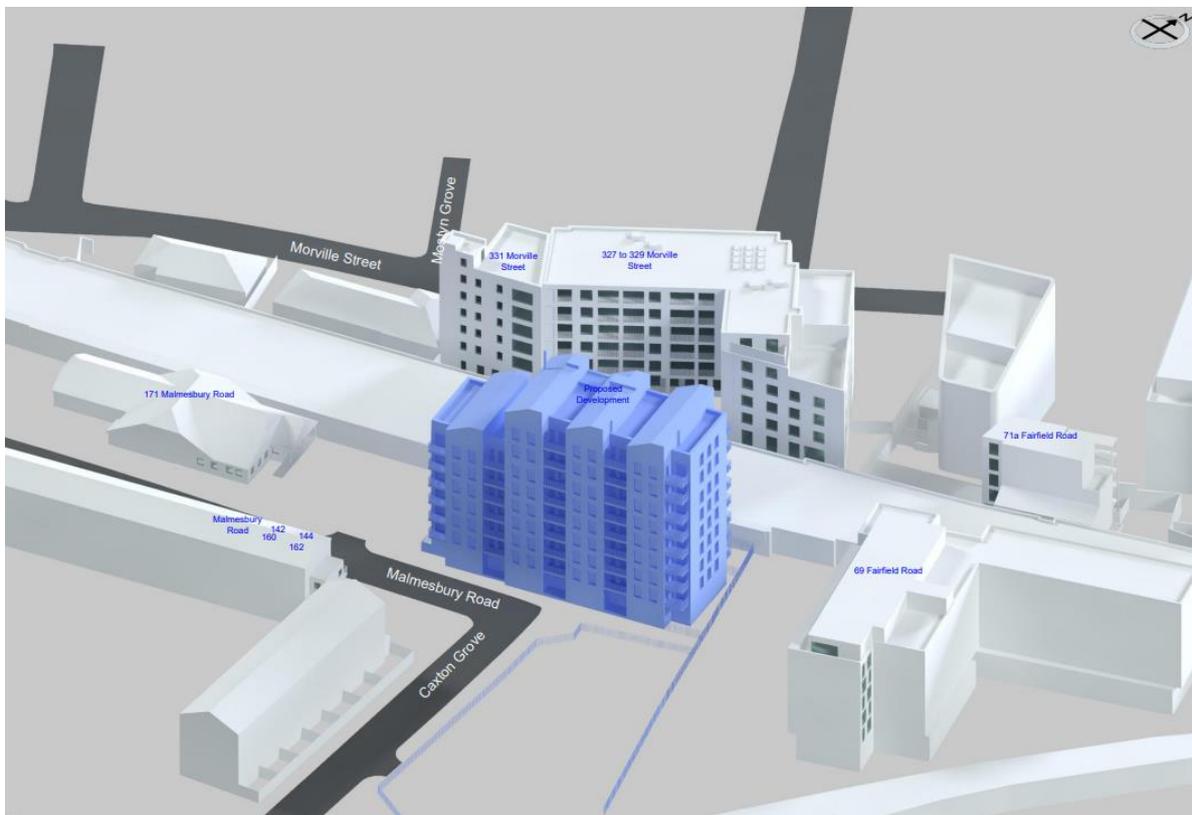


Figure 5: 3D Image of site from ‘Daylight and Sunlight Report (Neighbouring Properties)’ prepared by Right of Light Consulting

7.179 The submitted Report indicates that the following properties were tested for lighting impacts of the following buildings (which are shown in the 3D image above (Figure 5):

- 142 Malmesbury Road,
- 144 Malmesbury Road,
- 160 Malmesbury Road,
- 162 Malmesbury Road,
- 171 Malmesbury Road,
- 327 to 329 Morville Street
- 331 Morville Street
- 69 Fairfield Road
- 71a Fairfield Road

7.180 The results of the Daylight and Sunlight tests are described and assessed for their acceptability below.

142 Malmesbury Road

7.181 This property is located across ground and first floor as part of a four storey block of flats to the south side of the public highway and to west of the site. All 6 windows tested meet the BRE Guidelines for VSC.

7.182 There are also no windows/rooms within this property that require assessment for sunlight due to its orientation.

144 Malmesbury Road

7.183 This property is located across ground and first floor as part of a four storey block of flats to the south side of the public highway and to west of the site. 8 of 16 windows tested fail to meet the BRE Guidelines for VSC which can be summarised below:

- 4 windows would experience moderate adverse impacts (30% to 39.9% reduction),
- 4 windows would experience minor adverse impacts (20% to 29.9% reduction),

7.184 All windows/rooms that warrant assessment for sunlight comply with the BRE Guidelines.

160 Malmesbury

7.185 This property is located across second and third floor as part of a four storey block of flats to the south side of the public highway and to west of the site. All of the windows tested meet the BRE Guidelines for VSC.

7.186 There are also no windows/rooms within this property that require assessment for sunlight due to its orientation.

162 Malmesbury

7.187 This property is located across second and third floor as part of a four storey block of flats to the south side of the public highway and to west of the site. 3 of the 10 windows tested fail to meet the BRE Guidelines for VSC, which would result minor adverse impacts (20% to 29.9% reduction).

7.188 There are also no windows/rooms within this property that require assessment for sunlight due to its orientation.

171 Malmesbury

7.189 This single storey property is located to the west of the site, to the north of the public highway. The report confirms that 5 of the 14 windows tested fail to meet the BRE Guidelines for VSC which are summarised below:

- 3 of these windows would experience moderate adverse impacts (30% to 39.9% reduction) and
- 2 windows would experience minor adverse impacts (20% to 29.9% reduction).

7.190 However, 171 Malmesbury Road is a non-domestic building, being a veterinary surgery, which do not have a requirement for daylight or sunlight.

327 to 329 Morville Street

7.191 This is a six storey building positioned to the north of the development containing residential units. The report confirms that 97 windows have been tested for VSC, 47 (48.4%) demonstrating full BRE compliance with negligible impacts.

7.192 The results of the 50 remaining windows that fall below the BRE Guidelines can be summarised as follows:

- 35 windows would deviate from the existing values by 40% and more and are considered major adverse impacts. These windows are located across all floors (ground to fifth) of the building, 17 of these windows serving Living Rooms or Living/Dining/Kitchens, 16 windows serving bedrooms (two of which are secondary windows), and 1 window serving the Entrance which is not a habitable room.
- 7 windows would experience a moderate adverse degree of impact (30% to 39.9% reduction). These windows are located on all floors apart from the third floor and the nature of these changes are likely to be noticeable to the occupants of these properties. All of the windows relate to bedrooms, apart from first floor which is a secondary window to a living room.
- 8 windows experience minor adverse impacts (20% to 30% reduction) and occur to windows on the ground, first and second floors. All of these windows relate to living rooms or living/dining/kitchen areas apart a bedroom at ground and first floor.

7.193 In many instances, the reductions can be attributed to the low levels of existing VSC whereby even small additional absolute changes could trigger disproportionate percentage reductions from the former VSC value.

7.194 In respect of the NSL testing, 75 rooms/windows have been considered, of which 43 (57.3%) will meet the BRE Guidelines. The remaining 32 rooms/windows which fail BRE Guidelines are summarised below:

- 17 rooms/windows from ground to fourth floor would deviate from the existing values by more than 40% and are considered major adverse impacts. One of the rooms which fail to meet BRE Guidelines in this relates to the Entrance at ground floor, with a loss of 68% of its former value, but this is not a habitable room. 3 of the rooms/windows which have major adverse effects relate to bedrooms, and the remaining 14 living/dining/kitchens. The most significant impacts relate to a bedroom at first floor (W231) resulting in loss of 66% of the former value and living areas at first (W237 and W238) and second floor (W255) which would result in losses between 66% and 64% of the former value. It is noted that the bedroom has a less of a requirement for daylight than the living areas.
- 5 rooms/windows would experience a moderate adverse degree of impact (30% to 39.9% reduction). These rooms/windows are located on ground and fifth and the nature of these changes are likely to be noticeable to the occupants of these properties. All of the windows relate to bedrooms, apart from first floor which is a secondary window to a living room.
- 10 rooms/windows with minor adverse degree of impact (20% to 29.9% reduction). These rooms/windows are located at ground to fourth floors.

7.195 In terms of sunlight the report confirms that 87 windows have been assessed. The report confirms that in terms of APSH, 62 (71.2%) windows would be in compliance with the BRE Guidelines. The remaining 25 windows that would not be in compliance with the BRE Guidelines, which are located at ground to fourth floors, 24 windows would deviate from the existing values by more than 40% and are considered major adverse impacts. The remaining 1 window at first floor would have minor adverse impacts. In terms of WPSH 66 (75.8%) would be in compliance with BRE Guidelines, the remaining 21 windows which would breach BRE Guidelines all would have major impacts.

7.196 It is acknowledged that the proposal would result in a noticeable adverse change to the daylight/sunlight levels to occupiers of this building which counts against the scheme.

331 Morville Street

7.197 The six storey building is located to the north of the proposed building and attached to the west elevation of 327 to 329 Morville Street and contains residential units. The report confirms that all of the windows tested would be in full compliance with BRE Guidelines in terms of daylight and sunlight.

69 Fairfield Road

7.198 Located to the north east of the proposed development it is a seven storey building containing residential accommodation. The report confirms that 56 (50.4%) out of the 111 windows tested would be in compliance with BRE Guidelines in terms of VSC, resulting in negligible impacts.

7.199 In terms of the remaining 55 windows which fall below BRE Guidelines in this regard are summarised as follows:

- 7 windows across first to fourth floors would experience major impacts (40% or more). 4 of these windows serve bedrooms which have low existing levels and a lesser requirement for daylight and 3 windows serve living/dining/kitchen rooms. The occupiers of these units would have a noticeable reduction in VSC and daylight levels.
- 19 windows across ground to fourth floors would experience moderate impacts. It is noted that the 2 windows at ground floor are described as cycle stand and unknown do not appear to be windows that serve non-habitable room. It is noted whilst the proposal would result in moderate losses the VSC levels would be at 10%.
- The remaining 29 windows would experience minor impacts, including 3 windows which would be marginally below the required 27% VSC levels to be compliant.

7.200 The report confirms that 67 (87%) of the 77 rooms assessed would be in compliance with BRE Guidelines in terms of Daylight Distribution (NSL). The remaining 10 rooms, across first to fifth floors (2 rooms on each floor), are not in compliance. The most significant impact at second floor (Window 119) would still experience relatively high levels of daylight distribution (58%) following the proposed development.

7.201 In terms of sunlight out of the 77 rooms tested 45 would fail to meet BRE Guidelines in regard to Annual Probable Daylight Hours. However, the report confirms that this building would be in full compliance with the BRE Guidelines in terms of annual probable sunlight hours between 21 September and 21 March.

71a Fairfield Street

7.202 The five storey building is located to the north east of the proposed development and contains residential units. The report confirms that all 12 windows would be compliance with BRE Guidelines in terms of VSC. In terms of NSL, 10 of the 11 rooms would be compliant with BRE Guidelines with the only room (Window 198) at second floor experiencing a loss of minor adverse impact (22%) of the former value.

7.203 All windows/rooms that warrant assessment for sunlight comply with the BRE Guidelines.

Conclusions of review

- 7.204 Officers concluded that the methodology used for the assessment has been completed in accordance with the principles and tests as explained within the BRE Report Site Layout Planning for Daylight and Sunlight: A Guide to good practice (2022).
- 7.205 Nine neighbouring properties have been analysed with six of the properties experiencing transgressions from the BRE guidelines. However, one of these properties is in a commercial use which does not have a requirement for daylight/sunlight.
- 7.206 The submitted report has identified that many of the windows which breach BRE Guidelines are hampered by either a projecting wing, a balcony or are recessed so that they have an overhang directly above them. The report confirms that the BRE guide explains that one way to demonstrate this is to test the windows without these existing obstructions in place. The report confirms that the impacts for that this would be in compliance with BRE Guidelines in terms of sunlight to windows for this property when these obstructions are taken into consideration.
- 7.207 In terms of 327 to 329 Morville Street, the report confirms that 28 (80%) of the 35 windows tested would be compliant with BRE Guidelines in terms of VSC with these obstructions removed. The remaining 7 windows across ground to second floor that would breach BRE Guidelines in this regard would experience minor adverse impacts. However, it is noted that all of these windows would have relatively high retained VSC levels (25% or more) following this breach.
- 7.208 The submitted report that with this additional assessment all of the windows tested within 144 and 162 Malmesbury Road would be fully compliant with BRE Guidelines in terms of VSC if these obstructions are taken into account. It is acknowledged that both 69 Fairfield Road and 327 to 329 Morville Street would still experience breaches of BRE Guidelines in terms of VSC and No-sky line (Daylight Distribution).
- 7.209 The report confirms that 13 (23%) of the 55 windows tested within 69 Fairfield Road with these obstructions would be compliant with BRE Guidelines in terms of VSC. Of the remaining 42 windows which would breach BRE Guidelines in terms of VSC are located at ground to fourth floor, 33 windows would be experiencing minor adverse impacts, and 9 windows would experience moderate adverse impacts. In terms of sunlight the report confirms that all of the windows/rooms tested would be compliant with BRE Guidelines if the obstructions were taken into consideration.
- 7.210 The report confirms that 35 (89.7%) of the 39 windows at 327 to 329 Morville Street tested would be in compliance with BRE Guidelines in terms of VSC if the obstructions were taken into consideration. The remaining 4 windows at ground and first floor which breach BRE Guidelines whilst all experiencing minor adverse impacts all have relatively high levels of VSC (25% or more). In terms of the assessment in terms of assessment against BRE Guidelines in terms of No-Sky (Daylight Distribution), 10 (47.6%) of the 21 rooms tested within this property would be in compliance with the obstructions taken into consideration. The remaining 11 windows/rooms across ground to fifth floors which would breach BRE Guidelines in this regard, 8 of these windows/rooms would experience major adverse impacts, 2 windows/rooms would experience moderate adverse impacts and 1 window/room would experience minor adverse impacts. It should be noted that all of the windows/rooms tested have the highest level (100%) of Daylight Distribution in its current form. This is reflected in the sunlight assessment with all of the windows/rooms tested being in full compliance in this regard with this alternative assessment.
- 7.211 In summary, it is acknowledged that the proposal would have some marked significant adverse impacts on levels of daylight/sunlight experienced by occupiers of the surrounding residential properties. The proposal would result in particularly noticeable reductions in the daylight levels at 327 to 329 Morville Street and 69 Fairfield Street. There are also breaches of the BRE guidance to 71a Fairfield Street and 162 Malmesbury Road.

7.212 These impacts need to be assessed in relation to the fact the existing site is essential an open site (beyond the single storey community centre building) and as such impacts are inevitable from any building of more than one storey on site, also due to site constraints in terms of making this a development site for housing. Whilst BRE daylight /sunlight tests are assessed in respect of the losses of daylight experience regard should also be given to the level of retained daylight and attention is drawn in the detailed assessment before where major adverse impacts are reported to VSC but where retained values remain in the 20's which is relatively high and beyond what many inner London homes experience. Officers do not seek to diminish the daylight / sunlight impacts however conclude these impacts need to be weighed in the balance against the benefits of the development. Such benefits include the delivery of affordable housing, and the landscaping of the Four Seasons Green. These factors need to be taken into consideration against the potential adverse effects to daylight that would be experienced by some residential properties.

Noise/Air Quality

7.213 As confirmed by the Council's Environmental Health officers, the proposed residential units would not be subjected to unacceptable noise or air quality conditions. Conditions would be secured to ensure that new accommodation is constructed to appropriate standards with regard to acoustic insulation, including to ensure that the proposed community centre would not have a detrimental impact on future occupiers of the proposed residential units.

7.214 Limited details have been provided in terms of the hours of use of the proposed community centre. However, these details would be included in the management plan for the community centre secured as an obligation.

Construction Impacts

7.215 The application is supported by a Construction Environmental Management Plan (CEMP). This outlines measures to be put in place to minimise the environmental, amenity and safety impacts of the development during the demolition and construction phase. At the planning application stage not all details are known for a final Plan to be submitted and approved (e.g. contractors are not known and agreements with LBTH Highways and TfL are not in place). Therefore, should permission be granted it is recommended that a condition is attached requiring a CEMP to be submitted and approved before development takes place.

Transport

7.216 Development Plan policies promote sustainable transport and travel and the limiting of car parking. Safe and appropriate servicing is also required, with this taking place within the site unless specific circumstances apply.

7.217 The site is bounded by the Anglia main railway viaduct to the north, with the public highways of Caxton Grove and Malmesbury Road to the south. The site is approximately 80m to the west of the DLR viaduct at the Bow Curve, but the site is not within the zone of influence.

Vehicular, pedestrian and cycle access

7.218 Pedestrian access to the building would be from the ground floor on the south elevation via the public highways of Malmesbury Road and Caxton Grove. The building would have a separate access to the residential units which would be located in the central section of the building, and access to the community centre would be via a set of doors to the eastern half of the building.

7.219 Access for cyclists would also be from this elevation for the occupiers of the residential units.

7.220 Vehicular access to the site would be from Malmesbury Road and Caxton Grove.

7.221 Other improvements to the pedestrian environment are proposed within the applicant's Active Travel Zone assessment. These identify that active travel to and from the site would be encouraged by providing additional tactile paving, footway connections to the site, and

improving surface materials. The proposal includes highways improvements to the public realm including the creation of a raised cross over on the corner of Caxton Grove and Malmesbury Road. The GLA response identified that the applicant's Active Travel Zone assessment does not include a night time assessment.

Deliveries & Servicing

- 7.222 All deliveries and servicing would take place from street level. A single service bay serving the two uses is proposed, with access to it being taken from Caxton Grove.
- 7.223 Swept paths have been provided which demonstrate that proposed service bay can accommodate the manoeuvres required without encroachment on the footways or on street parking spaces. Any competing demands that will be placed on the service bay by virtue of it being shared by two uses will be managed by a Delivery and Servicing Plan (DSP). It is recommended that the Plan is secured by condition if permission is granted.

Car Parking

- 7.224 The proposal would be car-free, with the exception of 2 Blue Badge holder parking spaces which are located in front of the entrance to the residential component of the scheme. The Blue Badge provision consists of 1 space for the residential use and 1 space for the community use. This is acceptable having regard to the site's PTAL score of 4 (with 6 being the highest). Vehicle access into the spaces would be provided off Malmesbury Road/Caxton Grove. Swept paths have been provided which demonstrate that vehicle access into the spaces would be safe and satisfactory.
- 7.225 Users of the spaces would be able to directly access the entrances to both the residential and community uses of the building. The submitted Transport Statement confirms that occupiers of 14 units would benefit from the Council's Permit Transfer Scheme which allows some families to move into larger, social rented car free homes by allowing the family to retain on-street resident parking permits, subject to specific criteria.
- 7.226 However, the site is located within a CPZ (Controlled Parking Zone) restricting car parking to permit holders only between Mondays and Fridays, 8:30am – 5.30pm which is considered will ensure that overspill parking from existing car park users and new residents of the site will be mitigated, with the submitted Travel Statement also confirming there was sufficient spaces available to accommodate the additional vehicles.

Cycle Parking and Facilities

Residential – long-stay

- 7.227 The proposal includes cycle storage area for future occupiers at ground floor which would contain 70 cycles including 5% of spaces for larger/adapted cycles. The applicant has confirmed that the store would be well-lit and secure with a direct access point onto the eastern footway of the site, and doors connecting to the main lobby and lifts within the building.

Residential – short-stay

- 7.228 In addition, 10 short stay visitor cycle spaces would be provided at ground floor externally located to the south and in front of the main entrance to the community centre.

Community Centre

- 7.229 The proposal has not identified cycle storage for the proposed community centre. However, a condition has been recommended to ensure that adequate cycle storage is provided prior to the occupation of the premises.

Trip generation

- 7.230 The submitted Transport Statement have identified that given the sites very close proximity to Bow Road Underground Station the majority of movements will likely use this station

which is served by the District Line and the Hammersmith & City Line westbound into Central London and eastbound towards Barking. The assessment has identified that the proposed development would generate an additional 1.0 passengers per service in the AM peak hour, and 0.6 additional passengers per service in the PM peak hour. The report has assessed this to be nominal and is therefore not considered to be a significant impact on the underground network.

Conclusion on transport matters

- 7.231 The proposed number, location and type of cycle parking as well as related facilities is policy compliant. In the event that permission is granted conditions are recommended to ensure the parking and facilities are provided for the life of the development.
- 7.232 Active travel to and from the site will be encouraged by improving pedestrian crossing arrangements on Caxton Grove and Malmesbury Road. These improvements are considered reasonable and necessary given the nature of the proposal and the likelihood that visitors will be walking from the site towards transport links.
- 7.233 Car parking is limited to Blue Badge holder spaces only in recognition of the highly accessible nature of the location.
- 7.234 Servicing and delivery arrangements will be safe and satisfactory subject to the measures outlined in the recommended conditions and planning obligations being implemented and adhered to.

Environment

Environmental Impact Assessment

- 7.235 The proposals do not require an Environmental Impact Assessment.

Energy & Environmental Sustainability

Circular economy

- 7.236 Retention, reuse and adaptation of existing buildings is a key component of seeking to reduce waste and the environmental impact of built development.
- 7.237 As noted earlier in this report, it is proposed that the existing community centre building on the site will be demolished. The applicant has provided information as to why this existing building on the site cannot be reused, adapted and extended within the submitted document titled 'Pre-Demolition Audit'.
- 7.238 In relation to the community centre building (Caxton Hall) the reasons are stated as:
- Some services and internal finishes would need replacement.
 - The construction appears to be of poor energy efficiency and so a deep retrofit would be required with external insulation, replacement of all glazing and external doors, and solutions to the thermal bridging of the floor slab.
 - It would not be possible to convert or expand the existing building into an 8-9 storey residential block, as neither the structure nor the foundations are deemed adequate to accommodate the loads of a much larger building.
 - Given the site constraints and the need to retain the Four Seasons Green area, it wouldn't be spatially feasible nor beneficial in terms of carbon to construct the proposed development around the existing building while retaining the existing structure.

- 7.239 Whilst the reuse, adaptation and extension of buildings is the starting point it is clear in this case that the constraints of the buildings are such that this will not be possible. In addition, redevelopment of the site allows for the site to be optimised in a manner appropriate to its location which would not be possible if the buildings were to be retained. Further, the floorplate, access arrangements and floor to ceiling heights that are proposed mean that the

scope for future alternative uses would not be so constrained by the built form as is currently the case.

- 7.240 Whilst demolition will result in waste, the environmental impact of this will be minimised in accordance with the approaches set out in the applicant's Circular Economy Statement.
- 7.241 For the above reasons the proposal accords with the requirements of London Plan Policies GG5 and SI7.

Energy and Environmental Sustainability

- 7.242 Development Plan Policies seek to ensure that new residential development should be zero carbon and non-residential developments should achieve a 45% carbon reduction target beyond Part L 2013 of the Building Regulations. 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 up to 100%, to be off-set through a cash in lieu contribution. Policy SI2 of the 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.
- 7.243 Development Plan policies further require the use of sustainable design assessment tools to ensure that new development has maximised use of climate change mitigation measures. It confirms that as a minimum, all self-contained residential proposals will be strongly encouraged to meet the Home Quality Mark.
- 7.244 The LBTH Sustainable Development team and the GLA Energy team have reviewed the submitted Energy Strategy. The scheme is proposing a gas boiler system for the supply of supply of heating and hot water for all residential spaces, with air-source heat pumps for the community centre. The scheme proposes a PV array to deliver on-site renewable energy generation. Following GLA guidance and the Stage I response from the GLA, the energy officer has requested the applicant to investigate improved passive design measures, in particular looking at enhanced u-values for windows and commit to achieving air permeability rates in line with LETI standards. an updated energy assessment by way of condition to increase the reduction in CO2 emission beyond that currently set out in the Energy Strategy. Officers are satisfied with this approach to resolve the matters raised by the GLA and the energy team. On this basis, a carbon offset formula will be included at £95 per tonne for all residual emissions as identified in the London Plan, at £28,471.50 to offset the remaining 9.99 tonnes CO2 and achieve net zero carbon.
- 7.245 The applicant has provided a commitment within the energy statement that the development will employ a site-wide heat network (air source heat pump) for all uses to future proof the scheme to connect with a district heat network if one becomes available and viable in the area. This should include a single point of connection to the district heating network. Drawings should be provided demonstrating space for heat exchangers in the energy centre/centres, and a safe-guarded pipe route to the site boundary, and sufficient space in cross section for primary district heating pipes where proposed routes are through utility corridors.
- 7.246 Subject to conditions and planning obligations as set out above and to include post construction monitoring, the proposals are considered to be in accordance with both local energy policy requirements for on-site carbon emission reductions.

Air quality

- 7.247 The application has had regard to the potential impact of the proposed development on air quality at nearby receptors and the impact of existing local air quality conditions on future occupiers.
- 7.248 This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment.

- 7.249 The proposed development lies within a borough-wide Air Quality Management Area (AQMA) declared by LBTH for exceedances of the annual mean nitrogen dioxide (NO₂) objective and 24-hour mean PM₁₀ objective, predominantly because of road transport emissions.
- 7.250 The application has had regard to the potential impact of the proposed development on air quality at nearby residential properties and the impact of existing local air quality conditions. This has been assessed using local air quality monitoring sites. The impacts relating to dust were also considered as part of the assessment. The LBTH air quality officer is satisfied with the submitted information subject to conditions.
- 7.251 Subject to approval, conditions are required to secure submission of; Dust Management Plan and PM₁₀ monitoring, details of mechanical ventilation, details of kitchen extraction for relevant future commercial uses, details of construction plant and machinery.

Wind/Microclimate

- 7.252 The application is accompanied by a Pedestrian Level Wind Desk-Based Assessment. This has tested a number of locations on and around the site. The results show that at street level conditions would be appropriate for the intended use.
- 7.253 The report confirms that there would be localised areas of increased windiness near the building corners, with the windiest conditions likely to occur in a small area near the western and south-eastern corners, caused by the wind being accelerating around the corner of the building. It identifies that the entrance to the community centre on the eastern façade closer to the south-east corner, any café/restaurant seating and the levels 5-8 corner balcony amenity spaces would benefit from the wind mitigation measures, in the form of planting.
- 7.254 It identifies that strong winds with potential to be a safety concern would be expected on the roof level where localised areas of walking conditions would be expected. As such, strong winds exceeding the safety threshold would be expected on the levels 5-8 corner balconies with strolling conditions during the summer season and on the roof terrace where corner accelerations are likely to occur. Wind mitigation measures proposed for the balcony amenity spaces would be expected to provide beneficial shelter to these balcony amenity spaces, eliminating the occurrence of strong winds. It recommends that the roof terrace would only be accessible for maintenance use it is recommended to control access to this roof during the windiest times of the year.
- 7.255 A condition will also be attached to ensure the details of the mitigation measures are provided, built out and maintained for the lifetime of the development.

Flood Risk and Drainage

- 7.256 A Flood Risk Assessment has been submitted in support of the application. The report confirms that following the drainage hierarchy water reuse is considered impractical in this area due to space. Infiltration is not feasible due to the constraints of rail and London clay. It is proposed that the play area on the site which is being redeveloped with permeable safety surfacing and grass, and the building and surrounding hard standing area which will be permeable paving with 150mm deep geocellular storage as part of the sub-base. It confirms that the surface water will be restricted to a discharge rate of 2l/s and has been designed for a 1 in 100 year plus 40% climate change event.
- 7.257 It is recommended that a condition is attached to any permission to ensure the proposed mitigation measures are carried out and maintained. In terms of drainage to sewers, this would take place to existing sewers adjacent to the site.
- 7.258 The proposal would be acceptable with regard to flood risk, sustainable drainage, sewerage and water supply and use and as such accord with relevant policy and guidance as set out in NPPF, Policies 5.12, 5.13 of the London Plan and Policies D.ES4, D.ES5 and D.ES6 of the local plan.

Land Contamination

- 7.259 A standard condition will be attached and any contamination that is identified can be addressed within the condition discharge process. This will ensure that the land is made safe prior to the construction process.

Unexploded Bombs

- 7.260 Concerns have been raised in relation to the potential risk from unexploded bombs. The Council's Building Control have recommended a survey is carried out prior to the commencement of the development.

Biodiversity & Urban Greening

- 7.261 London Plan Policy G6 and Tower Hamlets Local Plan D.ES3 require developments to protect and enhance biodiversity and to provide net gains for biodiversity in line with the Local Biodiversity Action Plan (LBAP). The application site includes the Four Seasons Green which is a designated publicly accessible Open Space.
- 7.262 The application has included the submitted document titled Biodiversity Impact Assessment which confirms that the proposal would include the upgrading of the Four Seasons Green including a landscaping strategy which would include retention of the majority of the existing trees (removal of 2 trees the acceptability of which is assessed below) and the supplementing of additional trees, wildflower meadow grassland creation, retaining and supplementing native scrub habitats, as well as introducing ground based green wall and biodiverse green roofing.
- 7.263 The Biodiversity Impact Assessment has confirmed that the total net increase in ecological value would be 74.06% and the development's Urban Greening Factor score would exceed the 0.4 score required by London Plan Policy G5.
- 7.264 All biodiversity and urban greening enhancements would also be secured via a condition.

Landscaping

- 7.265 The submitted Landscape Statement has recognised the value of the Four Seasons Green, located to the south of the building which is designated as publicly accessible open space as a valuable green space and community asset. The document outlines the landscaping design changes to this area which aims to allow the greatest flexibility of use and high levels of passive surveillance, with the new amenities sited close to the boundary and overlooked by the new accommodation.
- 7.266 The report identifies that the proposal would remove the existing playground equipment and any redundant hardstanding's within the green space and the dog-run located towards the eastern boundary of this area. The proposal would include the introduction of a new playground with a variety of fixed play opportunities for different age groups, re-sited table tennis table close to a fixed basket-ball hoop and exercise bar structure and edged with informal seating blocks, informal seating and a picnic table, widening the pavement around the large London Plane tree and creating a link to a raised pavement to Ambrose Walk. This is in addition to tree planting (discussed below) to reinvigorate the community orchard and to the eastern edge which will incorporate a native hedgerow and an informal scrub mixed to the boundary to provide habitat for birds and insects.
- 7.267 It is noted that the proposal would result in the loss of the existing dog enclosure which measures 345 sqm. The proposal would provide a dedicated dog enclosure in the landscaping proposal but would redesign the shape and its location to the southern part of the open space. Whilst the Council acknowledges this area would result in use of this area changing and would result in the reduction of the size (by 50m sqm) it is considered acceptable in this instance.

7.268 To ensure that landscaping design changes remain as a valuable green space and community asset, a condition has been recommended for the final details of the landscaping to be submitted. To ensure that the details of the play equipment reflect the needs of the community, this should be in consultation with the local community.

Trees

7.269 Local Plan Policy D.ES3 seeks to protect and increase the provision of trees by protecting all existing trees, incorporating native trees, where possible and providing replacement trees where the loss of or impact on trees in a development is considered acceptable.

7.270 Whilst the application and neighbouring site do not include any trees subject to a Tree Preservation Order nor is the site within a conservation area, the existing trees are a constraint to the proposed development. Therefore, an Arboricultural Survey Impact Assessment & Method Statement Report was submitted in support of the application.

7.271 The report confirms that the trees have been surveyed in accordance with BS5837:2012 and has categorised the existing trees.

7.272 The submitted report has identified that there are 33 no. trees, 1 no. shrub and 1 no. group (T1-T35) within the application and neighbouring site. The report confirms that 2 trees (T28 and T29) would be removed, located within Four Seasons Green, and the remaining trees being retained which would be subject to tree protection measures.

7.273 The report confirms that the 2 (apple) trees to be removed have been identified category C (of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm) (T28) and category U (in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years) (T29) trees, to allow for the implementation of the development and the poor form/limited lifespan respectively. In mitigation, the report confirms that 15 no. replacement tree plantings as well as a landscaping scheme with enhanced shrub and soft landscape / planting areas.

7.274 The Council's Arboricultural Officer has reviewed the submitted report and confirmed that they are satisfied with the categorisation of the existing trees and raises no objection to the removal of the 2 trees and confirms that their loss would have negligible impact and would be comprehensively mitigated.

7.275 All tree planting and landscaping would be secured via a condition.

Infrastructure Impact

7.276 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.

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

- £18,548 towards construction phase employment skills training
- £28,471.50 toward carbon emission off-setting
- £3,805 Air Quality
- £3,805 Development co-ordination and integration

Human Rights & Equalities

7.278 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.

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

8. RECOMMENDATION

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

8.2 Financial obligations

- a. £18,548 towards construction phase employment skills training
- b. £28,471.50 toward carbon emission off-setting
- c. £3,805 Air Quality
- d. £3,805 Development co-ordination and integration
- e. Malmesbury Road MUGA improvements (exact sum tbc)
- f. Monitoring fee (exact sum tbc)

Total financial contributions: (exact sum tbc)

8.3 Non-financial obligations:

- a. Affordable housing (36 units)
 - 100% at Social Rent
 - Wheelchair accessible units (4 units (4 X 3 bed) Wheelchair accessible units to M4 (3) (2) (b))
- b. Transport matters:
 - Car Free development (residential)
 - Highways improvement works
- c. Community Centre Space User Strategy and Management Plan

8.4 That the Corporate Director of Housing & Regeneration 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 Housing & Regeneration 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. Compliance with the Fire Statement.
4. Air quality standards for boilers (low NOx<40mgNOx/Nm3).
5. Wheelchair units
6. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;
 - d. Ground-borne vibration limits; and
 - e. Noise pollution limits.
7. The carbon savings are delivered as identified in the Energy Statement

8. Noise level from plant
9. Tree planting and protection measures
10. Waste management
11. Overheating measures
12. Residential cycle storage
13. No door opening outwards
14. Timing of vegetation clearance (breeding birds)

Pre-commencement

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

15. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):
 - a. Site manager's contact details and complain procedure;
 - b. Dust and dirt control measures
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles;
 - f. Numbers and timings of vehicle movements and access routes;
 - g. Parking of vehicles for site operatives and visitors;
 - h. Travel Plan for construction workers;
 - i. Location and size of site offices, welfare and toilet facilities;
 - j. Erection and maintenance of security hoardings;
 - k. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
 - l. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.
16. S61 (Restrictions on Demolition and Construction Activities)
17. Land Contamination Remediation Scheme (subject to post completion verification).
18. Dust Management
19. Construction Plant and Machinery (NRMM)
20. Air Quality Neutral assessment
21. Unexploded bombs

Pre-completion of ground floor slab

22. Details of external facing materials and architectural detailing including construct sample panels.
23. Details and equipment associated with all child play spaces and communal amenity spaces.
24. Biodiversity enhancement details.
25. SUDS strategy.
26. PV energy generation maximised with Biosolar roofs.
27. Future district heating connection

Pre-occupation

28. Biodiversity mitigation and enhancement

29. Car Parking Design and Management Plan, including electric vehicle charging points provision.
30. Delivery and Servicing Plan.
31. 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.
32. Remediation verification report.
33. Completion report (including As Build calculations) is submitted to demonstrate energy / CO2 savings have been delivered.
34. Circular Economy Statement.
35. Whole Life Cycle Carbon.
36. Noise insulation details and verification report for residential units.
37. Full-fibre connectivity infrastructure within the development
38. Public toilets and water fountains
39. Future connection to district heating network
40. Night time Active Travel Zone Assessment
41. Community Centre cycle storage
42. Fire Safety measures (including presence of electrical vehicles photovoltaic panels and hydrants)
43. Secured by Design Accreditation

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

3531-STO-XX-XX-PL-A-20001 REV 02 (SITE BASEMENT PLAN)
3531-STO-XX-XX-PL-A-20002 REV 02 (SITE GROUND FLOOR PLAN)
3531-STO-XX-XX-PL-A-20005 REV 02 (SITE SEVENTH TO EIGHTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20006 REV 02 (SITE NINTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20007 REV 02 (SITE ROOF PLAN)
3531-STO-XX-XX-PL-A-20200 REV 02 (EXISTING GROUND FLOOR PLAN)
3531-STO-XX-XX-PL-A-20201 REV 02 (BASEMENT PLAN)
3531-STO-XX-XX-PL-A-20207 REV 02 (FIFTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20208 REV 02 (SIXTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20209 REV 02 (SEVENTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20210 REV 02 (EIGHTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20211 REV 02 (NINTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20212 REV 02 (ROOF PLAN)
3531-STO-XX-XX-PL-A-20213 REV 02 (GROUND FLOOR PLAN WITH CC PLANS)
3531-STO-ZZ-EX-PL-A-20101 REV 02 (CONTEXT NORTH AND SOUTH ELEVATIONS)
3531-STO-ZZ-EX-PL-A-20102 REV 02 (CONTEXT EAST AND WEST ELEVATIONS)
3531-STO-ZZ-EX-PL-A-20301 REV 02 (EXISTING SOUTH AND NORTH ELEVATIONS)
3531-STO-ZZ-EX-PL-A-20302 REV 02 (EXISTING EAST AND WEST ELEVATIONS)
3531-STO-ZZ-EX-PL-A-20303 REV 02 (SOUTH ELEVATION)
3531-STO-ZZ-EX-PL-A-20304 REV 02 (NORTH ELEVATION)
3531-STO-ZZ-EX-PL-A-20305 REV 02 (EAST ELEVATION)
3531-STO-ZZ-EX-PL-A-20306 (WEST ELEVATION)
3531-STO-ZZ-EX-PL-A-20501 REV 02 (DETAILED SOUTH ELEVATION AND SECTION)
3531-STO-ZZ-EX-PL-A-20502 REV 02 (DETAILED NORTH ELEVATION AND SECTION)
3531-STO-ZZ-EX-PL-A-20503 REV 02 (DETAILED WEST ELEVATION AND SECTION)
3531-STO-ZZ-EX-PL-A-20701 REV 02 (SOUTH ELEVATION – COLOURED)
3531-STO-ZZ-EX-PL-A-20702 REV 02 (NORTH ELEVATION- COLOURED)
3531-STO-ZZ-EX-PL-A-20703 REV 02 (EAST ELEVATION- COLOURED)
3531-STO-ZZ-EX-PL-A-20704 REV 01 (WEST ELEVATION – COLOURED)
3531-STO-ZZ-SX-PL-A-20401 REV 02 (S01 SECTION)
3531-STO-ZZ-SX-PL-A-20402 REV 02 (S02 SECTION)
20240131 RWDI 2401150 REV 01 (FLAY LAYOUTS 01)
3531-STO-ZZ-ZZ-PL-A-7002 REV 01 (FLAT LAYOUTS 02)
3531-STO-ZZ-ZZ-PL-A-90001 REV 02 (LOCATION PLAN AS EXISTING)
3531-STO-ZZ-ZZ-PL-A-90002 REV 02 (LOCATION PLAN AS PROPOSED)
3531-STO-ZZ-ZZ-PL-A-90003 REV 02 (SURVEY)
3531-STO-XX-XX-PL-A-20215 REV 01 (Proposed Cycle Store - Ground Floor Plan)
3531-STO-ZZ-ZZ-SA-A-01501 REV 03 (Schedule of Accommodation)
3531-STO-ZZ-ZZ-PL-A-7001 REV. 02 (FLAT LAYOUTS 01)
3531-STO-XX-XX-PL-A-20206 REV. 03 (FOURTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20205 REV. 03 (THIRD FLOOR PLAN)
3531-STO-XX-XX-PL-A-20204 REV. 03 (SECOND FLOOR PLAN)
3531-STO-XX-XX-PL-A-20203 REV. 03 (FIRST FLOOR PLAN)
3531-STO-XX-XX-PL-A-20202 REV. 03 (GROUND FLOOR PLAN)
3531-STO-XX-XX-PL-A-20004 REV. 03 (SITE FIFTH TO SIXTH FLOOR PLAN)
3531-STO-XX-XX-PL-A-20003 REV. 03 (SITE FIRST TO FOURTH FLOOR PLAN)
P171-L05 (FOUR SEASONS GREEN PLAY FACILITIES)
P171-L06 (FOUR SEASONS GREEN - DOG AREA PROVISION)

Other application documents

PLANNING FIRE SAFETY STRATEGY + FIRE STATEMENT Project Reference: FE1542
Revision: 4 Date: April 2024,
TOWNSCAPE VIEWS dated 29.04.24
TOWNSCAPE CHARACTER AREAS dated 15/01/2024
WINDOWS DETAILS

TECHNICAL NOTE ON EXCAVATED MATERIALS OPTION ASSESSMENT
P451026-WW-XX-00-DR-C-1451 P1 (CUT AND FILL)
PRE-DEMOLITION AUDIT dated February 2024
PRE-REDEVELOPMENT AUDIT dated February 2024
WHOLE LIFE-CYCLE CARBON ASSESSMENT dated February 2024
CIRCULAR ECONOMY STATEMENT dated February 2024
WLCA ASSESSMENT
GLA WLCA SPREADSHEET
UNEXPLODED BOMB RISK MAP
ENERGY STATEMENT dated February 2024
SUSTAINABILITY STATEMENT dated February 2024
RESIDENTIAL OVERHEATING RISK ASSESSMENT dated 30/01/2024
Design & Access Statement dated 31.01.24
BIODIVERSITY IMPACT ASSESSMENT dated January 2024
URBAN GREENING FACTOR ASSESSMENT dated January 2024
PRELIMINARY ECOLOGICAL APPRAISAL dated January 2024
SITE WASTE MANAGEMENT PLAN SLR Project No: 425.001239.00001 dated 30 January 2024
PEDESTRIAN LEVEL WIND DESK- BASED ASSESSMENT RWDI #2401150 31ST JANUARY 2024
ASSESSMENT OF FLOOD RISK AND DRAINAGE dated January 2022
Planning Statement dated JANUARY 2024
ARBORICULTURAL SURVEY IMPACT ASSESSMENT & METHOD STATEMENT Date of Report: January 2024 Report Reference: AIA/MF/004/24
HEALTH IMPACT ASSESSMENT dated JANUARY 2024
Daylight & Sunlight (NEIGHBOURING PROPERTIES) dated 10 January 2024
Daylight & Sunlight (WITHIN DEVELOPMENT) dated 10 January 2024
LANDSCAPE STATEMENT January 2023 Reference: P171_PS1
HERITAGE TOWNSCAPE AND VISUAL IMPACT ASSESSMENT - January 2024 Project Ref 9343A
Phase 1 – Geotechnical and Geoenvironmental Desk Study P451026-WW-XX-XX-RP-G-0001 dated 15/11/2023
Transport Statement SLR Project No.: 216062 18 January 2024 Revision: 01
CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN dated JANUARY 2024
FRAMEWORK TRAVEL PLAN SLR Project No.: 425.001239.00001 18 January 2024 Revision: 01
DELIVERY AND SERVICING MANAGEMENT PLAN SLR Project No.: 425.001239.00001 18 January 2024 Revision: 01
CONSTRUCTION AND LOGISTICS PLAN SLR Project No.: 425.001239.00001 18 January 2024 Revision: 01
NOISE REPORT RP01-21439-R3 dated 23/01/2024
AIR QUALITY ASSESSMENT J10/14295A/10/2/F3 dated 2 February 2024

APPENDIX 2

SELECTION OF APPLICATION PLANS AND IMAGES



Proposed South Elevation



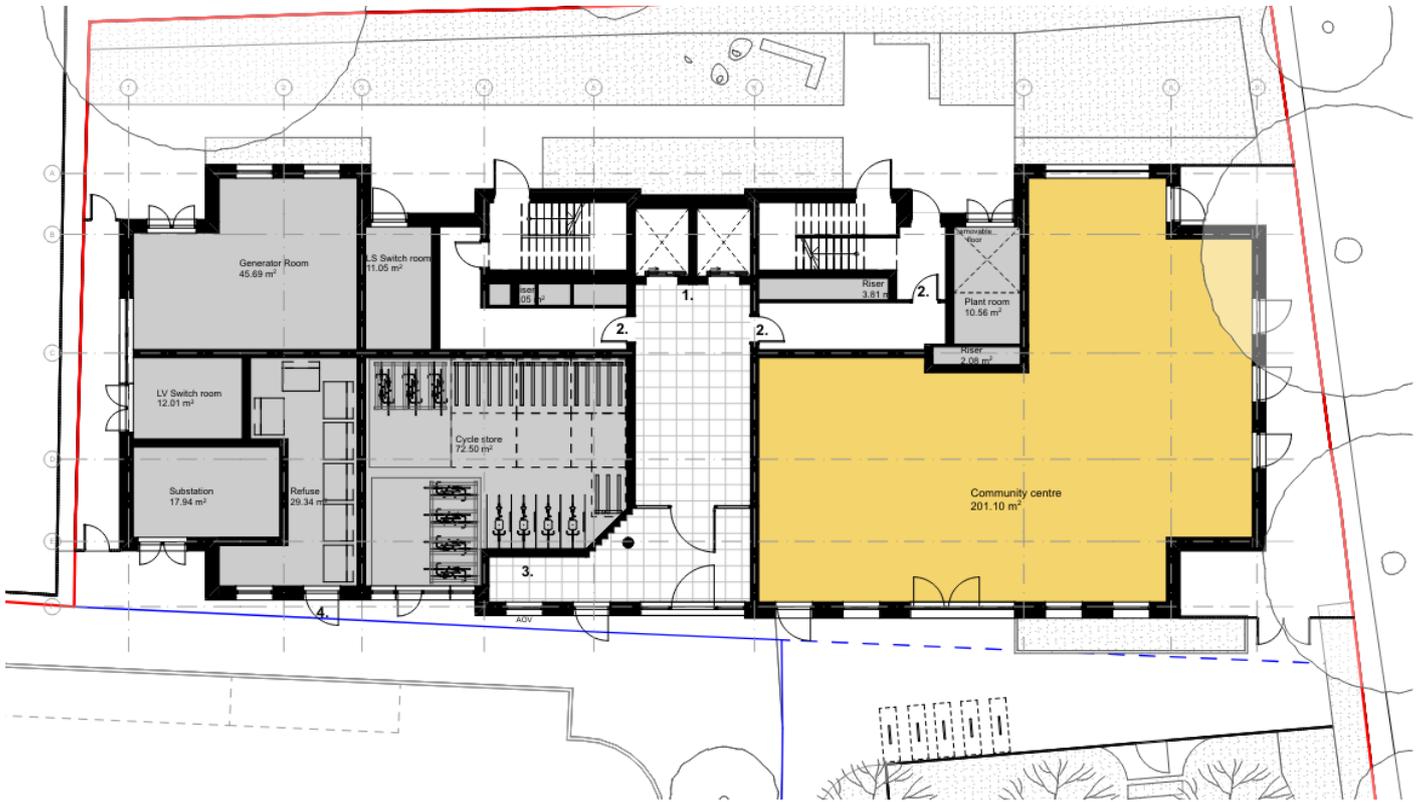
Proposed North Elevation



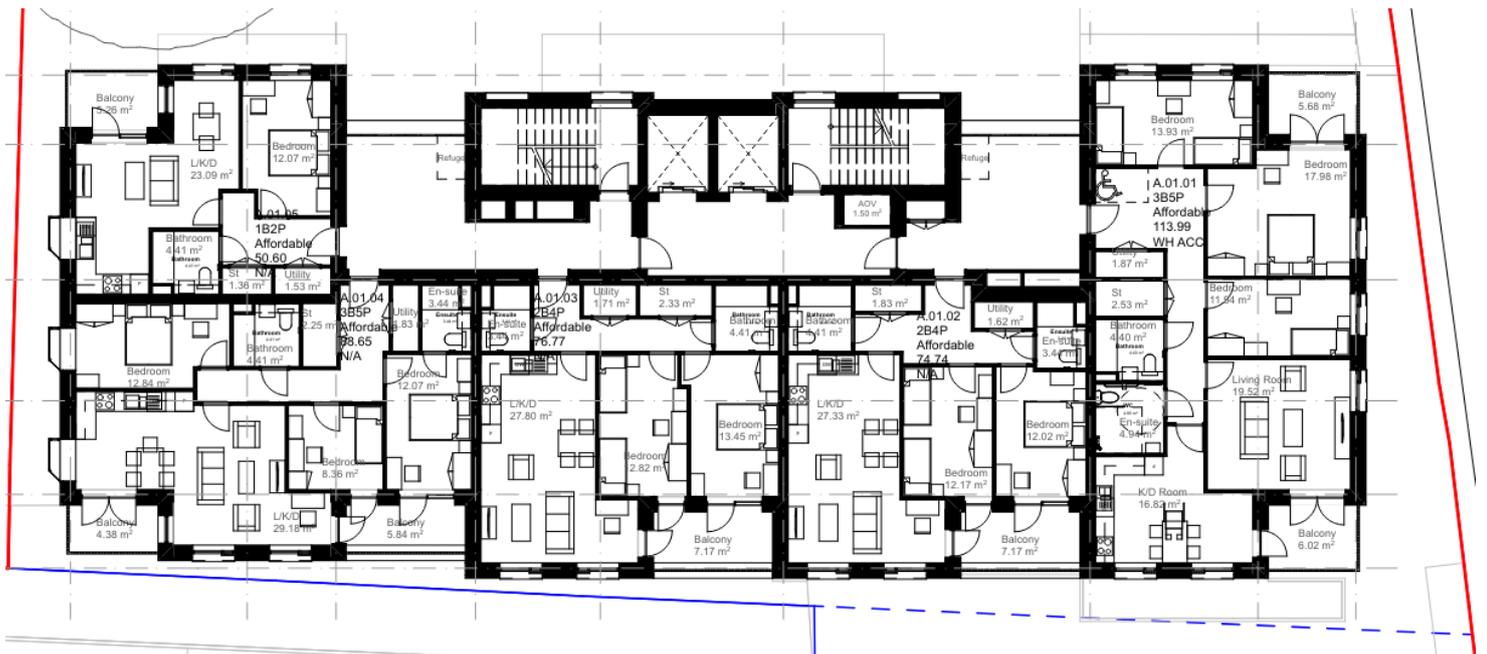
Aerial View from south east



Aerial View from north east



Proposed Ground Floor Plan



Proposed Typical Floor Plan



Proposed Landscape Plan/Child Play Space