

GREATER **LONDON** AUTHORITY  
Good Growth

**Holly Farrow**  
Director  
DP9  
100 Pall Mall  
London  
SW1Y 5NQ

**GLA Reference :** GLA/2023/0300/S3  
**LBTH Reference :** PA/21/02377  
**Date :** 3 June 2024

Dear Ms Farrow,

**Town & Country Planning Act 1990 (as amended); Planning (Listed Building and Conservation Areas) Act 1990; Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 and Town and Country Planning (Environmental Impact Assessment) Regulations 2017.**

**GRANT OF PLANNING PERMISSION SUBJECT TO PLANNING CONDITIONS AND SECTION 106 AGREEMENT DATED 3 JUNE 2024**

The Deputy Mayor of London for Planning, Regeneration and Fire Safety, acting as the Local Planning Authority, hereby grants planning permission for the following development, in accordance with the terms of the above- mentioned application (which expression shall include the drawings and other documents submitted therewith):

The outline scheme comprises the demolition of all existing structures and redevelopment to include buildings up to 100 metres in height (illustratively 28 storeys) and up to 140,591 (GEA) of comprising a maximum of 134,276 square metres of residential uses; retail use, workspaces; car and cycle parking; a new pedestrian route through the repurposing of the Abbott Road vehicular underpass for pedestrians/cyclists; landscaping, open spaces, public realm, access, infrastructure and highways works.

The detailed scheme comprises the construction of buildings up to 11 storeys (plus ground) in height to provide 277 residential units, retail uses and a temporary marketing suite, access, car and cycle parking, landscaping, public realm, and improvements to Braithwaite Park and Leven Road Open Space.

This application is accompanied by an Environmental Impact Assessment.

**At: Aberfeldy Estate: Land to the north of East India Dock Road (A13), east of the Blackwall Tunnel Northern Approach Road (A12) and to the south west of Abbot Road**

**Subject to the following planning conditions and informatives:**

## **Compliance conditions**

### **1. Three years deadline for commencement of development.**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

### **2. Development in accordance with approved plans and documents**

The development hereby permitted shall be carried out in accordance with the approved plans and documents listed in the Schedule to this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

### **3. Submission of Reserved Matters Applications**

Prior to the commencement of development (excluding enabling works and demolition) in respect of each Development Phase, as shown on Plan 3663-LB-ZZ-00-DR-A-000011 details of the appearance, layout, scale, means of access and landscaping; (hereinafter called the "Reserved Matters") for each relevant Development Phase of the Outline Component as shown on Plan 3663-LB-ZZ-00-DR-A-000020 Rev 3 shall be submitted to and approved in writing by the Greater London Authority (hereinafter called "the GLA"), or the Local Planning Authority where this has been agreed in writing by the GLA.

The development within each Development Phase shall be carried out in accordance with the details approved.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 (as amended) and the application is submitted in Outline only and the matters reserved are material to the acceptability of the Development, and to ensure compliance of the reserved matters with the Tower Hamlets Local Plan 2031 (2020) and London Plan (2021).

### **4. Timing of submission of Reserved Matters Applications**

The first application for the approval of Reserved Matters shall have been submitted to the GLA (or the Local Planning Authority, where this has been agreed in writing by the GLA) no later than the expiry of three years from the date of this permission. Applications for the approval of all other Reserved Matters for each Development Phase of the Outline component shall have been submitted to the GLA (or the Local Planning Authority, where this has been agreed in writing by the GLA) no later than the expiration of ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended). A period of ten years is a reasonable time limited in the view of the extent and timescale of the proposal.

### **5. Two years deadline for Outline Phase commencement of development**

The development hereby permitted for a Development Phase of the Outline component shall commence, in the case of each relevant Development Phase, no later than two years from the date of approval of the final Reserved Matters for the relevant Development Phase.

Reason: In accordance with Section 92 of the Town and Country Planning Act 1990 (as amended).

## **6. Quantum of development – Outline Component**

The total quantum of built floorspace hereby approved for the Outline (Phases B, C and D) component of the development shall not exceed the Gross External Area (GEA) for the individual land uses comprising the following:

Class E (a) and (b) – 1,116 square metres

Class E (g) – 2,602 square metres;

Class C3 (Residential) – 134,276 square metres and up to a maximum of 1,288 residential units.

Class C3 (Podium Parking) – 2,597 square metres

Whereby, the following definitions of the use classes apply:

C3 Dwellinghouses

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

E(g) Uses which can be carried out in a residential area without detriment to its amenity:

E(g)(i) Offices to carry out any operational or administrative functions,

E(g)(ii) Research and development of products or processes

E(g)(iii) Industrial processes

In the event of there being any discrepancy between the floorspace specified above and the documents submitted in support of the application, the floorspace figures above shall apply.

No permission is given for Class E (c), (d), (e) and (f) uses.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the Environmental Statement in relation to the development.

## **7. Quantum of development – Detailed Component**

The total quantum of built floorspace hereby approved for the Detailed component (Phase A) as shown on Plan 3663-LB-ZZ-00-DR-A-000020 Rev 3 of the development shall not exceed the Gross External Area (GEA) for the individual land uses comprising the following:

Class E (a) and (b) – 1,324 square metres

Class C3 (Residential) – 30,239 square metres and 277 residential units

Temporary Marketing Suite Sui Generis/Class E (a) and (b) – 317 square metres

Whereby, the following definitions of the use classes apply:

C3 Dwellinghouses

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises

In the event of there being any discrepancy between the floorspace specified above and the documents submitted in support of the application, the floorspace figures above shall apply.

No permission is given for Class E (c), (d), (e), (f) and (g) uses.

Reason: To ensure that the development is carried out in accordance with the approved plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the Environmental Statement in relation to the development.

## **8. Reserved Matters – Conformity statement**

Each Reserved Matters application shall include a statement to demonstrate how the Reserved Matters have been prepared in accordance with the principles and parameter plans set out in the Parameter Plans and Design Code document or other such versions that are subsequently agreed in writing with the Local Planning Authority.

Reason: To ensure that the development is constructed in accordance with the principles and parameters established by this planning permission, the Design Guidelines on which the decision is based and to be consistent with the principles of good masterplanning and securing an exemplar development in accordance with Policies D3 and D4 of the London Plan (2021) and Policies S.DH1 and D.DH2 of the Tower Hamlets Local Plan 2031 (2020).

## **9. Outline Component – In accordance with Control Documents**

The details in the Reserved Matters applications shall be in accordance with the following approved Control Documents:

Parameter Plans  
Development Specification  
Design Code

As listed below:

- 3663 - LB - ZZ - 00 - DR - A - 000020 Parameter Plan - Extent of Outline and Detailed Proposals Rev 3
- 3663 - LB - ZZ - 00 - DR - A - 000021 Parameter Plan - Building Plots Rev 3
- 3663 - LB - ZZ - 00 - DR - A - 000022 Parameter Plan - Proposed Site Levels - Lower Ground Floor Rev 3
- 3663 - LB - ZZ - B1 - DR - A - 000023 Parameter Plan - Proposed Site Levels - Basement Level Rev 3
- 3663 - LB - ZZ - 00 - DR - A - 000024 Parameter Plan - Principal Public Realm Areas Rev 3
- 3663 - LB - ZZ - 00 - DR - A - 000025 Parameter Plan - Access and Circulation Rev 3
- 3663 - LB - ZZ - B1 - DR - A - 000026 Parameter Plan - Land Use Basement Rev 3
- 3663 - LB - ZZ - 00 - DR - A - 000027 Parameter Plan - Land Use Lower Ground Floor Rev 3
- 3663 - LB - ZZ - UG - DR - A - 000028 Parameter Plan - Land Use Upper Ground Floor Rev 3
- 3663 - LB - ZZ - 01 - DR - A - 000029 Parameter Plan - Land Use First Floor Rev 3
- 3663 - LB - ZZ - ZZ - DR - A - 000030 Parameter Plan - Land Use Upper Floors Rev 3
- 3663 - LB - ZZ - ZZ - DR - A - 000031 Parameter Plan - Building Heights Rev 3
- 3663 - LB - ZZ - XX - DS - A - 000040 Parameter Sections - 01 Rev 3
- 3663 - LB - ZZ - XX - DS - A - 000041 Parameter Sections - 02 Rev 3
- Development Specification Revision I (November 2023) prepared by DP9
- Design Code Revision D (November 2023) prepared by Levitt Bernstein

And/or any other plans, drawings, documents, details, schemes, or strategies which are approved in writing by the Local Planning Authority after the date of this permission pursuant to these conditions.

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **10. Community Infrastructure Levy (CIL) Phasing**

Prior to the commencement of any CIL Phase (chargeable development), a CIL Phasing Plan, showing the location and extent of that Phase, shall be submitted to and approved in writing by the Local Planning Authority.

Any variations to the CIL Phasing Plan thereafter shall be agreed in writing by the Local Planning Authority.

The development shall be carried out in accordance with the details approved.

Reason: This planning permission is a phased planning permission for the purposes of the Community Infrastructure Levy Regulations 2010. The submission of a CIL Phasing Plan shall assist with the identification of each chargeable development (being the Phase) and the calculation of the amount of CIL payable in respect of each chargeable development in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

#### **11. Environmental Statement mitigation measures**

The Development hereby permitted (including all Reserved Matters applications and other matters submitted for approval pursuant to this permission) shall be carried out in accordance with the mitigation measures set out in the Environmental Statement, in so far as relevant to the approved Development, unless otherwise provided for in any of these Conditions or subject to any alternative mitigation measures as may be approved in writing by the Local Planning Authority, provided that such measures do not lead to there being any significant environmental effects other than those assessed in the Environmental Statement.

Reason: To ensure the mitigation measures specified in the Environmental Statement are satisfactorily implemented.

#### **12. Section 61 (Restrictions on demolition and construction activities):**

All demolition, building, engineering or other operations associated with the construction of the development (including arrival, departure and loading and unloading of construction vehicles) shall be carried out in accordance with the Tower Hamlets Code of Construction Practice.

- a) No construction activities shall take place outside of the hours of 08:00 and 18:00 on Monday to Fridays or at all on Saturdays, Sundays and Public Holidays, Sundays, unless allowed by a consent granted under Section 61 of the Control of Pollution Act 1974.
- b) No high impact construction activities (piling, excavation and demolition) shall take place outside of the hours of 09:00 – 12:00 and 14:00 – 17:30 Mondays to Fridays or at all on Saturdays, Sundays, Bank Holidays and Public Holidays, unless allowed by a consent granted under Section 61 of the Control of Pollution Act 1974.
- c) Ground-borne vibration shall not exceed 1.0mm/s Peak Particle Velocity (PPV) at residential and 3.0mm/s PPV at commercial properties neighbouring the site.

- d) Noise levels measured one metre from the façade of any occupied building neighbouring the site shall not exceed 70dB ( $L_{Aeq,T^*}$ ) at any point 1m from the façade of residential and noise sensitive commercial properties Monday to Friday, reduced to 65dB ( $L_{Aeq,T}$ ) at schools and hospitals and other noise sensitive premises.

\*( $L_{Aeq, T}$  where  $T = 10$  hours Monday to Friday)

Reason: To safeguard the amenity of local residents and the area generally in accordance with Policy D.DH8 of the Tower Hamlets Local Plan 2031 (2020) and Policy D14 of the London Plan (2021).

### 13. Air quality

Any gas-fired boilers installed within the development shall not exceed the maximum emission standard of <40mgNOx/kWh. Any gas-fired CHP plant installed within the development shall not exceed the maximum emissions standards of:

- for spark ignition engine: <250mgNOx/Nm<sup>3</sup>
- for compression ignition engine: <400mgNOx/Nm<sup>3</sup>
- for gas turbine: <50mgNOx/Nm<sup>3</sup>

The plant and boilers shall be maintained so as not to exceed the relevant standards for the lifetime of the development.

Reason: To minimise the adverse air quality impacts of the development, in accordance with Policy SI 1 of the London Plan 2021 and Policy D.ES2 of the Tower Hamlets Local Plan 2031 (2020).

### 14. Air quality – restriction on occupation

All occupation of the proposed development shall be in line with the phasing plan assessed in the Environmental Statement – Phase A shall not be occupied until 2025 and Phase B shall not be occupied until 2028, with the exception of locations outlined below:

- Phase A - first floor locations as represented by receptor P21,
- Phase A ground floor locations as represented by receptor P21;
- Phase B - ground floor locations as represented by receptors P2, P9 and P10 and first floor receptors are represented by receptors P6 and P9.

The above locations are subject to additional requirements, and a statement setting out the measures adopted must be submitted to and approved in writing by the Local Planning Authority. Either:

1. The occupation of the specified locations shall be delayed as follows:
  - a) Phase A - first floor locations as represented by receptor P21 shall not be occupied until 2026,
  - b) Phase A - ground floor locations as represented by receptor P21 shall not be occupied until 2028,
  - c) Phase B - ground floor locations as represented by receptors P2, P9 and P10 and first floor receptors are represented by receptors P6 and P9 shall not be occupied until 2029.

Or

2. Occupation may be undertaken prior to these specified dates following demonstration by 6 months air quality monitoring that conditions at the above listed locations meet the air quality objective. This should be submitted to and approved in writing by the Local Planning Authority prior to occupation.

Or

3. Mechanical ventilation is installed, subject to the following conditions:
  - No superstructure works shall take place in a Development Phase until details of mechanical ventilation system for all residential buildings within the relevant Development Phase to protect the future residential occupiers of the development from external air pollution has been submitted to and approved in writing by the Local Planning Authority. Air intakes shall be located on upper floor levels (not on ground, first or second floors) or include NOx, PM2.5, PM10 filters, unless otherwise demonstrated by means of monitoring that such locations are acceptable and that filtration may not be required.
  - The system shall be designed to minimise energy usage, minimise disturbance to occupiers, be sufficient to prevent summer overheating and include robust maintenance arrangements.
  - None of the residential units shall be occupied within the relevant Development Phase until the mechanical ventilation system has been implemented in accordance with the approved details. The system shall be retained and maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure acceptable air quality at residential locations in accordance with policy SI 1 of the London Plan (2021), Paragraph 191 of the National Planning Policy Framework (2023) and Policy D.ES2 of Tower Hamlets Local Plan 2031 (2020).

### **15. Height limitation on buildings and structures**

No building or structure, (including cranes) of the development hereby permitted shall exceed 150 metres Above Ordnance Datum (AOD).

Reason: To ensure compliance of Policy T8 of the London Plan (2021) as development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) and Instrument Flight Procedures (IFPs) surrounding London City Airport and endanger aircraft movements and the safe operation of the aerodrome.

### **16. London City Airport - cranes**

No cranes or scaffolding shall be erected in, or in relation to, any Development Phase of the site unless and until construction methodology and diagrams clearly presenting the location, maximum operating height, radius and start/finish dates for the use of cranes for the relevant Development Phase has been submitted to and approved in writing by the Local Planning Authority, the Local Planning Authority having consulted London City Airport.

Reason: To ensure aircraft movements round London City Airport are not endangered, to ensure the safe operation of the aerodrome, and to safeguard London City Airport's Flight Operations in accordance with Policy T8 of the London Plan (2021).

### **17. At least 40% of units within Neighbourhood Centre to be Class E(a)**

A minimum of 40% of the total ground floor, non-residential within the ground floor of Blocks H1, H2 and H3 with Plot H (Phase A), located on Aberfeldy Street between Dee Street and

Blair Street, shall be provided within Use Class E(a) (Display or retail sale of goods, other than hot food), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the vitality, viability, attractiveness and the core function of the Neighbourhood Centre is maintained and reinforced in accordance with Policy D.TC2 of the Tower Hamlets Local Plan 2031 (2020) and Policy SD8 of the London Plan.

### **18. Permitted Development Restriction on erection of fences and painting of external brickwork and masonry**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), the following shall not take place in respect of houses contained within Plot J (Phase A) and Plot B4 (Phase B) of the development following their practical completion:

- a) The erection of fences, barriers, gates, bollards, or other means of enclosure, however temporary unless otherwise agreed in writing with the Local Planning Authority.
- b) The painting of external facing brickwork or masonry.

Reason: To control future development in the interest of the character, permeability, usability, appearance and quality of the public realm and to safeguard the high-quality appearance of the development in accordance with Policies S.DH1 and D.DH2 of the Tower Hamlets Local Plan 2031 (2020).

### **19. No plant on roof**

No plant, water tanks, water tank enclosures, air conditioning units or other structures that are not shown on the approved plans shall be erected upon the roofs of the buildings hereby permitted unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in accordance with Policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020).

### **20. No pipes on building face**

No plumbing, pipes, soil stacks, flues, vent grilles, security alarms or ductwork shall be fixed on the external faces of the building unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance in accordance with Policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020) and Policy D4 of the London Plan.

### **21. Shopfront frontage**

For the lifetime of the development, the external glazed surface areas to the ground floor frontages of the development, including any shop fronts, shall be maintained wholly transparent, shall not be mirrored, painted or otherwise obscured by blanket window transfers placed on the glazing.

Reason: To ensure a satisfactory external appearance, to prevent harm to the street scene and public realm and ensure active frontages to all street frontages and natural surveillance of the

streets in accordance with Policies S.DH1, D.DH2 and D.DH9 of the Tower Hamlets Local Plan 2031 (2020).

## **22. No roller shutters**

No roller shutters shall be installed on any shopfront, commercial entrance or display façade hereby approved.

Reason: To ensure a satisfactory external appearance, to prevent harm to the street scene and public realm and ensure active frontages to all street frontages and natural surveillance of the streets in accordance with Policies S.DH1, D.DH2 and D.DH9 of the Tower Hamlets Local Plan 2031 (2020).

## **23. Tree protection**

Prior to the commencement of any Development Phase (including demolition and all preparatory work), a scheme for the protection of the retained trees in that Development Phase, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Transport for London. Specific issues to be dealt with in the TPP and AMS to the extent that is relevant:

- a. Location and installation of services/ utilities/ drainage.
- b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c. Details of construction within the RPA or that may impact on the retained trees.
- d. a full specification for the installation of boundary treatment works.
- e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h. a specification for scaffolding and ground protection within tree protection zones.
- i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k. Boundary treatments within the RPA
- l. Methodology and detailed assessment of root pruning
- m. Reporting of inspection and supervision
- n. Methods to improve the rooting environment for retained and proposed trees and landscaping

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, and to ensure compliance with Policy D.DH6 of the Tower Hamlets Local Plan 2031 (2020), Policy G7

of the London Plan (2021) and Section 197 of the Town and Country Planning Act 1990 (as amended). The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.

#### **24. Inclusive access**

- a) 10% of the total residential units, shall comply with the Building Regulations 2010 (as amended) optional requirement M4(3)(2)(a) 'wheelchair adaptable'.
- b) All 'wheelchair user dwellings' (the M4(3) standard) in the Affordable Rent/Tower Hamlets Living Rent/Social Rent tenure shall comply with Building Regulations 2010 (as amended) optional requirement M4(3)(2)(b) 'wheelchair accessible'.
- c) All of the other residential units shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) 'accessible and adaptable' and shall not thereafter be occupied other than in accordance therewith.
- d) No residential unit identified in (b) above shall be fitted out, have internal partitions erected or be subject to any construction works other than shell and core works until floor layouts at a scale of no less than 1:50 and full details of fixtures and fittings including ceiling hoists and any other reasonable adaptations to make the units suitable for occupation by a wheelchair user have been submitted to and approved in writing by the Local Planning Authority and shall not thereafter be occupied other than in accordance with such approval.
- e) The Local Planning Authority shall be notified in writing at least 9 months prior to Practical Completion of the residential units identified in (b) above.
- f) Any lifts shown on the approved drawings for all of the Blocks shall be installed and in an operational condition prior to the first occupation of the relevant residential access cores. The lifts shall be retained and maintained in an operational condition for the lifetime of the development.

Reason: To ensure adequate provision of accessible and adaptable dwellings & wheelchair accessible and wheelchair adaptable dwellings and that adequate step-free access is provided in accordance with Policy D7 of the London Plan (2021) and Policies S.DH1 and D.H3 of the Tower Hamlets Local Plan 2031 (2020).

#### **25. Wheelchair unit marketing**

At least 9 months prior to completion of the first wheelchair housing unit within a Development Phase, a Wheelchair Accessible or Easily Adaptable Units Marketing Strategy for the relevant Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The Wheelchair Accessible or Easily Adaptable Units Marketing Strategy shall include a commitment to notify the London Borough of Tower Hamlets Housing Department of the availability of all wheelchair accessible/adaptable units, and set out how the marketing for each wheelchair accessible/adaptable unit will be targeted to households which include wheelchair users, for a minimum of 6 months prior to completion of the unit.

Reason: To ensure effective marketing of wheelchair user dwellings, in accordance with Policy D7 of the London Plan (2021) and Policies S.DH1 and D.H3 of the Tower Hamlets Local Plan 2031 (2020).

#### **26. Fire Strategy – detailed component**

The Detailed component (Development Phase A) shall be implemented in accordance with the approved and permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Notwithstanding the fire strategies submitted with the application titled Fire Statement: Detailed Proposals Stage 2 Fire Strategy dated October 2021 prepared by Elementa Fire Statement (Rev 6) dated November 2023 as prepared by Introba Consulting Limited, a full Fire Strategy for Phase A of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The Fire Strategy shall demonstrate full compliance with London Plan (2021) Policies D5 and D12 shall be prepared by a suitably qualified assessor and shall detail how the proposed development would function in terms of:

- The building's construction: methods, products and materials used, including manufacturers' details;
- Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lift, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these;
- Means of escape for all building users including suitably designed stair cores, escape for building users who are disabled or require level access together with the associated evacuation strategy approach;
- Features which reduce the risk to life including fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
- How provision will be made within the site to enable fire appliances to gain access to the building;
- ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

The Fire Strategy shall be implemented in accordance with the approved details prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of fire safety and to ensure the safety of all building users, in accordance with Policies D5 and D12 of the London Plan (2021).

Reason: In the interests of fire safety and to ensure the safety of all building users, in accordance with Policy D12 of the London Plan (2021).

## **27. Noise from plant**

Any mechanical plant and equipment within the development shall be designed and maintained for the lifetime of the development so that the rating level of noise does not exceed the typical measured background noise level (LA90, T) without the plant in operation as measured one metre from the nearest affected window of a habitable room in the nearest affected residential property. The rating level of the plant noise and the background noise level shall be determined using the methods from the version of BS 4142 current at the time of the granting planning. Vibration from the plant hereby approved (when assessed as per advice of the version of BS 6472 current at the time granting of the planning permission) in the centre of any habitable room shall cause vibration no higher than the values equivalent to "low probability of adverse comment" in accordance with BS6472 'Evaluation of Human Exposure to Vibration in Buildings';

No mechanical plant or equipment shall be operated within a Development Phase within the site until a post installation verification report, including acoustic test results for each relevant Phase of the development, has first been submitted to and approved in writing by the Local

Planning Authority confirming that the above maximum noise standard has been achieved and that the mitigation measures are robust.

Reason: To ensure that the development does not result in noise disturbance to neighbouring residents in accordance with Policy D14 of the London Plan (2021) and policies D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031 (2020).

## **28. Opening hours restriction**

Any Class E(b) Food and Drink uses hereby permitted shall be closed for business and not be open to customers and members of the public outside of the hours of 07:00am – 23:00pm Mondays to Saturdays and 08:00am – 22:00pm on Sundays and Bank Holidays.

Reason: To safeguard the amenity of nearby residents and the area generally, in accordance with policies D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031 (2020).

## **29. Energy and sustainability Standards – Phase A**

The Detailed component of the development (Phase A) shall be carried out in accordance with the approved Energy Strategy (prepared by Meinhardt, dated 6 November 2023, Issue P8) and Sustainability Statement (prepared by Greengage, dated November 2023). The energy efficiency and sustainability measures set out therein shall be completed prior to the first occupation of the final building plot within Phase A of the development and retained for its lifetime.

The Detailed (Phase A) component of the development shall achieve regulated carbon dioxide emission savings of no less than 28% against the Target Emissions Rate of Part L of Building Regulations (2021).

The photovoltaic array system for the Detailed component (Phase A) shall be installed prior to the first occupation of the relevant building plot to which the photovoltaic panels are to be located. The panels shall have an overall annual output of no less than 53,833kWh total across all building plots (based on SAP and SBEM calculations) and be retained for the lifetime of the development.

Any non-residential units under 500sqm (GIA) shall achieve compliance with at least the 'Very Good' BREEAM standard. Any non-residential units over 500sqm (GIA) shall achieve compliance with at least the 'Excellent' BREEAM standard. Within 6 months of first occupation of the final commercial unit within each Development Phase, the applicant shall submit the final BREEAM certificates to demonstrate the scheme has achieved either a BREEAM Very Good or Excellent rating which shall be certified by the awarding body.

The heat and hot water supply system shall be designed and constructed so as to enable a future connection of the supply system to a district heating network. Prior to their first occupation, Blocks F and H1/H2 and H3 shall connect to the existing district heating network located within Phase 3a of the wider Aberfeldy Estate development approved under planning permission PA/15/00002.

All of the approved residential units shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement G2(36)(2)(b) '110 litres water consumption per person per day' (including a 5 litre per person per day allowance for external water use).

A post completion verification report for the Detailed component (Phase A) of the development is required to be submitted to the Local Planning Authority within 3-months of first occupation of the final building within the Development Phase. The post completion verification report should confirm that the above minimum standards have been achieved and that all of the approved energy efficiency and sustainability measures have been implemented.

Reason: To ensure a reduction of carbon dioxide emissions and the highest levels of sustainable design and construction in accordance with Policies SI2, SI3 and SI4 of the London Plan (2021) and policy D.ES7 of the Tower Hamlets Local Plan 2031 (2020).

### **30. Smart meters**

No building constructed as part of the development shall be occupied until smart meters have been installed in that building (meaning a meter and any associated or ancillary devices which enables information to be communicated to or from it, using an external electronic communications network) for measuring the supply of electricity, gas/heat and water consumption which shall, as a minimum, be designed to inform the occupants and owners of that building of the level of their usage by way of a digital display showing total power consumption and figures for cost and CO2 emissions and comparison of energy use on a daily, weekly or monthly basis.

Reason: To optimise the standards of sustainable design and construction in accordance with Policy SI 2 of the London Plan (2021) and policy D.ES7 of the Tower Hamlets Local Plan 2031 (2020).

### **31. Timing of vegetation clearance (breeding birds)**

All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation in any Development Phase shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall carry out any inspection of the areas concerned immediately prior to the clearance works (no more than 48 hours prior) to ensure that no nesting or nest-building birds are present. If any nesting birds are present, then the vegetation around the nest shall not be removed until an ecologist confirms that the birds have finished nesting. If no nesting birds are found, there is no need to report the survey findings to the Council before clearance of vegetation. However, a report of the ecology inspection including details of measures taken to ensure no nesting birds were harmed shall be submitted to the Local Planning Authority within two weeks of any such inspection.

Any trees in Jolly's Green with bat potential will be soft felled between September/October or March/April.

Reason: To ensure compliance with Policy D.ES3 of Tower Hamlets Local Plan 2031 (2020) and to prevent any potential breach of the Wildlife and Countryside Act 1981 (as amended).

### **32. Unexploded ordnance risk assessment**

The recommended mitigation measures contained within the Unexploded Ordnance (UXO) Risk Assessment (February 2021) shall be implemented in accordance with the approved details.

Reason: To ensure the risk of UXO material is avoided and minimised.

### **Pre-commencement**

### **33. Noise insulation verification report for new residential units**

None of the approved residential units within a Development Phase shall be occupied unless they have first been constructed to ensure that they are adequately protected against external transportation noise sources and external noise without specific character likely to enhance its impact such as tones, impulsive elements or dominant low frequency content, and that:

- a. The dwellings are laid out on the site, orientated, designed and constructed in line with the principles of “good acoustic design” from the ProPG: Planning & Noise – New Residential Development.
- b. The construction accords with BS8233 ‘*Sound Insulation and Noise Reduction for Buildings*’ when overheating mitigation is utilised i.e. when windows are open without the 5 decibel relaxation of those guidelines I;
- c. Internal ambient noise levels in habitable rooms except bedrooms do not exceed 35dB Laeq,16 hour, between the hours 07:00 – 23:00 and within bedrooms do not exceed both 30 dB Laeq, 8 hour and Lamax 45 dB more than 10 times between the hours 23:00 – 07:00.
- d. Ground and structure-borne noise does not exceed Lamax 35 dB;

Exposure to vibration is no higher than of the values equivalent to “low probability of adverse comment” in accordance with BS6472 ‘*Evaluation of Human Exposure to Vibration in Buildings*’;

- e. At any junction between adjoining residential and non-residential uses, the internal noise insulation level is designed to take account of the noise levels generated in the noise source so that in habitable rooms the typical worst case (i.e. 90<sup>th</sup> percentile Laeq,15 min level of intruding noise) is at least 10 dBA below the equivalent prevailing Laeq,15 min in the receptor.
- f. It has regard to non-transportation noise sources and noise with specific character likely to enhance its impact; such as tones, impulsive elements or dominant low frequency content. The above noise level criteria shall apply minus an appropriate correction to take account of the enhanced impact. For example, where the noise has tonal or impulsive elements the corrections for such features from the reference methods described in BS 4142, and where low frequency content is dominant a fixed correction of -5 dB. Where the noise contains more than 1 characteristic likely to enhance its impact the corrections shall be added linearly.
- g. None of the residential units shall be occupied until a post completion verification report, including acoustic test results for each Development Phase, has first been submitted to and approved in writing by the Local Planning Authority confirming that the above minimum standards have been achieved.

Reason: To protect the amenity of the future occupiers from undue noise and vibration disturbance in accordance with the requirements of Policies D14 of the London Plan (2021), D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031 (2020).

### **34. Written scheme of Investigation**

No demolition shall take place within any Development Phase until a written scheme of investigation (WSI) for a programme of stage 1 archaeological evaluation trenching informed by the results of agreed geoarchaeological borehole modelling, in relation to the relevant Development Phase has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take

place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by the above work, then for those parts of the site which have archaeological interest a stage 2 WSI for the relevant Development Phase shall be submitted to and approved by the Local Planning Authority in writing. For land that is included within the stage 2 WSI, no development, except demolition to ground level, shall take place in that phase of development other than in accordance with the agreed stage 2 WSI for the relevant Development Phase, which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition for any phase of development shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI for that phase of development.

Reason: The Local Planning Authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF and Policy HC1 of the London Plan (2021) and Policy S.DH3 of the Tower Hamlets Local Plan 2031 (2020).

### **35. Foundation design**

No development shall take place within any Development Phase, other than works of demolition or enabling works, until details of the foundation design and construction method to protect archaeological remains in the relevant Development Phase have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: The Local Planning Authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF and Policy HC1 of the London Plan (2021) and Policy S.DH3 of the Tower Hamlets Local Plan 2031 (2020).

### **36. Piling**

No piling shall take place within any Development Phase until a piling method statement (detailing the depth, location and type of piling to be undertaken (Continuous Flight Auger) and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) and foundation works risk assessment for the relevant Development Phase has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water. The development within each relevant Development Phase shall not be carried out other than in accordance with the approved details for that Development Phase.

Reason: In order to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and Policy D.ES6 of the Tower Hamlets Local Plan 2031 (2020).

### **37. No Aerials on Roof**

Prior to the commencement of any above ground works in any Development Phase, other than works of demolition or enabling works, hereby permitted, details of any aerials and satellite

dishes for the relevant Development Phase shall be submitted and approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development (England) Order 2015 (or any Order revoking or re-enacting that principal Order with or without modification), no additional aerials, antennae, satellite dishes or related telecommunications equipment shall be erected on any part of the development hereby permitted, without planning permission first being obtained.

Reason: To ensure that the visual impact of telecommunications equipment upon the surrounding area can be considered, in accordance with Policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020).

### **38. Air quality – Construction plant and machinery (NRMM)**

Prior to the commencement of development of each Development Phase, details of all plant and machinery to be used at the demolition and construction phases of each relevant Development Phase shall be submitted to, and approved in writing by, the Local Planning Authority. The Non-Road Mobile Machinery (NRMM) used during the demolition and construction phases must be carried out in accordance with the approved details.

a. Evidence is required to meet Stage IIIA of EU Directive 97/68/ EC for both Nox and PM. All NRMM and plant to be used on the site of net power between 37kW and 560 kW has been registered at <http://nrmm.london/>. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site.

b. An inventory of all NRMM must be kept on site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced, and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. This documentation should be made available to local authority officers as required until development completion.

Reason: To protect local air quality and comply with Policy SI 1 of the London Plan (2021) and the GLA NRMM Low Emission Zone Policy and Policy D.ES2 of the Tower Hamlets Local Plan 2031 (2020).

### **39. Contaminated land**

No works (save for demolition works, site preparation, erection of fencing, laying of or provision of any services, laying of temporary surfaces and erection of temporary site buildings for construction purposes) shall take place in any Development Phase until a remediation scheme to deal with the potential ground contamination and ground gas of the site for each relevant Development Phase has been submitted to and approved in writing by the local planning authority. The scheme shall include:

i) A preliminary risk assessment which identifies:

- All previous uses;
- Potential contaminants associated with those uses;
- A conceptual model of the site indicating sources, pathways and receptors; and
- Potentially unacceptable risks arising from contamination at the Site.

ii) A site investigation scheme, based on (i.) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;

iii) The results of the site investigation and detailed risk assessment referred to in (ii.) and based on these, an options appraisal and remediation strategy giving full details of the remediation and mitigation measures required and how they are to be undertaken;

iv) A verification plan setting out the details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete to a satisfactory standard; and

v) A monitoring and maintenance plan, setting out provisions for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The contamination remediation works shall be carried out in accordance with the approved details and completed prior to the first occupation of the relevant Development Phase of the development. The provisions of the monitoring and maintenance plan shall be in force from the first occupation of the relevant Development Phase of the development and retained for its lifetime.

If during the works any additional contamination is encountered, all works in the relevant part of the site shall cease immediately and not resume until either:

i) The potential contamination has been assessed and a remediation scheme has been submitted to and approved in writing by the Local Planning Authority.

or

ii) Timescales for submission of a remediation scheme and details of works which may be carried out in the interim have been agreed in writing by the Local Planning Authority.

Any additional land contamination shall be fully remedied prior to the first occupation of the development within the relevant Development Phase.

The development shall not be occupied until a post completion verification report for each relevant Development Phase, including results of sampling and monitoring carried out, has first been submitted to and approved in writing by the local planning authority demonstrating that the site remediation criteria have been met.

Reason: To ensure that contaminated land is properly treated and made safe and to safeguard the health and safety of the future occupants in accordance with Policy D.DES8 of the Tower Hamlets Local Plan 2031 (2020) and Policy SD1 of the London Plan (2021).

#### **40. Zero-carbon futureproofing**

Prior to commencement of development (above ground), other than works of demolition, within each Development Phase, a Zero Carbon Futureproofing statement for the relevant Development Phase shall be submitted to and approved in writing by the Local Planning Authority, setting out:

- How proposals for energy demand and carbon dioxide emissions post-construction will be monitored annually (for at least five years);
- How the site has been futureproofed to allow zero-carbon on-site emissions to be achieved by 2050 including an assessment of the potential to incorporate the enabling of new technologies such as hydrogen fuel cell technology;

The measures agreed shall be implemented and maintained for the lifetime of the development.

Reason: In order to demonstrate how the development would be futureproofed to achieve zero-carbon-on-site emissions by 2050 in accordance with Policy D.ES7 of the Tower Hamlets Local Plan 2031 (2020) and Policy SI2 of the London Plan (2021).

#### **41. Protected species licence prior to demolition of Jura House**

Prior to the commencement of demolition of Jura House, a report shall be submitted to and approved by the Local Planning Authority, confirming that a protected species licence has been obtained, and providing details of the mitigation strategy agreed with Natural England. The proposals in the mitigation strategy will subsequently be implemented in full in accordance with details approved.

Reason: To ensure compliance with Policy D.ES3 of the Tower Hamlets Local Plan 2031 (2020) and Policy G6 of the London Plan, and to ensure no bats are harmed in breach of the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

#### **42. Basement impact assessment**

Prior to the commencement of any basement works (excluding remediation works) within each Development Phase, a Basement Impact Assessment for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority.

The development within each relevant Development Phase shall not be carried out other than in accordance with the approved details for that Development Phase.

Reason: To address the effects of the proposed basement construction on groundwater flow and contaminant migrants in line with Policies D.ES4 and D.ES6 of the Tower Hamlets Local Plan 2031 (2020) and Policy D10 of the London Plan.

#### **43. Code of Construction Practice**

No development shall take place, including any works of demolition, until the Council's Code of Construction Practice Checklist (CoCP Checklist) has been completed, signed by the applicant and approved in writing by the Council, alongside all of the supporting documents, including:

- Construction Management Plan including Construction Traffic Management Plan
- Site Environmental Management Plan
  - Part A: Noise & Vibration Management Plan
  - Part B: Dust and Air Quality Management Plan
  - Part C: Site Waste Management Plan
- Application for consent under Section 61 of the Control of Pollution Act 1974

The development must then be carried out in accordance with the approved CoCP Checklist, documents and plans unless otherwise agreed in writing by the local planning authority.

You **must** read the INFORMATIVE explaining the process required to be undertaken for Major and Strategic developments to attain discharge of Condition relative to the Code of Construction Practice Checklist (CMP/SEMP approval).

Reason: In the interests of highway and pedestrian safety and to preserve the amenity of the area in accordance with the requirements of policies D14, SI1 and T7 of the London Plan (2021), and D.SG4, D.DH8, D.ES2, D.ES9, STR1, D.TR2 and D.TR4 of the Tower Hamlets

Local Plan 2031 (2020).

## **Pre-superstructure works**

### **44. Materials**

No superstructure works shall take place within a Development Phase until samples and full particulars of all external facing materials to be used in the construction of each building within the relevant Development Phase of the development have been submitted to and approved in writing by the Local Planning Authority.

Details submitted pursuant to this condition shall include but are not restricted to:

- a. Mock-up panels of no less than one metre by one metre of each external cladding material.  
Details of external cladding, where relevant, shall include all types of brick or other cladding material to be used, details of bond, mortar and pointing for brick and details of joints, panel sizes and fixing method for other types of cladding.  
If an off-site manufactured cladding system is to be used, the full details of the system shall be provided and the mock-up panel shall include at least one junction between pre-assembled panels.
- b. Samples and drawings of fenestration.  
Details of fenestration, where relevant, shall include reveals, sills and lintels. Drawings shall be at a scale of no less than 1:20.
- c. Drawings and details of entrances.  
Details of entrances, where relevant, shall include doors, reveals, canopies, signage, entry control, post boxes, CCTV, lighting and soffit finishes. Drawings shall be at a scale of no less than 1:20.
- d. Drawings and details of shopfronts.  
Details of shopfronts, where relevant, shall include doors, glazing, reveals, stallrisers, pilasters, fascias, awnings and signage zones or indicative signage. Drawings shall be at a scale of no less than 1:20.
- e. Details and samples of roofing.
- f. Details of any balconies, terraces or wintergardens and associated balustrades, soffits and drainage.
- g. Details of any external rainwater goods, flues, grilles, louvres and vents.
- h. Details of any external plant, plant enclosures and safety balustrades.
- i. A Green Procurement Plan for sourcing the proposed materials.  
The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste, and include the measures as set out in the Environmental Statement. Recycled content within the Proposed Development materials shall be at least 20% by weight.

The development shall not be carried out other than in accordance with the approved details.

Reason: To ensure a satisfactory external appearance of the development and that high quality materials and finishes are used, in accordance with Policies D3, D4 and D9 of the London Plan (2021) and Policies S.DH1 and D.SG4 of the Tower Hamlets Local Plan 2031 (2020).

### **45. Landscaping**

No superstructure works shall take place in any Development Phase until a landscaping scheme for the relevant Development Phase has been submitted to and approved in writing by the Local Planning Authority.

The landscaping scheme shall demonstrate that the scheme achieves the target urban Greening Factor score for the site of a minimum of 0.4 and include details of:

- a. hard landscaping including ground surfaces, kerbs and planter enclosures;
- b. soft landscaping including number, size, species and location of plants;
- c. provisions for communal gardening;
- d. on-going five-year maintenance and watering provisions for soft landscaping;
- e. lighting including light spill drawings and proposed Lux levels;
- f. biodiversity features;
- g. sustainable urban drainage features;
- h. drain covers, manholes and covers for access to drainage and utilities;
- i. play equipment and playable landscape features
- j. railings, walls and other means of enclosure;
- k. bollards, gates and other access control measures;
- l. furniture including benches and litter bins;
- m. CCTV and other security measures;
- n. ground levels, gradients, thresholds and inclusive access provisions;
- o. external cycle parking stands;
- p. wind mitigation measures;
- q. public art; and
- r. signage and wayfinding measures including Legible London signage.

The landscaping scheme for each Development Phase shall be completed in accordance with the approved details no later than during the first planting season following practical completion of the development within that Development Phase and retained for the lifetime of the development.

Any trees or shrubs which die, are removed or become seriously damaged or diseased within five years from the completion of the landscaping works shall be replaced in the next planting season with the same species or an approved alternative as agreed in writing by the Local Planning Authority.

In the event that the landscaping scheme results in changes to the wind mitigation measures identified in the Environmental Statement, any new mitigation measures shall be wind tunnel tested and the results of the assessment shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To; ensure a high quality of the public realm, including through providing appropriate permeability, legibility, wayfinding, microclimate and public art; ensure residential amenity; ensure that the development creates a safe and secure environment; ensure provision of biodiversity improvements; ensure that the development provides inclusive access; minimise adverse heritage impacts and provide heritage benefits; ensure adequate provision, location and design of visitor cycle parking spaces, in accordance with Policies G5 and G8 of the London Plan (2021) and Policies S.DH1, D.DH2, S.DH3, D.DH3, D.ES3, and D.TR3 of the Tower Hamlets Local Plan 2031 (2020).

#### **46. Plant – full details**

Prior to the commencement of superstructure works in any Development Phase, full details of internal and external plant equipment and trunking, including any CHP equipment, building

services plant, ventilation and filtration equipment and any commercial kitchen exhaust ducting/ventilation for that relevant Development Phase, shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall thereafter be carried out in accordance with the approved details and all flues, ducting and other equipment shall be installed in accordance with the approved details prior to the use commencing on site and shall thereafter be maintained in accordance with the manufacturers' instructions.

Reason: To ensure appropriate appearance and that no nuisance or disturbance is caused to the detriment of the amenities of adjoining occupiers or to the area generally in accordance with Policy D14 of the London Plan (2021) and Policies D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031 (2020).

#### **47. Water efficiency**

Prior to commencement of superstructure works in each Development Phase, a copy of the water efficiency calculator for new dwellings from Building Regulations Approved Document Part G shall be submitted to the Local Planning Authority for each dwelling type within the relevant Development Phase with a unique sanitary ware and water-consuming appliances specification. This shall demonstrate that each dwelling will achieve water use of not more than 110 litres per person per day (including a 5 litre per person per day allowance for external water use) in line with the optional requirements of Approved Document G.

The calculator tools shall be accompanied by specification documents demonstrating the water consuming fittings and fixtures which have been specified within the dwellings in order to achieve the calculated water use.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand, in accordance with Policy D.ES6 of the Tower Hamlets Local Plan 2031 (2020) and Policy SI 5 of the London Plan (2021).

#### **48. Biodiversity mitigation and enhancements**

Prior to completion of superstructure works within each Development Phase, full details of biodiversity mitigation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall demonstrate a biodiversity net gain of a minimum of 30.47%, and the biodiversity mitigation and enhancements shall include, but not be limited to, the following:

- biodiverse roofs designed in accordance with '*Creating Green Roofs for Invertebrates*' best practice guide by Buglife – details provided should include the location and total area of biodiverse roofs, substrate depth and type, planting including any vegetated mat or blanket (though sedum mats should be avoided if possible) and any additional habitats to be provided such as piles of stones or logs;
- landscaping to include a good diversity of nectar-rich plants to provide food for bumblebees and other pollinators for as much of the year as possible – details should include species list and planting plans;
- wildflower meadows – details to include location and area of each meadow; the method of creating the meadow, species list and proposed maintenance regime;
- mixed native hedges – details to include location and length of each hedge, planting mix and proposed maintenance;

- ornamental landscaping to include a good diversity of nectar-rich plants to provide food for bees and other pollinators for as much of the year as possible – details should include species should include number, locations and types of boxes/features;
- climate resilient plant species;
- communal roof gardens, biodiverse roofs, green walls and ground planting to include new trees;
- tree planting to include a high proportion and diversity of native species – details to include species, numbers and locations of native trees;
- new woodland planting in Jolly’s Green consisting of mostly native tree species – details should include planting plans for canopy, shrub layer and ground flora;
- climbing plants, including ivy, honeysuckle and jasmine, on appropriate walls to provide a further source of nectar and cover for nesting birds such as house sparrows – details to include species and locations of climbers; – details to include species and locations of climbers;
- bat boxes, insect boxes and nest boxes for appropriate bird species including house sparrow, swift and black redstart– details should include number, locations and type of boxes;
- removal of invasive species on the Application Site; and
- details of maintenance provisions for all the above.

The biodiversity improvement measures shall be completed in accordance with the approved details prior to the first occupation of the relevant Development Phase and retained and maintained in accordance with the approved maintenance provisions for the lifetime of the development.

Reason: To manage impacts on biodiversity and to ensure an overall improvement to biodiversity in line with the Local Biodiversity Action Plan and in accordance with Policy G6 of the London Plan and Policy D.ES3 of the Tower Hamlets Local Plan 2031 (2020).

#### **49. Sleeping accommodation**

All sleeping accommodation shall be set above the design breach tidal flood level. A covenant should be placed on the ground floors to avoid sleeping use in future.

Reason: To protect the future residents of the potential effects of flooding, and to ensure compliance with Policy D.ES4 of the Tower Hamlets Local Plan 2031 (2020) and Policy SI 12 of the London Plan (2021).

#### **50. Sustainable Urban Drainage Scheme (SUDS)**

Prior to the commencement of any superstructure works, a Sustainable Urban Drainage Scheme for the Development Phase, based on sustainable drainage principles, an assessment of the hydrological and hydro geological context of the development, and an assessment towards the SuDs hierarchy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also demonstrate and include (but not limited to):

- a) An updated flood risk assessment in line with national and local policy requirements, together with a Flood Warning Evacuation Plan;
- b) The peak discharge rates for all storm events (1in1, 1in30, 1in100, 1in100+40%), together with any associated control structures and their position on site and must provide safe management of critical storm water with storage up to the 1:100 year plus 40%;

- c) An assessment towards the Suds hierarchy and how each approach could be included within the site including above ground green SUDS, the use of rainwater and greywater harvesting technologies for internal and external use;
- d) Details of agreed adoption, monitoring and continued maintenance of drainage and suds features post development;
- e) Floor levels are to be raised above the 2100 flooding peak and a minimum of 0.15 metres above adjacent ground levels.
- f) Provision of flood resilience and resistance measures for areas below the breach flood level; and
- g) Discharge from the site is to be no greater than green-field run-off rates.

The approved SuDs scheme shall be completed prior to the first occupation of the relevant Development Phase and thereafter maintained in operational condition for the lifetime of the development.

Reason: To minimise the risk of flooding, to protect water quality and in the interest of sustainability accordance with Policies D.ES5 of the Tower Hamlets Local Plan 2031 (2020) and Policy SI 12 of the London Plan (2021).

### **51. Secured by Design**

No superstructure works shall take place in any Development Phase until design details of security (Secured by Design) measures for the relevant Development Phase have been submitted to and approved in writing by the Local Planning Authority.

Full details and relevant certificates detailing implementation of security (i.e. Certificate of Compliance to a Secured by Design scheme where they exist) measures in line with (a), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the relevant Development Phase.

The security measures and features approved shall be implemented in accordance with the approved details, completed prior to the first occupation of the relevant Development Phase and retained for the lifetime of the development.

Reason: To provide a safer environment for future residents and visitors to the site and reduce the fear of crime, and to ensure that Secured by Design principles are implemented into the development in accordance with Policy D.DH2 of the Tower Hamlets Local Plan 2031 (2020) and Policy D3 of the London Plan.

### **52. Overheating strategy**

Prior to commencement of superstructure works within each outline Development Phase, an overheating strategy for the relevant outline Development Phase shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the GLA. The approved strategy shall be implemented prior to first occupation of the relevant Development Phase and maintained on site. The strategy shall include details of the following for each of the buildings:

- a) Passive measures included in the design and provided by the developer to mitigate against overheating including, but not limited to, floor to ceiling heights of at least 2500mm in living areas in accordance with London Housing Design Guide, internal blinds in bedrooms, glazing g-value of 0.65 or below, and openable windows (with appropriate provision for security on lower floors).
- b) Details of measures that would be installed to prevent overheating in common areas with communal heating pipework in line with objective 3.9 of CIBSE CP1.

- c) Details of any management strategies required to control overheating and information that will be supplied to occupants to support the strategy.
- d) Dynamic modelling, in line with CIBSE TM59, shall be carried out to demonstrate that the measures installed are appropriate to control overheating without the need for mechanical cooling.

Reason: To ensure that suitable living conditions are achieved within the development and that the buildings do not overheat, in accordance with Policy SI4 of the London Plan (2021) and Policy D.ES10 of the Tower Hamlets Local Plan 2031 (2020).

### **53. Phase A – car parking and parking management plan**

No superstructure works shall commence in Phase A until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- a) Details of the total number of car parking spaces to be provided within Phase A including detailed designs for their layout and location. Details should include on-street car parking spaces allocated for residents eligible for the Tower Hamlets Permit Transfer Scheme.
- b) Notwithstanding spaces allocated to residents on the Tower Hamlets Permit Transfer Scheme, detailed designs for the layout of and access to disabled persons car parking spaces, to ensure that for 3% of dwellings within Phase A, at least one designated disabled persons parking bay per dwelling is available from the outset; The spaces shall be laid out and made available for use prior to the first occupation of Phase A and thereafter be retained.
- c) A Car Parking Management Plan to ensure that spaces are only granted to Blue Badge holders and with an equitable portion available to occupants of affordable rent units. The development shall be carried out in accordance with the approved Management Plan.

The development hereby permitted shall be implemented prior to the first occupation of Phase A in accordance with the details approved.

Reason: To promote sustainable transport by reducing the need for car travel and to ensure the provision of adequate inclusive parking facilities in accordance with Policy T6 of the London Plan (2021) and Policy D.TR3 of the Tower Hamlets Local Plan 2031 (2020).

### **54. Phase A – Details of cycle parking and cycle parking management plan**

- a) Prior to superstructure works in Development Phase A, details shall be submitted to demonstrate that a London Plan (2021) policy compliant level of cycle parking is provided (unless otherwise agreed in writing), including detailed drawings, access and shower / changing facilities for non-residential uses.
- b) Prior to the first occupation of Development Phase A hereby approved, a Cycle Parking Management Plan (CPMP) for Phase A shall be submitted to and approved in writing by the Local Planning Authority. The CPMP should include details of the allocation of cycle spaces between the market and affordable housing units (where relevant) and other land uses; details on how these cycle spaces and access to cycle stores will be managed and enforced; details of the design and materials of cycle stands/storage; details of shower, changing area and locker facilities provision and, details of CCTV and lighting for the cycle storage area. The approved allocations and details are to be completed prior to the occupation of the residential blocks and/or other uses within that part of the relevant Development Phase and shall be permanently retained thereafter.

c) A minimum of 5% of long stay cycle spaces and their accesses within each Development Phase are to be designed to be large enough to accommodate adapted cycles, cargo and other types of larger cycles in accordance with the London Cycling Design Standards.

d) No building plot or commercial uses within Phase A shall be occupied until the relevant amount of cycle parking spaces for the relevant building plot or commercial use have been installed and ready for use in accordance with the approved details and the approved CPMP has been implemented in full. Such spaces shall be retained thereafter for this use only by occupiers and visitors to this part of the development only and solely in accordance with the approved CPMP.

Reason: In order to encourage the use of cycling as a sustainable mode of transport in accordance with Policy S.TR1 of the Tower Hamlets Local Plan 2031 (2020) and Policy T5 of the London Plan (2021).

### **55. Temporary children's play area – Phase A**

Prior to superstructure works in Development Phase A, full details of the temporary dedicated children's play area proposed for Phase A shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be implemented in accordance with the details approved and maintained until at least ten square metres (10 sq.m.) of children's play per child (based on the London Borough of Tower Hamlets Play Space Calculator) has been permanently provided in Development Phase A upon first occupation of the final building to be occupied within Phase A.

Reason: To ensure that the development provides sufficient children's play space for the development in accordance with Policy D.H3 of the Tower Hamlets Local Plan and Policy S4 of the London Plan (2021).

### **56. Fire evacuation lift**

Prior to commencement of each building (other than demolition, site clearance and ground works), details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that a minimum of at least one lift per core (or more subject to capacity assessments), where a lift is provided, will be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

The development shall be carried out in accordance with these details and maintained as such in perpetuity.

Reason: In the interests of fire safety and accessible design in accordance with Policy D5 of the London Plan (2021).

### **Pre-occupation**

### **57. Scheme of permanent heritage interpretation, landscaping and display**

No Development Phase shall be occupied until a scheme of permanent heritage interpretation, landscaping and display at the site for that Development Phase has been agreed, in accordance with a research, materials, design and long-term maintenance proposal and the results of the recommended historic and archaeological research and investigation. The proposal for the work is to be approved in advance in writing by the Local Planning Authority).

The scheme shall be displayed in the public realm of the site and should be integrated uniformly with the site's other public realm, design and landscape proposals. The scheme shall be implemented in accordance with the approved details prior to first occupation of the Development Phase and shall be maintained thereafter,

Reason: The Local Planning Authority wishes to secure physical preservation of the site's archaeological interest in accordance with the NPPF and Policy HC1 of the London Plan (2021) and Policy S.DH3 of the Tower Hamlets Local Plan 2031 (2020).

### **58. Inclusive communal amenity and play spaces**

Prior to the completion of superstructure works in any Development Phase, an Inclusive Communal Amenity and Play Spaces Access Management Plan regarding access for disabled users, and ensuring social cohesiveness and access of communal amenity and play areas for all residential occupants shall be submitted to and approved in writing by the Local Planning Authority.

The communal amenity and play spaces shall be completed prior to occupation of residential units they are to serve. The communal amenity and play spaces shall be operated in accordance with the Inclusive Communal Amenity and Play Spaces Access Management Plan as approved and thereafter be permanently retained in this form.

Reason: To ensure that the proposal provides an inclusive and accessible environment in accordance with Policies S4, and D3 of the London Plan (2021) and S.H1, S.DH1 and D.H3 of the Tower Hamlets Local Plan 2031 (2020).

### **59. Shopfronts – details of frontages**

No ground floor frontages to commercial units shall be erected within any Development Phase until details of the frontages in the relevant Development Phase of the development have been submitted to and approved in writing by the Local Planning Authority.

Details shall include all materials and finishes annotated on drawings at a scale of no less than 1:20 and show the frontage on plan, elevation and section drawings.

Details, where relevant, shall include doors, glazing, reveals, stallrisers, pilasters, corbels, fascias, awnings, internal security shutters and indicative signage.

The development shall not be carried out other than in accordance with the approved details. Ground floor frontages to commercial units shall be completed prior to first occupation.

Reason: To ensure a satisfactory external appearance of the commercial frontage, that high quality materials and finishes are used and that the character and appearance of the area are maintained in accordance with Policies D3, D4, D8 of the London Plan (2021), and S.DH1 and D.DH2 of the Tower Hamlets Local Plan 2031 (2020).

### **60. Car parking – whole scheme**

a) The development hereby approved shall provide no more than a maximum of 134 car parking spaces in total comprising of Permit Parking Spaces, Blue Badge Parking Spaces and Car Club Spaces.

b) A minimum of 20% of the total number of parking spaces across the development shall be fitted with electric vehicle charging points with 80% of the total number of parking spaces fitted with passive provision.

- c) Prior to the occupation of any Development Phase that includes car parking, details of the electric vehicle charging points and passive provision for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority.
- d) The scheme shall be implemented in accordance with the approved details, prior to the occupation of that Development Phase, and shall be permanently retained thereafter and used for no other purpose.
- e) Any car club parking spaces approved as part of this development shall have electric vehicle charging points only.

Reason: To encourage the use of electric cars as a sustainable mode of transport in accordance with Policy D.TR3 of the Tower Hamlets Local Plan 2031 (2020) and Policy T6 of the London Plan (2021).

### **61. Delivery and servicing plan**

Prior to first occupation of each Development Phase, a Deliveries and Servicing Plan for the relevant Development Phase shall be submitted to and approved in writing by the Local Planning Authority.

The deliveries and servicing of the approved uses shall not take place otherwise than in accordance with the Deliveries and Servicing Plan thus approved.

Reason: To ensure to ensure that the development does not adversely impact on the safety or capacity of the road network in accordance with Policies D.DH8, S.TR1, D.TR2 and D.TR4 of the Tower Hamlets Local Plan 2031 (2020) and Policy T4 of the London Plan (2021).

### **62. Site waste management plan – operational**

No Development Phase shall be occupied until a Site Waste Management Plan for the operational phase of each relevant Development Phase has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details to demonstrate compliance with the following guidelines:

- Internal waste storage is to be provided for each residential unit;
- Bin stores are to be built in accordance with relevant standards;
- Measurement of bins are to be provided in cubic meters to demonstrate there is sufficient space in bin stores;
- Sufficient door sizes with catches or stays are to be provided;
- The facilities are appropriately ventilated.
- A suitably robust design including walls that are fitted with rubber buffers and that any pipes/services are fitted with steel cages.
- Gates/doors feature with galvanised metal frames/hinges and locks.
- Sufficient capacity is provided to service the relevant building/use.
- Maintenance facilities are provided, including a wash-down tap and floor drain.
- All bin stores are free from any steps;
- Bins are built in accordance with relevant standards;
- Bulky waste storage must be in its own separate storage unit away from other waste streams;
- Information of dropped kerbs is to be provided and within ten metres of trolleying distance from bin stores;
- Waste carrying distance for residents should be a maximum of thirty metres to the bin store, unless robust justification for alternative distances is provided alongside appropriate mitigation

- Managing agent shall present all waste streams including bulky waste where these are not within ten metres trolleying distance for the waste collection operatives including all waste stored at all other levels except ground level, and;
- Details of how the waste collections vehicle will service this proposal, including all loading and unloading areas, must be provided.

The provisions for waste storage shown on the approved plans shall be maintained for the lifetime of the development. The waste storage and waste collection facilities shown on approved drawings shall be provided prior to the first occupation of the relevant Development Phase and be maintained in an operational condition and made available to the occupiers of the relevant Development Phase for the lifetime of the development.

Reason: To ensure adequate provision for the storage of refuse in accordance with Policy D.MW3 of the Tower Hamlets Local Plan 2031 (2020); and to ensure adequate delivery and servicing arrangements and to minimise the development's impacts on the safety and capacity of the road network, in accordance with Policies D.DH8, S.TR1, D.TR2 and D.TR4 of the Tower Hamlets Local Plan 2031 (2020).

### **63. Whole life-cycle carbon**

Prior to the first occupation of each building within each Development Phase, the post-construction tab of the Greater London Authority's (GLA) whole life carbon assessment template should be completed accurately and in its entirety in line with the GLA's Whole Life Carbon Assessment Guidance. The post-construction assessment should provide an update of the information submitted at planning submission stage, including the whole life carbon emission figures for all life-cycle modules based on the actual materials, products and systems used. This should be submitted to the GLA at: [ZeroCarbonPlanning@london.gov.uk](mailto:ZeroCarbonPlanning@london.gov.uk), along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the Local Planning Authority, prior to occupation of the last building within each Development Phase.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Policy SI 2 of the London Plan (2021).

### **64. Access for St Nicholas Church**

Prior to the first occupation of Block F within Development Phase A, a strategy demonstrating that vehicular and pedestrian access arrangements for St Nicholas Church and its associated use shall be maintained, must be submitted to and approved in writing by the local planning authority, in consultation with St Nicholas Church. The development shall be implemented in accordance with the details approved and thereafter maintained throughout the lifetime of the development.

Reason: To maintain access for St Nicholas Church and ensure that the proposed development does not compromise the local highway network in accordance with Policy D.TR2 of the Tower Hamlets Local Plan 2031 (2020).

### **Details to accompany Reserved Matters submissions**

#### **65. Details of car parking and car parking management plan**

Each Reserved Matters application comprising residential uses shall include:

- a) Details of the number of car parking spaces within the relevant Development Phase to which the Reserved Matters application(s) relate including detailed designs for their layout and location. Details should include on-street car parking spaces allocated for residents eligible for the Tower Hamlets Permit Transfer Scheme.
- b) Notwithstanding spaces allocated to residents on the Tower Hamlets Permit Transfer Scheme, detailed designs for the layout of and access to disabled persons car parking spaces, to ensure that for 3% of dwellings within the relevant Development Phase, at least one designated disabled persons parking bay per dwelling is available from the outset ; The spaces shall be laid out and made available for use prior to the occupation of the relevant Development Phase and thereafter be retained.
- c) A Car Parking Management Plan to ensure that spaces are only granted to Blue Badge holders and with an equitable portion available to occupants of affordable rent units. The development shall be carried out in accordance with the approved Management Plan.

The development hereby permitted shall be implemented prior to the first occupation of each relevant Development Phase in accordance with the details approved.

Reason: To ensure sufficient accessible car parking spaces are provided to serve the development in accordance with Policy D.TR3 of the Tower Hamlets Local Plan 2031 (2020) and Policy T4 of the London Plan (2021).

## **66. Details of cycle parking and cycle parking management plan**

Each Reserved Matters application shall include sufficient detail to demonstrate that a London Plan (2021) policy compliant level of cycle parking is provided (unless otherwise agreed in writing), including detailed drawings, access and shower / changing facilities for non-residential uses has been provided for the relevant Development Phase.

- a) Prior to the first occupation of each Development Phase hereby approved, a Cycle Parking Management Plan (CPMP) for that Development Phase shall be submitted to and approved in writing by the Local Planning Authority. The CPMP should include details of the allocation of cycle spaces between the market and affordable housing units (where relevant) and other land uses; details on how these cycle spaces and access to cycle stores will be managed and enforced; details of the design and materials of cycle stands/storage; details of shower, changing area and locker facilities provision and, details of CCTV and lighting for the cycle storage area. The approved allocations and details are to be completed prior to the occupation of the residential blocks and/or other uses within that part of the relevant Development Phase and shall be permanently retained thereafter.
- b) A minimum of 5% of long stay cycle spaces and their accesses within each Development Phase are to be designed to be large enough to accommodate adapted cycles, cargo and other types of larger cycles in accordance with the London Cycling Design Standards.
- c) No building plot or commercial uses within each Development Phase shall be occupied until the relevant amount of cycle parking spaces for the relevant building plot and the commercial uses within the relevant Development Phase have been installed and ready for use in accordance with the approved details and the approved CPMP has been implemented in full. Such spaces shall be retained thereafter for this use only by occupiers and visitors to this part of the development only and solely in accordance with the approved CPMP.

Reason: In order to encourage the use of cycling as a sustainable mode of transport in accordance with Policy S.TR1 of the Tower Hamlets Local Plan 2031 (2020) and Policy T5 of the London Plan (2021).

## **67. Energy strategy**

Each application for Reserved Matters shall be accompanied by an updated Energy Strategy demonstrating how the relevant Reserved Matters application and the relevant Development Phase will conform with the approved Site Wide Energy Assessment: Aberfeldy Village Masterplan Energy Assessment Report Issue P8 (6 November 2023) prepared by Meinhardt and shall include but not be limited to the following:

Full details of Air Source Heat Pump proposals including:

- a) An estimate of the heating and/or cooling energy (MWh/annum) the heat pumps would provide to the development and the percentage of contribution to the site's heat loads.
- b) Details of the Seasonal Coefficient of Performance (SCOP) and/or Seasonal Energy Efficiency ratio (SEER) and how these have been calculated.
- c) A Dynamic Overheating Analysis to assess the overheating risk for the residential and non-domestic elements, undertaken in line with the relevant Chartered Institution of Building Engineers (CIBSE) guidance together with details of all proposed measures for minimising overheating and meeting the development's cooling needs.
- d) Details confirming that the development has been designed to allow future connection to a District Heating Network.
- e) Demonstrate that a minimum 15% non-domestic Be Lean reduction in regulated CO2 emissions is achieved compared to a 2021 Building Regulations compliant development and detailed modelling outputs (DER/TER worksheets) should be submitted.
- f) Demonstrate that a minimum 10% domestic Be Lean reduction in regulated CO2 emissions is achieved compared to a 2021 Building Regulations compliant development and detailed modelling outputs (BRUKL worksheets) should be submitted.
- g) Details of the on-site reduction in carbon emissions, and any tonnage to be off-set via financial contributions.

The relevant Development Phase shall be implemented in accordance with the details approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reduction of carbon dioxide emissions and the highest levels of sustainable design and construction in accordance with Policies SI2, SI3 and SI4 of the London Plan (2021) and Policy D.ES7 of the Tower Hamlets Local Plan 2031 (2020).

## **68. Photovoltaic (PV) Panels**

Each application for Reserved Matters shall be accompanied by detailed roof layout(s) for buildings within the relevant Development Phase demonstrating that the roofs potential for photovoltaic installation has been maximised and clearly outlining any constraints to the provision of further photovoltaic installation. The relevant Development Phase shall be implemented in accordance with the details approved and thereafter retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a reduction of carbon dioxide emissions and the highest levels of sustainable design and construction in accordance with Policy SI2 of the London Plan (2021) and Policy D.ES7 of the Tower Hamlets Local Plan 2031 (2020).

## **69. Children's play space A**

Each application for Reserved Matters shall demonstrate that it provides ten square metres (10sq.m.) of play space per child for the relevant Reserved Matters application. The application shall be implemented in accordance with the details approved prior to the occupation of the first building to be occupied approved under the relevant Reserved Matters application and thereafter maintained throughout the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is implemented in accordance with the approved Environmental Statement and that the development provides sufficient children's play space for the development in accordance with Policy D.H3 of the Tower Hamlets Local Plan and Policy S4 of the London Plan (2021).

## **70. Wind microclimate assessment and mitigation**

Each application for Reserved Matters consent must be accompanied by a wind microclimate assessment supported by Wind Tunnel Testing and shall include details of any wind mitigation needed to serve the development. The details shall have regard to Chapter 13 of the approved Environmental Statement and the Environmental Statement: Statement of Conformity (October 2022).

The approved details and mitigation measures identified shall be implemented prior to the occupation of the relevant Development Phase and shall be maintained at all times thereafter.

Reason: To ensure the microclimate in and around the site is acceptable and results in an acceptable pedestrian environment in accordance with Policy S.DH1 of the Tower Hamlets Local Plan 2031 (2020) and Policies D8 and D9 of the London Plan (2021).

## **71. Daylight, sunlight and overshadowing**

Each application for Reserved Matters consent must be accompanied by a daylight, sunlight and overshadowing assessment which assesses the proposed residential units and amenity spaces within the development, as well as the impact on surrounding properties and amenity spaces. The relevant Development Phase shall be implemented in accordance with the approved details.

Reason: To ensure that the scheme minimises the impact of the development on future and neighbouring occupiers and amenity spaces in relation to daylight, sunlight and overshadowing in accordance with policies D.DH8 and S.DH1 of the Tower Hamlets Local Plan 2031 (2020) and Policies D8 and D9 of the London Plan (2021).

## **72. Light pollution study**

Each application for Reserved Matters that includes non-residential uses must be accompanied by a Light Pollution Study. The relevant Development Phase shall be carried out in accordance with the approved details.

Reason: To ensure that the non-residential uses minimise the impact from artificial light sources to sensitive residential receptors in accordance with Policies D.DH8 and S.DH1 of the Tower Hamlets Local Plan and Policies D8 and D9 of the London Plan (2021).

## **73. Solar glare study**

Each application for Reserved Matters must be accompanied by a Solar Glare Study. The relevant Development Phase shall be carried out in accordance with the approved details, prior to the occupation of the relevant Development Phase, and maintained for the lifetime of the development.

Reason: To ensure that the development minimises impact from solar glare in accordance with Policies D.DH8 and S.DH1 of the Tower Hamlets Local Plan and Policies D8 and D9 of the London Plan (2021).

#### **74. Communal amenity space**

Each application for Reserved Matters shall demonstrate that it provides the minimum quantum of communal amenity space required for the quantum of residential units proposed in the relevant Reserved Matters application and the relevant Development Phase. Each Reserved Matters application will provide a minimum of 50 square metres for the first ten units plus a further one square metre for every additional unit thereafter in the relevant Reserved Matters application.

The scheme shall be provided in accordance with the approved details prior to the occupation of the proposed development and maintained for the lifetime of the development.

Reason: To ensure that the development provides sufficient communal amenity space to serve the residents of the development in accordance with Policy D.H3 of the Tower Hamlets Local Plan and Policy S4 of the London Plan (2021).

#### **75. Wintergardens**

Each Reserved Matters application incorporating buildings with residential facades along the A12 shall demonstrate that wintergardens are incorporated to residential facades facing the A12 in general accordance with drawing number 3663-LB-ZZ-01-SK-A-SK00188 Rev 2. The scheme shall be provided in accordance with the approved details prior to the occupation of the relevant Development Phase of the proposed development and maintained for the lifetime of the development.

Reason: To minimise the adverse air quality and noise impacts of the development, in accordance with Policies D14 and SI 1 of the London Plan (2021) and Policies D.ES2, D.DH8 and D.ES9 of the Tower Hamlets Local Plan 2031 (2020).

#### **76. Fire strategy – Outline component**

Notwithstanding the fire strategy submitted with the application titled Fire Statement (Rev 6) dated November 2023 as prepared by Introba Consulting Limited, each application for Reserved Matters within a Development Phase shall be accompanied by a full Fire Strategy for the relevant Development Phase/building of the development and shall demonstrate full compliance with London Plan (2021) Policies D5 and D12. The Fire Strategy shall be prepared by a suitably qualified assessor and shall detail how the proposed development would function in terms of:

- The building's construction: methods, products and materials used, including manufacturers' details;
- Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lift,

stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these;

- Means of escape for all building users including suitably designed stair cores, escape for building users who are disabled or require level access together with the associated evacuation strategy approach;
- Features which reduce the risk to life including fire alarm systems, passive and active fire safety measures and associated management and maintenance plans;
- How provision will be made within the site to enable fire appliances to gain access to the building;
- ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

The Fire Strategy shall be implemented in accordance with the approved details prior to the occupation of the development and permanently retained thereafter.

Reason: In the interests of fire safety and to ensure the safety of all building users, in accordance with Policies D5 and D12 of the London Plan (2021).

## **77. Circular economy statement**

Each application for Reserved Matters shall be accompanied by a detailed Circular Economy Statement and Operational Waste Management Strategy in line with the GLA's Circular Economy Statement Guidance, which shall be submitted to and approved in writing by the Local Planning Authority. The statement shall adhere to the principles set out in the draft Circular Economy Statement.

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of sustainable waste management, in order to maximise the re-use of materials and to ensure compliance with Policy SI7 and D3(d)(13) of the London Plan (2021), and S.MW1(8) of the Tower Hamlets Local Plan 2031 (2020).

## **Other Conditions**

### **78. Public realm / estate management**

Prior to the first use of the highway and public realm as consented by this permission, an Estate Management Framework, which shall be prepared in consultation with the Local Planning Authority and may include the establishment of an Estate Management Body for adopting, managing, cleansing, maintaining, repairing and/or renewing area of public realm and highways as permitted, shall have been submitted to and approved in writing by the Local Planning Authority.

The area of public realm and highways shall be adopted, managed, cleansed, maintained, repaired and/or renewed in accordance with the approved Estate Management Framework for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the future management maintenance repair and upkeep of highway and public realm is delivered to an appropriately high standard of safety and quality across the whole of the Development and protect the amenities of the area, in accordance with policy D.TR2 of the Tower Hamlets Local Plan 2031 (2020), Policy T4 of the London Plan (2021) and paragraph 111 of the NPPF (2023).

## **79. Abbott Road Underpass and Phase B Reserved Matters**

The Reserved Matters application for Development Phase B as consented by this permission must include a detailed design for the Abbott Road underpass conversion.

The submission must include:

- Detailed drawings of the Underpass at 1:500 scale at size A3; a Mayor's Design Advocate review;
- a Section 17 report under the Crime and Disorder Act 1998; and
- a letter or Secured by Design (SBD) certification from Metropolitan Police Designing Out Crime Office stating that appropriate SBD measures of compliance have been met.

The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the detailed design development of blocks adjacent to the underpass and its approaches do not impact on the design of the underpass and its approaches and structures, and to provide a safer environment for future residents and visitors to the site and reduce the fear of crime, in accordance with Policy D.TR2 of the Tower Hamlets Local Plan 2031 (2020), Policy D.DH2 of the Tower Hamlets Local Plan 2031 (2020), Policy T4 of the London Plan (2021), Policy D11 of the London Plan (2021) and paragraph 111 of the NPPF (2023).

## **80. A12 bus gate works, A12 underpass works, Abbott Road highway design and highways**

Notwithstanding the submitted Design Code Revision D (November 2023) and 3663 - LB - ZZ - 00 - DR - A - 000025 Parameter Plan - Access and Circulation Rev 3, revised details of the A12 bus gate works, A12 underpass works, Abbott Road highway design and Dee Street and Blaire Street highways to be served by bus shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the details so approved.

The carriageway design details shall include and not be limited to 1:500 drawings of the following:

- Abbott Road carriageway running lane widths of a minimum of 6.5 metres;
- Location of bus stops and bus stands and highway design informed by swept path analysis;
- Location of on-street parking and servicing bays;
- Levels of carriageway and traffic calming measures; and
- Road markings.

Reason: In the interests of highway and pedestrian safety and the safe and efficient operation of the highway network in accordance with Policy T4 of the London Plan (2021) and Policy S.TR1 of the Local Plan (2020).

## **81. Water network upgrade / development and Infrastructure Phasing Plan**

There shall be no occupation beyond the 99<sup>th</sup> dwelling until confirmation has been provided that either:- all water network upgrades required to accommodate the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been submitted to and approved in writing by the Local Planning Authority in

consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

### **82. No construction within five metres of the water main**

Prior to the commencement of development within five metres of the water main detailed information detailing how the developer intends to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water.

Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

### **83. No hot food preparation**

No hot food preparation shall take place within any of the non-residential uses hereby permitted until all relevant kitchen and hot food preparation areas have first been provided with air extraction and filtration systems designed in accordance with details which have been submitted to and approved in writing by the Local Planning Authority.

The details shall include extraction hoods, internal fans, flexile couplings, three-stage filtration (grease filters, pre-filters and activated carbon filters), height of extract duct discharge and anti-vibration mounting.

The air extraction system shall be retained and maintained for the lifetime of the use in accordance with the approved details.

Reason: To manage and prevent further deterioration of existing low-quality air across London in accordance with Policy SI 1 of the London Plan (2021) and Policy D.ES2 of Tower Hamlets Local Plan 2031 (2020).

### **84. Digital connectivity**

Prior to commencement of each building, detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness in accordance with Policy SI 6 of the London Plan.

### **85. Land ownership**

No development shall be carried out in the areas shown coloured purple and yellow on plan 3663-LB-Z Z-ZZ-DR-A-000306 Rev 1 until all parties with an interest in such land have entered

into a planning obligation under Section 106 of the Town and Country Planning Act 1990 on the same terms on which this permission is granted.

Reason: The planning permission has been granted subject to a Section 106 agreement and at the time of this permission being issued the applicant is not able to bind all relevant parties and interests in the site to the terms of the planning obligations that it contains.

### **86. Overheating**

Prior to the commencement of above ground works for Phase A, the applicant shall investigate the use of further passive efficiency measures (in line with the Cooling Hierarchy) in the mechanically controlled/ cooled non-domestic spaces of the detailed scheme which shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the GLA. Following the investigation, the applicant shall adopt the relevant measures and incorporate them into the detailed design of the scheme with the aim to avoid the risk of overheating now and in future climate, such as reduction of glazing, reduction of g-values and appropriate external shading that will not adversely impact the heating energy use.

Reason: In the interest of energy efficiency and sustainability, and to ensure compliance with Policy SI 4 of the London Plan (2021).

### **87. Circular economy - post-completion report**

Within 3 months of occupation of any phase / building / development, a Post Completion Report setting out the predicted and actual performance against all numerical targets in the relevant Circular Economy Statement shall be submitted to the GLA at: CircularEconomyLPG@london.gov.uk, along with any supporting evidence as per the GLA's Circular Economy Statement Guidance.

The Post Completion Report shall provide updated versions of Tables 1 and 2 of the Circular Economy Statement, the Recycling and Waste Reporting form and Bill of Materials. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation.

Reason: In the interests of sustainable waste management, in order to maximise the re-use of materials and to ensure compliance with Policy SI7 and D3(d)(13) of the London Plan (2021), and S.MW1(8) of the Tower Hamlets Local Plan 2031 (2020).

## **Informatives**

### **1. Section 106 Legal Agreement**

You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).

### **2. Pre-commencement conditions**

The pre-commencement and pre-occupation conditions attached to this decision notice are considered necessary in order to safeguard transport infrastructure, protect the amenities of existing residents, future occupiers and users of the proposed development and to ensure that the proposed development results in a sustainable and well-designed scheme amongst other matters.

### **3. Deemed discharge**

All conditions are exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 as the development was subject to an Environmental Impact Assessment.

#### **4. Phasing**

References to phases within the conditions are to phases as shown on the phasing plan secured through the legal agreement under Section 106 of the Town and Country Planning Act 1990 save in respect of CIL Phases which shall be the phases shown on the CIL Phasing Plan(s) as approved pursuant to Condition [10].

#### **5. Adverts**

You are advised that any advertisements to be erected at the development may require consent under the Control of Advertisement Regulations 2007.

#### **6. Further approval and consents**

This approval only grants permission under Section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control at Tower Hamlets before proceeding with the work.

#### **7. Licensing**

It is possible that some of the premises may need a licence under the Licensing Act 2003 for regulated entertainment (music, dancing etc.), supply of alcohol and the provision of late night refreshment. Any grant of the planning approval is without prejudice to the Council's right as Licensing Authority to either grant or refuse any application under the Licensing Act 2003.

#### **8. Community Infrastructure Levy (CIL)**

Please note that your development is liable for a charge under the Community Infrastructure Levy (CIL) Regulations (2010), as amended.

This charge is payable upon commencement of the chargeable development and is in respect of the London Mayoral Community Infrastructure Levy (CIL). The Greater London Authority and Transport for London are responsible for setting the London Mayoral CIL charge and the London Borough of Tower Hamlets is responsible for collecting money on their behalf. The calculation of the charge is based on an initial assessment of the floorspace information provided in the CIL Additional Information Requirement Form, alongside your planning application.

Prior to your development commencing, you are required to submit a Commencement Notice to the London Borough of Tower Hamlets stating the date when the development will commence. Development is to be treated as commencing on the earliest date on which any material operation begins to be carried out on the land within the meaning of section 56(4) of the Town and Country Planning Act 1990. Upon receipt of this the Council will then issue a Demand Notice with precise details of your payment arrangements, payable from the date development commences. If a valid Commencement Notice is not submitted before work starts, penalties will apply and payment will be due in full on the day the Council believes the development to have commenced. For the avoidance of doubt, site clearance and/or demolition **will** be considered as work having commenced.

A person intending to assume liability for the CIL payment identified in the Council's Liability Notice must submit an Assumption of Liability Notice before development is commenced in accordance with Regulation 31 of the CIL Regulations (2010) (as amended). A person is not able to assume liability to pay CIL after development is commenced. If the Notice is not served,

then the Council can apply surcharges for its efforts in identifying the relevant owners and apportioning liability for CIL between them.

Should you have any enquiries, please do not hesitate to contact the CIL Project Officer at 0207 364 4778.

#### **9. Street naming and numbering**

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official postal addresses. This should be carried out at least one month prior to the completion of the exterior works. An application with details of the development, including site and block plans should be sent to the Head of Building Control, Tower Hamlets Town Hall, 160 Whitechapel Road, London E1 1BY.

#### **10. Cadent Gas**

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

Prior to carrying out works, including the construction of access points, please register on [www.linerearchbeforeudig.co.uk](http://www.linerearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

#### **11. Air emission flues**

Flues must be at least one metre above the highest part of the nearby buildings, and in many circumstances will need to be significantly higher. The appropriate stack height should be determined using dispersion modelling, and not only by using the Memorandum on Chimney Heights or the Technical Guidance Note (Dispersion) (known as a D1 calculation), which are not suitable when considering annual mean NO<sub>2</sub> concentrations. Flues should not be 'hidden' behind structures likely to impact of the dispersion of emissions.

#### **12. GLAAS Informative to GLAAS Condition 34**

The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

#### **13. GLASS Informative to GLAAS Condition 57**

The LPA wishes that the rich history of the site and its surroundings be conveyed to the public. The interpretation scheme should be researched, designed and implemented by a recognised historical or archaeological interpretation specialist with appropriate experience of the periods involved.

#### **14. TfL – Technical approval in principle of A12 Bus Gate Works and Abbott Road Underpass Works required**

TfL Approval in Principle is required for the A12 bus gate works, A12 Underpass works, Glencoe Street Subway works and Brunswick Road subway works structural design through

the Technical Approval process due to the proximity of the works to TfL highway structures. Technical approval in accordance with the National Standard (CG300 of the Design Manual for Roads and Bridges) will be needed for the proposal which will modify TfL infrastructure and be close to TfL highway. This involves agreeing an Approval in Principle and acceptance of Certification for the design and check with TfL as the technical approval authority. The address for the technical assurance submissions is [StructuresTechnicalApproval@tfl.gov.uk](mailto:StructuresTechnicalApproval@tfl.gov.uk).

#### **15. Lighting within Jolly's Green**

Lighting within Jolly's Green should be kept to a minimum and remain the same or less than the current lighting levels. Any lighting proposed should be designed in accordance with the Bat Conservation Trust and Institute of Lighting Engineers Guidance.

#### **16. Secured by Design**

The applicant must seek the advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs). The services of MPS DOCOs are available free of charge and can be contacted via [docomailbox.ne@met.police.uk](mailto:docomailbox.ne@met.police.uk). This would allow our further input through the design and build process via meetings and discussion which will assist in a safe and secure environment for both residents and visitors to the estate for many years to come.

#### **17. Water Resources**

The Environment Agency have advised the applicant that increased water efficiency for all new developments potentially enables more growth with the same water resources. Developers can highlight positive corporate social responsibility messages and the use of technology to help sell their homes. For the homeowner lower water usage also reduces water and energy bills. The Environment Agency endorse the use of water efficiency measures especially in new developments. Use of technology that ensures efficient use of natural resources could support the environmental benefits of future proposals and could help attract investment to the area. Therefore, water efficient technology, fixtures and fittings should be considered as part of new developments.

##### Residential developments

All new residential developments are required to achieve a water consumption limit of a maximum of 125 litres per person per day as set out within the Building Regulations & c. (Amendment) Regulations 2015.

However, Environment Agency recommend that in areas of serious water stress (as identified in the Environment Agency's report Water stressed areas - final classification) a higher standard of a maximum of 110 litres per person per day is applied. This standard or higher may already be a requirement of the local planning authority.

##### Commercial/Industrial developments

The Environment Agency recommend that all new non-residential development of 1000 square metres gross floor area or more should meet the BREEAM 'excellent' standards for water consumption. The Environment Agency also recommend you contact your local planning authority for more information.

#### **18. Signing up for flood warnings**

The Environment Agency have advised that the applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>  
To get help during a flood, visit <https://www.gov.uk/help-during-flood>  
For advice on what do after a flood, visit <https://www.gov.uk/after-flood>

### **19. Environment Agency pre-application advice**

Regarding future applications, if the applicant would like the Environment Agency to review a revised technical report prior to a formal submission, outside of a statutory consultation, and/or meet to discuss our position, this will be chargeable in line with the Environment Agency's planning advice service. If you wish to request a document review or meeting, please contact the Environment Agency team's email address at [HNLsustainableplaces@environment-agency.gov.uk](mailto:HNLsustainableplaces@environment-agency.gov.uk). Further information on our charged planning advice service is available at; <https://www.gov.uk/government/publications/planning-advice-environment-agencystandard-terms-and-conditions>.

### **20. Code of Construction Practice**

Please note that since 26 April 2023, with the adoption of an updated Code of Construction Practice, there is now a charge applied to Major and Strategic development for the review, approval and monitoring of CMP/SEMP documentation.

The applicant is advised to contact the CMP Service team, at the earliest opportunity, regarding their application for discharge of condition on the following email address: [CMP@TowerHamlets.gov.uk](mailto:CMP@TowerHamlets.gov.uk)

Further information on the process can also be found on Tower Hamlets webpages. Search for Transport and Streets – then go to the 'Construction Management Plan Service' Find the following information:

- o Why is a CMP/SEMP required?
- o Which development sites are expected to provide CMP/SEMP?
- o When is a s61 required?
- o Area wide CMP/SEMPs
- o Construction Forums – area based
- o Developer Construction Forums
- o Health Assessment
- o CMP Service application process
- o CoCP Checklist
- o CMP/SEMP approval
- o CoCP Checklist discharge
- o Compliance and monitoring of CMP/SEMP
- o Fees and charges
- o Fee schedule
- o How to pay
- o Key contacts

The Code of Construction Practice Checklist (CoCP Checklist) and associated documents and plans must be submitted to the CMP Service no later than 40 working days prior to scheduled commencement on site.

The fee must be paid prior to Tower Hamlets CMP Service starting any engagement around the review, approval and monitoring of CMP/SEMPs. The countersigning of the CoCP Checklist, by the CMP Officer, is required to apply for discharge of the condition applied at planning approval stage.

## **21. Fire safety informative**

The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.

For the London Fire Brigade (LFB) to review plans, LFB expect each block to have its own set of plans which clearly outline the proposed layout for the project. LFB also recommend that these are provided in the form of fire strategy plans which detail the fire safety elements involved in the design, these include and are not limited to, firefighting lifts, evacuation lifts, firefighting shafts, and lines of fire resisting compartmentation.

London Fire Brigade (LFB) have advised that consideration should be given to the storage (and potential charging) of electric bikes and electric scooters and the potential fire risk posed by these electric powered personal vehicles (EPPVs) which may be located within these areas. There is increasing evidence showing that EPPVs can spontaneously ignite and burn for long periods so there is an increased potential for toxic gases/smoke/fire spread. It is therefore LFB's recommendation that adequate automatic fire suppression and smoke control systems for the area are necessary. As such storage would be deemed an ancillary area, LFB are of the view that it should be provided with a ventilated lobby in accordance with the recommendations given in clause 32 of BS 9991:2015.

## **22. Drawing annotations**

The annotations in the detailed drawing package the reference to SO, SR are references to the tenure with SO being Shared Ownership and SR being Social Rented.

## **Statement of positive and proactive action in dealing with the application**

In dealing with this application, the Deputy Mayor, for Planning, Regeneration and Fire Safety acting as the Local Planning Authority, has expeditiously considered the application against all relevant national, regional and local planning policy; and has decided to grant planning permission in accordance with the recommendation in GLA Representation Hearing report GLA/2023/0300/S3 and addendum.

The Deputy Mayor for Planning, Regeneration and Fire Safety has, therefore, worked in a positive, proactive and creative manner in relation to dealing with this planning application in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015 and paragraph 38 of the National Planning Policy Framework. The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.



**John Finlayson**  
Head of Development Management

Notes:

This is a planning permission only. It does not convey any approval or consent that may be required under Building Regulations or any other enactment.

### Schedule of approved drawing numbers and documents

DRAWINGS - OUTLINE PROPOSALS		
Drawing number	Drawing Name	Revision number
3663 - LB - ZZ - 00 - DR - A - 000020	Parameter Plan - Extent of Outline and Detailed Proposals	3
3663 - LB - ZZ - 00 - DR - A - 000021	Parameter Plan - Building Plots	3
3663 - LB - ZZ - 00 - DR - A - 000022	Parameter Plan - Proposed Site Levels - Lower Ground Floor	3
3663 - LB - ZZ - B1 - DR - A - 000023	Parameter Plan - Proposed Site Levels - Basement Level	3
3663 - LB - ZZ - 00 - DR - A - 000024	Parameter Plan - Principal Public Realm Areas	3
3663 - LB - ZZ - 00 - DR - A - 000025	Parameter Plan - Access and Circulation	3
3663 - LB - ZZ - B1 - DR - A - 000026	Parameter Plan - Land Use Basement	3
3663 - LB - ZZ - 00 - DR - A - 000027	Parameter Plan - Land Use Lower Ground Floor	3
3663 - LB - ZZ - UG - DR - A - 000028	Parameter Plan - Land Use Upper Ground Floor	3
3663 - LB - ZZ - 01 - DR - A - 000029	Parameter Plan - Land Use First Floor	3
3663 - LB - ZZ - ZZ - DR - A - 000030	Parameter Plan - Land Use Upper Floors	3
3663 - LB - ZZ - ZZ - DR - A - 000031	Parameter Plan - Building Heights	3
3663 - LB - ZZ - XX - DS - A - 000040	Parameter Sections - 01	3
3663 - LB - ZZ - XX - DS - A - 000041	Parameter Sections - 02	3
DETAILED PROPOSALS DRAWINGS		
A303 MCO BF 00 DR A 06110	PLOT F - PROPOSED GROUND FLOOR PLAN	P05
A303 MCO BF 01 DR A 06111	PLOT F - PROPOSED FIRST FLOOR PLAN	P06
A303 MCO BF 02 DR A 06112	PLOT F - PROPOSED SECOND FLOOR PLAN	P06
A303 MCO BF 07 DR A 06117	PLOT F - PROPOSED SEVENTH FLOOR PLAN	P06
A303 MCO BF 08 DR A 06118	PLOT F - PROPOSED EIGHTH FLOOR PLAN	P06
A303 MCO BF R1 DR A 06122	PLOT F - PROPOSED ROOF PLAN	P03
A303 MCO BH 00 DR A 06130	PLOT H - PROPOSED GROUND FLOOR PLAN	P07
A303 MCO BH 01 DR A 06131	PLOT H - PROPOSED FIRST FLOOR	P06

	PLAN	
A303 MCO BH 02 DR A 06132	PLOT H - PROPOSED SECOND FLOOR PLAN	P05
A303 MCO BH 03 DR A 06133	PLOT H - PROPOSED THIRD FLOOR PLAN	P05
A303 MCO BH 04 DR A 06134	PLOT H - PROPOSED FOURTH FLOOR PLAN	P05
A303 MCO BH 05 DR A 06135	PLOT H - PROPOSED FIFTH FLOOR PLAN	P05
A303 MCO BH R1 DR A 06138	PLOT H - PROPOSED ROOF PLAN	P05
A303 MCO Bi 00 DR A 06150	PLOT i - PROPOSED GROUND FLOOR PLAN	P05
A303 MCO Bi 01 DR A 06151	PLOT i - PROPOSED FIRST FLOOR PLAN	P05
A303 MCO Bi 02 DR A 06152	PLOT i - PROPOSED SECOND FLOOR PLAN	P05
A303 MCO Bi 06 DR A 06156	PLOT i - PROPOSED SIXTH FLOOR PLAN	P06
A303 MCO Bi 07 DR A 06157	PLOT i - PROPOSED SEVENTH FLOOR PLAN	P06
A303 MCO Bi 08 DR A 06158	PLOT i - PROPOSED EIGHTH FLOOR PLAN	P05
A303 MCO Bi R1 DR A 06161	PLOT i - PROPOSED ROOF PLAN	P03
A303 MCO BJ 00 DR A 06170	PLOT J - PROPOSED GROUND FLOOR PLAN	P03
A303 MCO BJ 01 DR A 06171	PLOT J - PROPOSED FIRST FLOOR PLAN	P03
A303 MCO BJ 02 DR A 06172	PLOT J - PROPOSED SECOND FLOOR PLAN	P04
A303 MCO BJ 03 DR A 06173	PLOT J - PROPOSED THIRD FLOOR PLAN	P04
A303 MCO BJ 04 DR A 06174	PLOT J - PROPOSED FOURTH FLOOR PLAN	P04
A303 MCO BJ 05 DR A 06175	PLOT J - PROPOSED FIFTH FLOOR PLAN	P04
A303 MCO BJ R1 DR A 06176	PLOT J - PROPOSED ROOF PLAN	P03
A303 MCO BF ZZ DR A 06210	BF - PROPOSED NORTH ELEVATION	P03
A303 MCO BF ZZ DR A 06211	BF - PROPOSED EAST ELEVATION	P03
A303 MCO BF ZZ DR A 06212	BF - PROPOSED SOUTH ELEVATION	P03
A303 MCO BF ZZ DR A 06213	BF - PROPOSED WEST ELEVATION	P03
A303 MCO BF ZZ DR A 06214	BF - PROPOSED NORTH EAST / NORTH WEST ELEVATION	P04
A303 MCO BH ZZ DR A 06230	BH1/2 - PROPOSED NORTH / SOUTH ELEVATION	P03

A303 MCO BH ZZ DR A 06231	BH1/2 - PROPOSED EAST ELEVATION	P03
A303 MCO BH ZZ DR A 06232	BH1/2 - PROPOSED WEST ELEVATION	P05
A303 MCO BH ZZ DR A 06240	BH3 - PROPOSED NORTH / SOUTH ELEVATION	P03
A303 MCO BH ZZ DR A 06241	BH3 - PROPOSED EAST ELEVATION	P03
A303 MCO BH ZZ DR A 06242	BH3 - PROPOSED WEST ELEVATION	P03
A303 MCO Bi ZZ DR A 06250	Bi - PROPOSED NORTH ELEVATION	P03
A303 MCO Bi ZZ DR A 06251	Bi - PROPOSED EAST / WEST ELEVATION	P03
A303 MCO Bi ZZ DR A 06252	Bi - PROPOSED SOUTH ELEVATION	P03
A303 MCO BJ ZZ DR A 06270	BJ - PROPOSED NORTH / SOUTH ELEVATION	P03
A303 MCO BJ ZZ DR A 06271	BJ - PROPOSED EAST / WEST ELEVATION	P03
A303 MCO BF ZZ DR A 06310	BF - PROPOSED SECTION AA	P05
A303 MCO BF ZZ DR A 06311	BF - PROPOSED SECTION BB	P03
A303 MCO BF ZZ DR A 06312	BF - PROPOSED SECTION CC	P03
A303 MCO BH ZZ DR A 06330	BH - PROPOSED SECTION AA	P03
A303 MCO BH ZZ DR A 06331	BH - PROPOSED SECTION BB	P03
A303 MCO BH ZZ DR A 06332	BH - PROPOSED SECTION CC	P03
A303 MCO Bi ZZ DR A 06350	Bi - PROPOSED SECTION AA	P05
A303 MCO Bi ZZ DR A 06351	Bi - PROPOSED SECTION BB	P04
A303 MCO BJ ZZ DR A 06370	BJ - PROPOSED SECTION AA / BB / CC / DD	P03
A303 MCO BF ZZ DR A 06410	PLOT F - PROPOSED MA UNIT LAYOUTS	P06
A303 MCO BF ZZ DR A 06412	PLOT F - PROPOSED MA UNIT LAYOUTS	P06
A303 MCO BH ZZ DR A 06430	PLOT H1/H2 - PROPOSED SR UNIT LAYOUTS	P05
A303 MCO BH ZZ DR A 06431	PLOT H1/H2 - PROPOSED SR UNIT LAYOUTS	P05
A303 MCO BH ZZ DR A 06440	PLOT H3 - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO BH ZZ DR A 06441	PLOT H3 - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO BH ZZ DR A 06442	PLOT H3 - PROPOSED MA UNIT LAYOUTS	P03

A303 MCO Bi ZZ DR A 06450	PLOT i - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO Bi ZZ DR A 06452	PLOT i - PROPOSED MA UNIT LAYOUTS	P03
A303 MCO BJ ZZ DR A 06473	PLOT J - PROPOSED SR UNIT LAYOUTS	P03
A303 MCO BJ ZZ DR A 06474	PLOT J - PROPOSED SR UNIT LAYOUTS	P03
AVL-LDA-SBX-XX-XXDR-L-0208	Phase A - Temporary Play Space GA – For Support	P01
AVL-LDA-SBX-XX-XX-DR-L-0209	Phase A - Plot H1 & 2 - Bin Display on Collection Days Diagram	P01
AVL-LDA-SBX-XX-XX-DR-L-0210	Phase A - Plot F - Church Access	P01
DETAILED PROPOSALS LANDSCAPING DRAWINGS		
AVL-LDA-SBX-XX-XX-DR-L-0200	Phase A - Public Realm and Landscape Detail Plan 01 - Plot J	P02
AVL-LDA-SBX-XX-XX-DR-L-0201	Phase A - Public Realm and Landscape Detail Plan 02 - Town Square	P02
AVL-LDA-SBX-XX-XXDR-L-0202	Phase A - Public Realm and Landscape Detail Plan 03 - Plot H	P02
AVL-LDA-SBX-XX-XX-DR-L-0203	Phase A - Public Realm and Landscape Detail Plan 04 - Plot I	P02
AVL-LDA-SBX-XX-XX-DR-L-0204	Phase A - Public Realm and Landscape Detail Plan 05 - Leven Road Open Space	P02
AVL-LDA-SBX-XX-XX-DR-L-0205	Phase A - Public Realm and Landscape Detail Plan 06 - Braithwaite Park	P02
AVL-LDA-SBX-XX-XX-DR-L-0206	Phase A - Roof Terraces GA 01 - Plot F and H3	P02
AVL-LDA-SBX-XX-XX-DR-L-0207	Phase A - Roof Terraces GA 02 - Plot I	P02
AVL-LDA-SBX-XX-XX-DR-L-0300	Phase A - Sections 01 - Town Square	P02
AVL-LDA-SBX-XX-XX-DR-L-0301	Phase A - Sections 02 - The High Street & Kirkmichael Road	P02
AVL-LDA-SBX-XX-XX-DR-L-0304	Phase A - Sections 06 - Allotment Gardens	P02
AVL-LDA-SBX-XX-XX-DR-L-0305	Phase A - Sections 07 - Roof Terraces	P02
AVL-LDA-SBX-XX-XX-DR-L-0306	Phase A - Sections 08 - Block I	P02

<b>DOCUMENTS - OUTLINE PROPOSALS</b>	
Development Specification Revision I (November 2023)	prepared by DP9
Design Code Revision D (November 2023)	prepared by Levitt Bernstein
<b>DOCUMENTS SUBMITTED IN SUPPORT OF THE DEVELOPMENT</b>	
Supporting Document	Author
Cover letter (November 2023)	DP9
Application form (November 2023)	DP9
Ownership Certificate (October 2022)	DP9
CIL Additional Information Form: Outline Proposals B-D (October 2023)	
Planning Statement inc. Draft s.106 Heads of Terms - Revision O (November 2023)	DP9
Affordable Housing Statement (November 2023)	DS2
Financial Viability Assessment (October 2021)	DS2
Affordable Housing Viability Updated Appraisal Letter (November 2023)	DS2
Design and Access Statement: The Masterplan - Revision B (August 2022)	Levitt Bernstein and LDA Design (with Inclusive Design chapter prepared by Lord Consultants)
Design and Access Statement: The Masterplan Addendum – Revision E (November 2023)	Levitt Bernstein and LDA Design
Existing buildings plan/context plans	Levitt Bernstein as listed in the drawing section below
Illustrative Landscaping Plans	LDA Design as listed in the drawing section below
Decant Strategy – Revision C (November 2023)	Poplar HARCA
Retail Impact Assessment (August 2022) + Statement of Conformity (November 2023)	AND
Commercial Strategy (August 2022) + Statement of Conformity (November 2023)	AND
Construction Environmental Management Plan Revision A (April 2022) + Statement of Conformity (November 2023)	Blue Sky Buildings
Waste Management Strategy - Version 2.1 (January 2023) + Statement of Conformity (November 2023)	Velocity
Outline Site Waste Management Plan – Version 1.0 (September 2022) + Statement of Conformity (November 2023)	Velocity
Statement of Community Involvement (August 2022) + Addendum (November 2023)	Lowick
Statement of Community Involvement Part 2: Children and Youth Engagement (October 2021)	ZCD Architects

Energy Assessment – P8 - (November 2023) Overheating Assessment is included as an appendix	Meinhardt
Drainage Strategy Report (October 2022) + Statement of Conformity (November 2023)	Meinhardt
Sustainability Statement– November 2023)	Greengage
Equalities Impact Assessment (January 2023) + Statement of Conformity (October 2023)	Greengage
Tree Survey and Arboricultural Impact Assessment (October 2021)	Arbeco
Arboricultural Addendum (April 2022)	Tim Moya Associates
Arboricultural Addendum (October 2022)	Tim Moya Associates
Arboricultural Report - CAVAT Assessment (December 2022)	Tim Moya Associates
Circular Economy Statement (December 2023)	Greengage
Whole life-cycle Carbon Assessment with accompanying spreadsheet - (November 2023)	Greengage
Preliminary Ecological Appraisal (October 2021) + Addendum (November 2023)	Greengage
Ecology Addendum Letter (November 2023)	
Urban Greening Factor Assessment (October 2021) + Addendum (November 2023)	Greengage
A Habitat Regulations Assessment Screening letter (August 2022) + Addendum (November 2023)	Greengage
BREEAM Ecology Assessment (April 2022)	Greengage
Biodiversity Impact Assessment (October 2021) + Addendum (November 2023)	Greengage
Bat Survey Report (August 2022) + Addendum (November 2023)	Greengage
Flood Risk Assessment and included as part of the Environmental Statement as an appendix (November 2023)	Parmabrook
Fire Statement: Outline Proposals and form (November 2023)	Elementa
Utilities and Foul Sewage Assessment (October 2022)	Meinhardt
Aviation Safeguarding Assessment (November 2023)	KL Grant Consulting
Tall Buildings Statement Revision C (November 2023)	Levitt Bernstein and DP9
Transport Assessment with appendices: Framework Travel Plan, Delivery and Servicing Plan and Outline Parking Design and Management Plan (April 2022) + Statement of Conformity (November 2023)	Velocity

Internal Daylight, Sunlight and Overshadowing Report Revision D (November 2023)	GIA
Documents submitted in support of the Detailed Proposals	
Design and Access Statement: Detailed Proposals - Revision B (October 2022)	Morris and Co and LDA Design (with Inclusive Design chapter prepared by Lord Consultants)
Design and Access Statement: Detailed Proposals Addendum Revision B (November 2023)	Morris and Co and LDA Design
Existing and proposed drawings as detailed in the drawings section below.	Morris and Company
Lighting Impact Assessment Revision P3 (August 2022)	Equation Lighting Design Limited
CIL Additional Information Form: Detailed Phase A Proposals (October 2023)	
Fire Statement: Detailed Proposals and form (November 2023) Blocks F, H & I - Stage 3 Fire Strategy	Elementa
Updated Document - (November 2023) Block J - Stage 3 Fire Strategy	
Pre-Demolition Audit (v1.0 September 2022) + Statement of Conformity (November 2023)	Velocity
EIA submitted in support of the Development	
Volume 1	
Chapter 1: Introduction	Trium
Chapter 2: EIA Methodology	Trium
Chapter 3: Reasonable Alternatives and Design Evolution	Trium
Chapter 4: The Proposed Development	Trium
Chapter 5: Demolition and Construction	Blue Sky Buildings
Chapter 6: Socio-Economics	Hatch
Chapter 7: Traffic and Transport	Velocity
Chapter 8: Air Quality	Entran
Chapter 9: Climate Change	Greengage
Chapter 10: Noise and Vibration	Entran
Chapter 11: Water Resources, Flood Risk and Drainage	Meinhardt
Chapter 12: Archaeology	TVAS
Chapter 13: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare	GIA
Chapter 14: Wind Microclimate	RWDI
Chapter 15: Effect Interactions	
Chapter 16: Likely Significant Effects and Conclusions	Trium
Chapter 17: Mitigation and Monitoring	Trium
Chapter 18: Glossary and Abbreviations	Trium
Volume 2	
Part 1: Townscape and Visual Impact Assessment	Peter Stewart

Part 2: Built Heritage Assessment	KM Heritage
Volume 3	
Appendix to Chapter 1: Introduction Annex 1: EIA Wayfinding Annex 2: Statement of Competence	Trium
Appendix to Chapter 2: EIA Methodology Annex 1: EIA Scoping Report Annex 2: EIA Scoping Opinion Annex 3: EIA Scoping Opinion Response Annex 4: Cumulative Schemes list and Map Annex 5: Cumulative Schemes Assessment Matrix Annex 6: Phase 1 Ground Conditions Report	Trium
Appendix to Chapter 5: Demolition and Construction Annex 1: Outline Construction Environmental Management Plan (CEMP)	Blue Sky Buildings
Appendix to Chapter 6: SocioEconomics Annex 1: Socio-economics Planning Policy Context Annex 2: Education and Healthcare Facilities within Local Impact Area	Hatch
Appendix to Chapter 8: Air Quality Annex 1: Glossary Annex 2: Traffic Data Annex 3: Model Verification Study	Entran
Appendix to Chapter 9: Climate Change Annex 1: TRIUM Climate Change Technical Note	Greengage
Appendix to Chapter 10: Noise and Vibration Annex 1: Introduction to noise Annex 2: Glossary of Terms Annex 3: Legislation, Policy and Guidance Annex 4: Unattended Survey Results – P1 Annex 5: Unattended Survey Results – P2 Annex 6: Unattended Survey Results – P3 Annex 7: Unattended Survey Results – P4 Annex 8: Statistical Analysis of Background Sound Levels – P1 Annex 9: Statistical Analysis of Background Sound Levels – P2 Annex 9: Statistical Analysis of Background Sound Levels – P2 Annex 10: Statistical Analysis of Background Sound Levels – P3 Annex 11: Statistical Analysis of Background Sound Levels – P4 Annex 12: Daytime Noise Contour, 1.5m Annex 13: Night-time Noise Contour, 1.5m Annex 14: ANC Acoustics Ventilation and Overheating Risk Categories Annex 15: Traffic Data	Entran
Appendix to Chapter 11: Water Resources, Flood Risk and Drainage Annex 1: Flood Risk Assessment Annex 2: Drainage Strategy; Annex 3: Thames Water – Potable Water Supply Correspondence Annex 4: SuDS Profoma	Meinhardt

Appendix to Chapter 12: Archaeology Annex 1: Archaeological Desk Based Assessment	TVAS
Appendix to Chapter 13: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare Annex 1 Planning Policy Annex 2 Methodology and Baseline Results Annex 3 Scenario Overviews and Window Maps Annex 4 Daylight and Sunlight Results Annex 5 Overshadowing Results Annex 6 Solar Glare Results	GIA
Appendix to Chapter 14: Wind Microclimate prepared by Annex 1 : Policy and Guidance Annex 2 : Technical Appendix	RWDI
Appendix to Built Heritage Annex 1: Built Heritage Statement	KM Heritage
Environmental Statement: Non-technical Summary	Trium
Supporting environmental reports	
Health Impact Assessment (April 2022)	Hatch
Health Impact Assessment Statement of Conformity (November 2022)	Hatch
Health Impact Assessment Statement of Conformity (November 2023)	Hatch
Environmental Statement Addendum (April 2022)	Trium
Environmental Statement of Conformity (November 2023)	Trium

## **NOTES TO APPLICANTS**

### **Statement of Applicant's Rights arising from the refusal of planning permission or from the grant of permission subject to conditions.**

If you are aggrieved by the decision of the local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the Planning Inspectorate, Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/government/organisations/planning-inspectorate>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

### **Purchase Notices and Compensation**

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subjects to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the land in accordance with the provision of Part IX of the Town and Country Planning Act 1990. In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal. These circumstances are set out in sections 169 and related provisions of the Town and Country Planning Act 1990.