



Planning Statement  
inc. Draft s.106 Heads of Terms  
Revision 0



Aberfeldy Village Masterplan

# PLANNING STATEMENT

Rev O - November 2023 – Updated Submission

DP9 Ltd.

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## **1. INTRODUCTION**

- 1.1 This Planning Statement has been prepared by DP9 Ltd and is submitted in support of a hybrid planning application for the Aberfeldy Village Masterplan (the “Hybrid Application”).
- 1.2 This report supersedes Revision N of the Planning Statement, dated February 2023, previously submitted in support of the Hybrid Application (LBTH Ref: PA/21/02377/A1 and GLA Ref: 2023/0300/S3) and should therefore be read on a standalone basis.
- 1.3 Following a resolution to refuse planning permission by the London Borough of Tower Hamlets (LBTH) Strategic Development Committee (SDC) in February 2023, and the subsequent direction that the Mayor of London will act as the local planning authority for the purposes of determining the Hybrid Application, the design of the scheme has been amended to accommodate second staircases in all buildings over 18m in height. Improvements have also been made to the Energy Strategy, Urban Greening Factor (UGF) and net gains in biodiversity.
- 1.4 For the sake of completeness only, it should be noted that the above referenced amendments follow previous amendments to the Hybrid Application, made prior to its consideration by the LBTH SDC, the assessments of which were set out within previous revisions of this Planning Statement. In summary the previously assessed changes were: the incorporation of Jolly’s Green within the red line boundary, the removal of the Block A3 and associated increase in open space and play space, an increase in the number of social/affordable rented family homes, and the inclusion of second staircases in Plots F & I.
- 1.5 Further information is set out within the accompanying Covering Letter (as prepared by DP9 Ltd, dated November 2023).
- 1.6 The hybrid planning application is made in relation to 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. (the “Site”). The application is submitted on behalf of Aberfeldy New Village LLP, a joint venture partnership between EcoWorld London and Poplar HARCA (“The Applicant”), to the London Borough of Tower Hamlets (“LBTH”).

- 1.7 The hybrid planning application is formed of detailed proposals in respect of Phase A for which no matters are reserved ("Detailed Proposals"), and outline proposals for the remainder of the Site, with all matters reserved ("Outline Proposals"). The Detailed Proposals and Outline Proposals together are referred to as the "Proposed Development".
- 1.8 The Proposed Development comprises the comprehensive redevelopment of the Site. The Proposed Development will provide new retail and workspace floorspace along with residential dwellings and the pedestrianisation of the existing A12 Abbott Road vehicular underpass to create a new east to west route, with a new vehicular junction provided at grade. The Proposed Development will also provide significant, high quality public realm, including a new Town Square, a new High Street and a number of public parks.
- 1.9 The planning application seeks permission for:

*Hybrid application seeking detailed planning permission for Phase A and Outline planning permission for future phases, comprising:*

*Outline planning permission (all matters reserved) for the demolition of all existing structures and redevelopment to include a number of buildings (up to 100m AOD) and up to 140,591sqm (GEA) of floorspace comprising the following mix of uses: Residential (Class C3); Retail, workspace, food and drink uses (Class E); Car and cycle parking; Formation of new pedestrian route through the conversion and repurposing of the Abbot Road vehicular underpass for pedestrians and cyclists connecting to Jolly's Green; Landscaping including open spaces and public realm; and New means of access, associated infrastructure and highway works.*

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

*This application is accompanied by an Environmental Statement.*

- 1.10 A full description of the Development is contained in the Development Specification, prepared by DP9 Ltd (dated November 2023). A summary description of the Development is contained in Chapter 5 of this Statement.
- 1.11 The planning application was considered by the LBTH Strategic Development Committee (SDC) in February 2023, where members resolved to refuse planning permission against the recommendation of planning officers. This is discussed in further detail in section 4 below. Subsequently, in May 2023 the Deputy Mayor of London directed that the Mayor

of London will act as the local planning authority for the purposes of determining the planning application for the following reasons:

- a) The proposed development would have a significant impact on the implementation of the London Plan, as set out below and within the abovementioned report; and,
- b) There are sound planning reasons for the intervention.

1.12 The Deputy Mayor had particular regard to the significant London-wide shortfall against the strategic housing and affordable housing targets, noting that the proposed development has the potential to make a substantial and positive contribution towards achieving local and strategic housing and affordable housing targets, and concluded that the proposed development would have an important and significant impact on the implementation of the London Plan.

#### **Structure of the Planning Statement**

1.13 The purpose of the Planning Statement is to assess the planning considerations associated with the Development in the context of national, regional and local planning policy and guidance. The Planning Statement comprises the following:

- Chapter 2 describes the Site and surroundings;
- Chapter 3 describes the planning history of the Site;
- Chapter 4 summarises the consultation process undertaken as part of the Proposed Development;
- Chapter 5 provides a description of the Proposed Development;
- Chapter 6 sets out the planning policy framework on which the Proposed Development is assessed;
- Chapter 7 assesses the Development against planning policy and guidance;
- Chapter 8 describes the anticipated phasing and implementation of the Development;
- Chapter 9 sets out the relevant planning obligations, Section 106 Heads of Terms and Community Infrastructure Levy;
- Chapter 10 outlines the benefits of the Proposed Development; and
- Chapter 11 provides a summary and conclusions.

## **Planning Application Documents**

- 1.14 This Statement should be read and considered in conjunction with a number of planning application documents, as set out in the Planning Application Documents and Drawings Schedule submitted with the application.
- 1.15 Due to the nature of the Proposed Development, an Environmental Impact Assessment has been formally scoped and undertaken in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **The Aberfeldy Village Masterplan Team**

- 1.16 The Applicant is a long-term stakeholder in LBTH and will remain so after the regeneration is complete. The wellbeing of the existing and future community is paramount, and the design has evolved to ensure the best possible outcomes for all stakeholders.
- 1.17 The Applicant is a joint venture partnership between EcoWorld and Poplar HARCA (which make up the Aberfeldy New Village LLP) and already have a strong delivery track record as a successful partnership as demonstrated by phases 1 to 3 of the Extant Permission which has already brought regeneration and benefits to Aberfeldy.
- 1.18 The Aberfeldy Village Masterplan has evolved over a number of years. The overarching masterplanners are Levitt Bernstein who were the masterplanners of the Extant Permission and have a strong understanding of the Site's context, having led on the regeneration of this area for over a decade. Levitt Bernstein have led on the overall Masterplan and the Outline Proposals. Central to the Proposed Development has been the landscape design which has been led by LDA Design who are the landscape architects for both the Outline and Detailed Proposals.
- 1.19 The Detailed Proposals are led by the architects, Morris and Company, who won a design competition and were selected by the Applicant. Morris and Company have worked closely alongside Levitt Bernstein, the masterplanners and LDA Design, the landscape architects for both the Outline and Detailed Proposals.

## 2. SITE CONTEXT

### THE SITE

- 2.1 The Site is located in Poplar, within the administrative boundary of the London Borough of Tower Hamlets (LBTH). The Site is 9.08 hectares (approximately 22.5 acres) in total, of which 6.5 hectares (approximately 16 acres) is the area of the Outline Proposals. The Site comprises existing residential, retail and Leven Road Open Space, Braithwaite Park and Jolly's Green have also been included for their enhancement.
- 2.2 The Site includes 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 (the "Site").
- 2.3 Part of the Site pertains to an "Extant Permission" for an outline planning permission, of which phases 1-3 have been completed. Further detail is provided in the Planning History Chapter of this Planning Statement.
- 2.4 The red line is shown in the submitted Existing Site Plan (reference: 3663 - LB - ZZ - 00 - DR - A - 000001) as shown below:

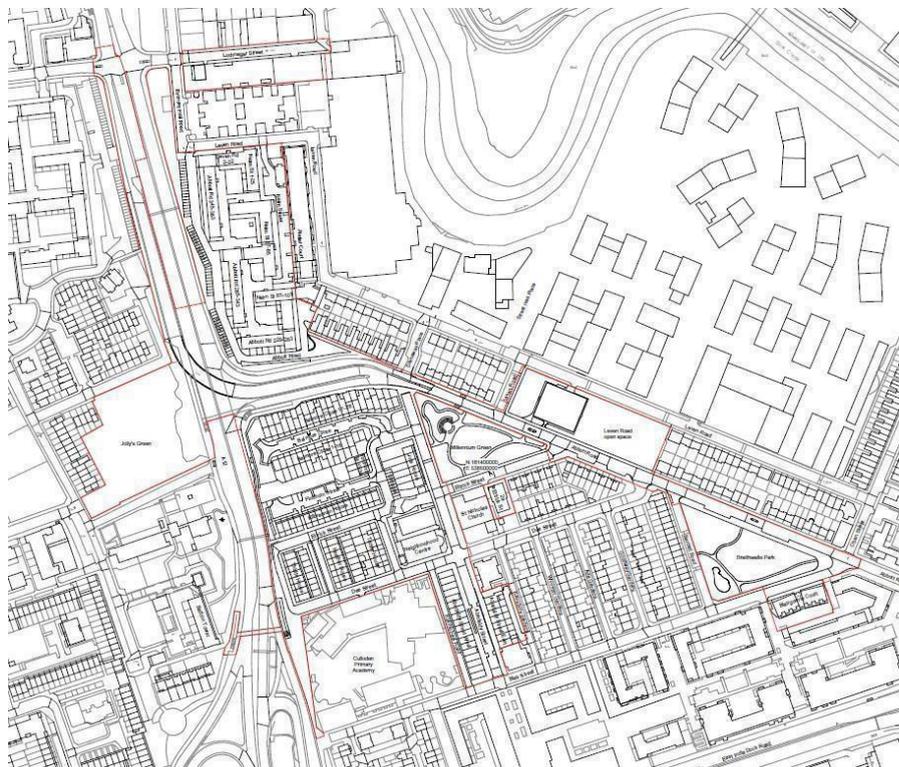


Figure 1: The Site with planning application boundary (shown in red)

2.5 Table 1 below sets out the existing buildings and land uses across the Site.

Land	Details
<b>Aberfeldy Street</b>	Two three storey residential blocks of flats with non-residential retail uses (E) on the ground floor fronting Aberfeldy Street to form the existing high street
<b>Balmore Close</b>	A cul-de-sac with two and three storey residential terraced houses
<b>Blairegowrie Court</b>	A six-storey residential block of flats
<b>Heather House</b>	A four-storey residential block of flats
<b>Jura House</b>	A four-storey residential block of flats
<b>Tartan House</b>	A three-storey residential block of flats
<b>Thistle House</b>	A four-storey residential block of flats
<b>Kilbrennan House</b>	A four-storey residential block of flats
<b>Nos. 33-35 Findhorn Street</b>	Two storey residential terraced houses
<b>Nairn Street Estate</b>	A series of three to four storey residential blocks of flats
<b>Lochnagar Street</b>	Vacant land.
<b>Abbott Road</b>	Existing road included for highway works and improvements
<b>Community Centre</b>	A single storey community centre which will be re-provided under Phase 3 of the Extant Permission
<b>2a Ettrick Street, the GP Surgery</b>	A two-storey building in use as a GP Practice which will be re-provided under Phase 3 of the Extant Permission. No works are proposed to this building as part of the Hybrid Application.
<b>384 Abbott Rd</b>	Poplar Works: individual studios that are let to designers and makers. No works are proposed to this building as part of the Hybrid Application.
<b>Leven Road Open Space, Braithwaite Park and Jolly's Green</b>	Existing green spaces included for their enhancement

Table 1: Description of the existing buildings and land within the Site

2.6 The table below sets out the existing floor areas across the Site.

Land Use	Total Floorspace (GIA sqm)
Residential (C3)	Approx. 29,490
Retail (E)	Approx. 1,514
Community Facilities (F2)	Approx. 577
<b>TOTAL</b>	<b>Approx. 31,581</b>

Table 2: Existing Land Use Areas to be demolished and excluding retained floorspace where no works are proposed (Poplar Works and the GP Surgery)

2.7 The table below sets out the existing homes across the Site.

Dwelling Size	Social Rent		Leaseholders/Freeholders	
	Homes	Hab Room	Homes	Hab Room
1 bed	39	78	8	16
2 bed	73	219	21	63
3 bed	123	492	45	180
4 bed	13	65	4	20
5 bed	2	12	0	0
6 bed	2	14	0	0
	<b>252</b>	<b>880</b>	<b>78</b>	<b>279</b>

Table 3: Existing Homes

2.8 There are 149 existing private car parking spaces and 92 public Controlled Parking Zone existing car parking spaces that would be directly affected by the Proposed Development.

### The Detailed Proposals

2.9 The following plots comprise the Detailed Proposals and form the first phase of the Proposed Development. These are Plot I, Plot H1-2 and H3, Plot F and Plot J.

### **Plot I**

- 2.10 Plot I is located on Blair Street, in the south eastern corner of the Site bounded by Braithwaite Park to the north, and residential blocks of flats built within Phase 1 of the Extant Permission to its east, south and west sides. A six-storey residential block of flats (Blairegowrie Court), currently exists on the Site.

### **Plot H1-2 and H3**

- 2.11 Plot H1-2 and H3 are located in the south of the Site on Aberfeldy Street, the location of the existing High Street. To the west of H1-2 is Culloden Primary School. To the south of H1-2 and H3 is Phase 3 of the Extant Permission which has recently been completed and will form the beginning of the High Street. Two three storey residential blocks of flats with non-residential retail uses (E) on the ground floor, fronting Aberfeldy Street, form the retail offer of the high street. The proposals for H1 and H2 also include areas of communal amenity space at ground level, with external bike storage provided to the rear onto Kirkmichael Road.
- 2.12 The Aberfeldy Islamic and Cultural Centre and Mosque is located on the high street on a temporary basis and was relocated there on a temporary basis as part of the Extant Permission.

### **Plot F**

- 2.13 Plot F is located opposite St. Nicholas's church and is located in the centre of the Site on Aberfeldy Street. The Aberfeldy Neighbourhood Centre, a single storey community centre currently exists on the Site, and this has been re-provided and delivered by the Applicant under Phase 3 of the Extant Permission.

### **Plot J**

- 2.14 Plot J is located in the most northern part of the Site on Lochnagar Street. Plot J is bounded by the Grade II listed Bromley Hall School to the south which is not included within the Site's red line boundary. The Site is currently vacant. To the west is existing community allotment land.

## **Leven Road Open Space and Braithwaite Park**

- 2.15 Leven Road Open Space and Braithwaite Park are publicly accessible open spaces accessed off Abbott Road and are in the eastern part of the Site. Their inclusion within the red line is for enhancement works only.

## **2a Ettrick Street, the GP Surgery**

- 2.16 A two-storey building adjacent to St. Nicholas's Church is in- use as a GP Surgery. No works are proposed to this building as part of the Hybrid Application. The tenant will be moving to its new location in Phase 3 of the Extant Permission imminently.

## **THE SURROUNDING AREA**

- 2.17 The land uses surrounding the Site are primarily residential, along with open spaces, and industrial buildings. In the past decade, the surrounding area has undergone significant change with the loss of the industrial/warehouse uses focused along the River Lea to the east of the Site and the redevelopment of these sites for mixed-use residential.

- 2.18 The local area has significant provision of green and open spaces, including:

- The green spaces of Aberfeldy, including Braithwaite Park, Leven Road Green and Millennium Green;
- Jolly's Green that sits within the western part of the Site;
- East India Green to the south of the Site delivered under the Extant Permission; and
- The new Poplar Riverside Park to the north east of the Site which will be delivered as part of the redevelopment of the former Leven Road Gas Works, currently under construction.

- 2.19 There are a number of new developments planned or under construction in Poplar, which include:

- Former Poplar Gas Works, Leven Road – Construction has begun on the first phase of this mixed-use scheme comprising residential, retail, leisure and the creation of the new Poplar Riverside Park. The Development could deliver up to 2,800 new homes.
- Former Poplar Bus Depot, Leven Road – Planning permission secured for 547 residential units and building heights of up to 20 storeys. Construction commenced in

Q4 2022. However, construction has been paused so that the scheme can be redesigned to incorporate a second staircase.

- Ailsa Wharf, Ailsa Street – Construction previously began on this mixed use scheme providing 785 residential units and building heights of up to 17 storeys. A revised application in relation to the site received a resolution to grant planning permission at the October meeting of the LBTH SDC (ref: PA/22/00210/A1). The revised proposals result in 952 residential units and an increase in the height of a number of the buildings proposed on the site to 23 storeys. The revised application has been considered as part of the updated submission in relation to Aberfeldy Village.
- Islay Wharf – Planning permission secured for 133 residential units and building heights of between 12 and 21 storeys. The site is currently for sale.

## **HERITAGE CONTEXT**

2.20 The Site is not located within a Conservation Area and there are no listed buildings within the Site.

2.21 Situated to the west of the Site is Balfroon Tower, designed by Erno Goldfinger, it is a Grade II\* listed building. Carradale House, also designed by Erno Goldfinger is a Grade II listed building and lies adjacent to the Site and Balfroon Tower.

2.22 Situated near but outside of the most northern part of the Site lies Bromley Hall School, a Grade II listed building.

2.23 The nearest conservation area to the Site is the Balfroon Tower Conservation Area to the west of the Site.

2.24 The Site is located within two locally designated borough views linked to Balfroon Tower:

- ‘Langdon Park towards Balfroon Tower’; and
- ‘East India Dock Road towards Balfroon Tower’.

## **ACCESSIBILITY**

## **Public Transport**

- 2.25 The existing site PTAL rating ranges between 3 and 4 (moderate to good). Langdon Park Station is located approximately 640m from the west of the Site and East India Station is located approximately 650m from the south of the Site. Both are served by London Underground (Docklands Light Railway services). Bromley-by-Bow Station is served by London Underground (Hammersmith & City Line) and is located approximately 950m from the north of the Site.
- 2.26 Bus service 309 routes through the Site and has five services per hour. A further three bus services (108, 115 and D8) can be accessed from the Site within a 10 minute walk.

## **Walking and cycling**

- 2.27 The local street network within the Site has an established network of footways typical of an urban environment that provide access to the nearby facilities, amenities and local bus stops. The A12 and A13, easily accessed from the Site are strategic roads that carry high levels of vehicular traffic and form a barrier to walking and cycling movements.
- 2.28 The Site currently lacks cycle infrastructure. Cycleway 3 forms the main strategic cycle route in the vicinity of the Site and provides a connection into Central London.
- 2.29 TfL's London Cycle Hire scheme includes a docking station on Aberfeldy Street.

## **Local Highway Network**

- 2.30 The Site is strategically located on the highway network close to central London, approximately one mile north of Canary Wharf. The Site's eastern edge lies adjacent to the A12 which connects north-east London to the Blackwall Tunnel which provides a link across the River Thames to south-east London. The Blackwall Tunnel is the only road crossing of the River Thames, between the Rotherhithe Tunnel to the west and the Queen Elizabeth Bridge in Dartford to the east. However, the Silvertown Tunnel which will link Silvertown to the Greenwich Peninsula is now under construction and is due to open in 2025. The Silvertown Tunnel will connect to the A1020 Silvertown Way/Lower Lea Crossing on the

north side and to the A102 Blackwall Tunnel Approach on the south side. It will help to reduce congestion at the Blackwall Tunnel by offering a nearby alternative.

- 2.31 Abbott Road provides access to the Site for vehicles and runs from north west to south east along the edge of the Site. Blair Street runs along the southern edge of the Site and is accessed off Abbott Road.
- 2.32 Dee Street intersects the Site west to east. Aberfeldy Street runs from north to south through the Site and serves as the high street.
- 2.33 Internal estate roads include Nairn Street, Abbott Road, Balmore Close, Findhorn Street, Ettrick Street, Dee Street and Kirmichael Road. Lochnager Street are also included within the Site.

### **3. PLANNING HISTORY**

- 3.1 This chapter highlights the key planning history records relevant to the Site.
- 3.2 Part of the Site pertains to an 'Extant Permission' for an outline planning permission. There are also a number of minor and historic applications for various alterations/extensions across the Site that relate to the existing buildings on the Site which are not mentioned further given their minor nature.

#### **Extant Permission**

- 3.3 The Extant Permission relates to the comprehensive regeneration of the Aberfeldy Estate including the demolition of all existing dwellings (297 units), the retail along Aberfeldy Street, and the Neighbourhood Centre. It proposed up to 1,176 dwellings, in 15 blocks between two and 10 storeys, and commercial floorspace for retail, community, faith and a health centre.
- 3.4 The Extant Permission comprises outline planning permission (ref: PA/11/02716/P0), which was granted on 20th June 2012, and authorised the following development:

*"Outline planning application (all matters reserved) for the mixed-use redevelopment of the existing Aberfeldy estate comprising: Demolition of 297 existing residential units and 1,990 sq m of non-residential floorspace, including shops (use class A1), professional services (use class A2), food and drink (use class A3 and A5), residential institution (use class C2), storage (use class B8), community, education and cultural (use class D1); and Creation of 1,176 residential units (Use Class C3) in 15 new blocks between 2 and 10 storeys in height plus 1,743sqm retail space (Use Class A1), professional services (Use Class A2), food and drink (Use Classes A3 and A5) and 1,786 community and cultural uses (Use Class D1) together with a temporary marketing suite (407sqm), energy centre, new and improved public open space and public realm, semi-basement, ground and on-street vehicular and cycle parking and temporary works or structures and associated utilities/services."*

3.5 This planning permission was amended by way of an application for minor material amendment under s.73 of the Town and Country Planning Act (Ref: PA/15/00002/S) to authorise the following development:

*“Minor Material amendment through variation of conditions No 3 (Approved Parameters Plans), 4 (Phasing Plan), 5 (Total Floor Space Areas) and 6 (Phase-by-phase Floor Space Areas), of Outline Planning Permission granted 20th June 2012 (Ref: PA/11/02716) “For the mixed-use redevelopment of the existing Aberfeldy estate comprising: Demolition of 297 existing residential units and 1,990 sq m of non-residential floorspace, including shops (use class A1), professional services (use class A2), food and drink (use class A3 and A5), residential institution (use class C2), storage (use class B8), community, education and cultural (use class D1); and Creation of 1,176 residential units (Use Class C3) in 15 new blocks between 2 and 10 storeys in height plus up to 1,743sqm retail space (Use Class A1), professional services (Use Class A2), food and drink (Use Classes A3 and A5) and 1,256sqm community and cultural uses (Use Class D1), health centre (Use Class D1), together with a temporary marketing suite (407sqm), energy centre, new and improved public open space and public realm, semi-basement, ground and on-street vehicular and cycle parking and temporary works or structures and associated utilities/services.”*

3.6 Since the grant of the amended Outline Permission there have been several applications for non-material amendments under s.96A of the Town and Country Planning Act (s.96A) to amend the amended Outline Permission (Ref: PA/15/00002/S).

#### **Reserved Matters pursuant to the extant permission**

3.7 Phases 1 to 3 of the extant permission have each had reserved matters applications approved and these phases have subsequently been built out and completed.. These are each detailed below.

3.8 In June 2012, permission was granted for the reserved matters for Phase 1 (PA/11/03548/P1) pursuant to the Outline Permission (PA/11/02716/P0).

3.9 In March 2014, permission was granted for the reserved matters for Phase 2 (PA/13/01844/P2) pursuant to the Outline Permission (PA/11/02716/P0).

3.10 In August 2015, permission was granted for the reserved matters for Phase 3 (PA/15/01826/P3) pursuant to the Amended Outline Permission (PA/15/00002/S).

**Summary of what has been delivered to date**

3.11 Phases 1 to 3 have now been built out and have delivered the following under the extant permission:

- a) *901 new homes*
- b) *29% affordable homes by habitable room or 9.18% affordable homes by habitable room on the uplift*
- c) *New larger Community Centre with improved facilities*
- d) *Larger modern Health Centre*
- e) *A pharmacy*
- f) *New retail floorspace*
- g) *New energy centre*
- h) *New and enhanced high quality open space including play-space and a linear park*
- i) *Heights: 2 to 10 storeys*
- j) *Parking ratio: 0.2 spaces*

## **4. PRE-APPLICATION DISCUSSIONS & CONSULTATION**

- 4.1. This Chapter provides a detailed description of the statutory consultation process undertaken in advance of the submission of the hybrid application to LBTH in October 2021, including the pre-application process with LBTH; the Greater London Authority (GLA): Transport for London (TfL); and other consultees. It also summarises the public consultation exercise set out in detail in the Statement of Community Involvement documentation.
- 4.2. The Statement of Community Involvement, prepared by Lowick explains all public consultation carried out during the pre-application stage, together with how the application submitted responds to the issues raised.
- 4.3. The *'Statement of Community Involvement Part 2: Children and Youth Engagement'* prepared by ZCD Architects focuses on the consultation carried out with young people during the pre-application stage.

### **EIA Scoping Request**

- 4.4. Due to the nature of the Proposed Development, an Environmental Impact Assessment has been formally scoped and undertaken in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Scoping Opinion was requested from the Council on 12th August 2021 (reference: PA/21/01820/NC) and LBTH issued their Scoping Opinion on the 8<sup>th</sup> September 2021.

### **Mayor Referral**

- 4.5. The application is referable to the GLA as it exceeds the relevant thresholds set out in The Town and Country Planning (Mayor of London) Order 2008. Accordingly, the GLA were involved in formal pre-application discussions with the Applicant and LBTH from an early stage.

### **Pre-application Discussions**

- 4.6. Pre-application discussions have been held with the Council and the GLA on the evolving masterplan since 2019.

- 4.7. The evolving masterplan was presented to the LBTH's Conservation and Design Advisory Panel (CADAP) on 12<sup>th</sup> July 2021 and 9<sup>th</sup> August 2021 and two sets of comments were issued in response to these presentations. Feedback from panel members was very positive, who noted the ambition of the proposals and who agreed in their first set of comments *"the height of the taller buildings was good" and there were "clear and strong urban design principles that lay at the heart of the masterplan, noting that the 4 fingers running north to south were an extremely positive move."* The conclusion within the final comments issued states that panel members *"were impressed by the quality of the work and supportive of the excellent and exciting proposals."*
- 4.8. Pre-application meetings on the evolving masterplan were held regularly with LBTH at both a strategic and detail orientated level following the Estate Regeneration Pathway process promoted by LBTH. This included a presentation to the Regeneration Board and regular Regeneration Pathway meetings with senior officers. The principal pre-application meeting topics included:
- Planning Policy and Land Use;
  - Design and Townscape;
  - Transport; and
  - Open spaces and Public Realm.
- 4.9. Consultation also took place with other statutory consultees including Historic England and TfL.
- 4.10. Due to the nature of the Proposed Development, the Applicant worked particularly closely with TfL and met regularly for pre-application discussions focussed on the formation of the new pedestrian route through the conversion of the existing vehicular underpass, alongside the associated provision of a new vehicular junction onto the A12 at grade. TfL have recognised and supported the opportunity provided by the closure of the underpass to through traffic and recognised the transformational change it could deliver for the area.

## **Representations to Planning Policy**

- 4.11. The Applicant has engaged in statutory consultation exercises for a number of emerging policy documents including the emerging Local Plan, draft Leaside Area Action Plan, the draft Tall Buildings SPD, the adopted High Density Living SPD and the adopted Planning Obligations SPD. The Applicant has submitted representations as a key stakeholder with substantial land interests in Tower Hamlets and London with a view to promoting development at Aberfeldy and raising the profile of key local issues such as addressing the severance caused by the A12.

## **Community Consultation**

- 4.12. The Applicant is a long-term stakeholder in LBTH and will remain so after the regeneration is complete. The wellbeing of the existing and future community is paramount, and the design has evolved to ensure the best possible outcomes for all stakeholders.
- 4.13. Community consultation has been at the core of the evolution of the Aberfeldy Village Masterplan and has been ongoing for a number of years from the beginning of the Extant Permission, through to the linked reserved matters applications and then through to the consultation on the Estate Regeneration ballot and consultation on the evolution of the Proposed Development.
- 4.14. The community consultation has been exemplary and extensive in nature in line with the principles set out within the Mayor of London's *'Better Homes for Local People – The Mayor's Good Practice Guide to Estate Regeneration'* (2018) and is described in greater detail below.

### Residents Ballot on the principle of Estate Regeneration

- 4.15. A listening exercise was begun in June 2019 to understand residents' priorities for the area. The overwhelming response was a desire for regeneration and this was reflected by the result of the Estate Regeneration ballot.
- 4.16. The Residents Offer (Landlord Offer) to which the Residents Ballot on the principle of Estate Regeneration was predicated on is appended to the Decant Strategy submitted in support of the Hybrid Application.

- 4.17. An independently administered and GLA compliant ballot was held in September 2020. On a 91.1% turnout, 93.1% of residents endorsed the principle of regeneration.

#### Resident Steering Group (RSG)

- 4.18. The Resident's Steering Group (RSG) was set up to manage communications between the project team and residents and to represent the matters and concerns of the community on the estate. The RSG has had a major say in decisions about the regeneration and have been involved throughout the process and will continue to be as the plans are brought forward.
- 4.19. Residents have been proactively supported to help shape the evolving Aberfeldy Village Masterplan and have been engaged with openly and meaningfully.
- 4.20. Workshops with the RSG have helped to shape the Proposed Development and the design of the new homes.

#### Public Consultation on the Proposed Development

- 4.21. The Applicant's Consultation Strategy has been informed by the principles set out within the Mayor of London's *'Better Homes for Local People – The Mayor's Good Practice Guide to Estate Regeneration'* (2018), where in Section 3, titles 'Full and Transparent Consultation and Involvement' key principles are set out.
- 4.22. Every reasonable effort has been made to engage with as broad a range of groups as possible, including primarily the residents of the estate but also with those residents living nearby.
- 4.23. In accordance with the recommendations outlined in the document, the Applicant utilised a whole host of consultation techniques to promote the proposals and to obtain feedback. This included an independently administered estate regeneration ballot, the creation of a dedicated Commonplace website, door-to-door conversations, social media advertising, as well as providing residents with the autonomy to select their own independent tenant and leaseholder advisors (ILTA's), paid for by the landlord. All consultation materials could also be requested in another language or in a larger print, to ensure this exercise was as inclusive as possible.

- 4.24. It is clear consultation on the Masterplan has been extensive and ongoing. From the start, the consultation process has informed the design team of local community objectives, aspirations and expectations. The public consultation, in particular with the RSG, has been integral to the design process.
- 4.25. A joint public consultation event was held between the Applicant and LBTH Planning Officers, called a Community Forum event and this was held virtually in the evening on 6<sup>th</sup> September 2021.
- 4.26. A consultation hub was set up at 43 Aberfeldy Street, on the High Street and called the 'Your Future Aberfeldy' shop. The venue was open throughout July and August on Mondays (8am-6pm) and Wednesdays (12pm-8pm), so residents were able to drop in, review the plans, meet members of the project team and provide feedback. Pull-up panels displaying the latest scheme information were on display and residents were encouraged to post their ideas on naming the new streets and square. A standing open invitation to all the community remains, to be able visit the consultation hub.
- 4.27. A public consultation event was held at the Aberfeldy Neighbourhood Centre on Saturday, 4<sup>th</sup> September 2021 where the latest proposals were on display, including a physical model. Members of the project team were on hand to answer any questions and attendees were encouraged to complete a survey on the proposals.
- 4.28. The Aberfeldy Village Masterplan website <https://www.poplarharca.co.uk/new-homes-regeneration/development-projects/project/aberfeldy-village/> provides information on the project and can be used to follow the consultation process, view presentations, tells residents how they can give feedback and download reports. The consultation process will continue throughout the determination of the application and beyond.
- 4.29. In August 2022 a newsletter was distributed to surrounding neighbourhood (goes to 1,500 residents), updating on community news/initiatives and previous phases of the original masterplan, and again in February 2023.
- 4.30. In April 2023 a further newsletter was distributed to surrounding neighbourhood, updating on GLA call-in, as well as updates on milestones concerning the original masterplan.

4.31. In November 2023 a letter will be sent informing residents and stakeholders of the amendments being submitted to the application and promoting a series of information events to be held in early December 2023.

#### Youth Engagement

4.32. In tandem, a unique and pioneering approach of consulting with young people has been undertaken to ascertain their priorities and aspirations for the area.

4.33. The Youth Engagement was led by ZCD Architects and their work is described in detail within their report '*Statement of Community Involvement Part 2: Children and Youth Engagement*'.

#### Community Groups

4.34. The Aberfeldy Big Local are a local community group representing those who live in the local area.

4.35. The landscape architects, LDA Design, have worked alongside the Aberfeldy Big Local who have led on the public consultation for Aberfeldy's green spaces (Braithwaite Park, Leven Road Open Space and Millennium Green). The Aberfeldy Big Local have written a brief, informed by the public consultation exercise which they led on, for the Landscape Architects, LDA Design, to design the landscaping proposals to.

#### **Key Themes from the Consultation Process**

4.36. A wide range of themes have emerged throughout the consultation process, including:

- Recognition that the area will be redeveloped and undergo change;
- The proposed repurposing of the existing vehicular underpass under the A12 and its impact on traffic movements;
- The delivery of affordable housing; and
- The timescales associated with the project and when new homes will be delivered.

4.37. The Proposed Development has been strongly supported by the local community, with 88% strongly supporting or supporting the ambitions and principles of the masterplan in the second round of consultation undertaken this summer. Similarly, the delivery of new

affordable homes has been welcomed with 91% strongly supporting or supporting this. Respondents have recognised and stated that the Proposed Development will help tackle some of the existing socio-economic challenges in the area, namely a chronic shortage of good quality and affordable housing, poor connections on and off the estate.

4.38. Full details of the consultation process, the outputs, feedback and extent to which it informed the Proposed Development is included in the *'Statement of Community Involvement'* and associated Addendum prepared by Lowick and the *'Statement of Community Involvement Part 2: Children and Youth Engagement'*, prepared by ZCD Architects, which are submitted in support of the hybrid application. The Applicant will continue to engage proactively with the community throughout the future stages of the Proposed Development.

#### **LBTH Strategic Development Committee (SDC)**

4.39. The planning application submitted in November 2021 was considered by the LBTH SDC on 23 February 2023. The Committee resolved to refuse planning permission, against the recommendation of planning officers that planning permission should be granted.

4.40. The Council's draft decision notice sets out the following reasons for refusal:

- **Reason 1:** *The proposed repurposing of the Abbott Road vehicular underpass does not adequately address deficiencies in the provision of strategic infrastructure to support the inclusion of tall buildings within the masterplan outside of a Tall Building Zone and as such is contrary to Policy D.DH6 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*
- **Reason 2:** *The proposed development would provide an affordable housing offer of 38.8% of which only 23.5% would be uplift provision. Notwithstanding the viability of the scheme the weight afforded to this does not outweigh the identified harm associated with the development which include the deficiencies in the provision of strategic infrastructure, the density and overdevelopment of the scheme, traffic related impacts and the absence of sufficient children's play space and public open space provision. The proposed development therefore does not maximise the opportunity address the acute need for affordable housing in the Borough and to deliver mixed and inclusive communities, and notwithstanding the regeneration*

*proposed by the development, the affordable housing provision is considered contrary to Policies DF1 and H4 of the London Plan 2021 and Policies S.H1 and D.H2 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*

- **Reason 3:** *The proposed repurposing of the Abbott Road vehicular underpass and closure of the underpass to motor vehicles will displace traffic to local roads within the Aberfeldy Estate and its surrounds and detrimentally impact on the flow of traffic on the local highway network, contrary to Policy D.TR2 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits.*
- **Reason 4:** *The proposed development by virtue of its excessive height, scale and massing will result in an overly dense and overbearing form of development that results in unacceptable loss of daylight and sunlight to neighbouring residential buildings at Atelier Court and Leven Road Phase Three. The proposed development therefore fails to respect local distinctiveness and demonstrates symptoms of overdevelopment and excessive density resulting in detrimental impact to the living standards and amenities enjoyed by existing neighbouring residential occupiers, contrary to Policies D3, D6 and D9 of the London Plan 2021 and Policy DH8 of The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020) and the Tower Hamlets High Density Living SPD (December 2020).*
- **Reason 5:** *The proposed development fails to provide sufficient new public open space in an Area of Deficiency of Access to Nature to support the density, scale and magnitude of development proposed thus resulting in an unsustainable form of development that does not adequately address the needs of existing and future residents, contrary to Policies, G1 and G4 of the London Plan 2021, Policies S.OWS1, D.OWS3 and S.SG1 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020), the Tower Hamlets High Density Living SPD (December 2020) and the National Planning Policy Framework (2021).*
- **Reason 6:** *The proposed development fails to provide sufficient dedicated children's play provision to support the density, scale and magnitude of development proposed thus resulting in an unsustainable form of development that does not adequately address the needs of existing and future residents, contrary to Policy S4 of the London Plan 2021 and Policy D.H3 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*

- **Reason 7:** *In the absence of a legal agreement to secure policy compliant financial and non-financial contributions including for affordable housing, employment, skills, training and enterprise, transport matters, public realm improvements including contributions towards, bus priority measures, active travel zone, and carbon offsetting contribution, the development fails to mitigate its impact on local services, amenities, infrastructure and environment. This is contrary to the requirement of policy DF1 of the London Plan, policy D.SG5 of the Tower Hamlets Local Plan 2031, and Planning Obligations Supplementary Planning Document (2021).*

4.41. A detailed response to the reasons for refusal is provided at **Appendix A** to this Planning Statement.

#### **Mayor of London Stage 2 Referral**

4.42. In May 2023, Jules Pipe (Deputy Mayor for Planning, Regeneration and Skills) directed that the Mayor will act as the local planning authority for the purposes of determining the planning application. His reasons stated in the Stage 2 letter to LBTH dated 2 May 2023 (Ref: 2022/0193/S2) are as follows:

- a) The proposed development would have a significant impact on the implementation of the London Plan, as set out below and within the abovementioned report; and,
- b) There are sound planning reasons for my intervention, as set out below and within the above-mentioned report.

4.43. The Stage 2 letter and accompanying report state that the proposed development has potential to make an important contribution to housing and affordable housing supply in response to London Plan Policies H1 and H4. As such, the development is of a nature and scale that it would have a significant impact on the implementation of the London Plan.

4.44. The letter and report also state that the scheme will deliver new retail and employment workspaces, including affordable workspace, and has the potential to improve strategic connections through the repurposing of the underpass for pedestrians and cyclists, overcoming the physical barriers to movement created by the A12.

## 5. THE DEVELOPMENT PROPOSALS

### Description of the Proposed Development

5.1. The Application takes the form of a hybrid application whereby Phase A (“Detailed Proposals”) is submitted in detail and the remainder of the Masterplan is submitted in outline (“Outline Proposals”). Together the Detailed Proposals and the Outline Proposals form the ‘Proposed Development’.

5.2. Planning permission is sought for the following:

*“Hybrid application seeking detailed planning permission for Phase A and outline planning permission for future phases, comprising:*

*Outline planning permission (all matters reserved) for the demolition of all existing structures and redevelopment to include a number of buildings (up to 100m AOD) and up to 140,591sqm (GEA) of floorspace comprising the following mix of uses:*

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

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

5.3. The application seeks approval of the parameters for the Outline Proposals. The parameters for the Outline Proposals are detailed within the Development Specification, the Parameter Plans and the Design Code.

5.4. The application seeks to reserve all matters for the Outline Proposals, however, a sufficient level of detail has been provided in accordance with the Town and Country

Planning (Development Management Procedure) Order 2015 and Planning Practice Guidance (PPG) Paragraph 006 Reference 14-006-20140306. Matters for future determination are:

- ‘Access’ – the accessibility to and within the Site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- ‘Appearance’ – the aspects of a building or place within the Proposed *Development* which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- ‘Landscaping’ – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the Site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
- ‘Layout’ – the way in which buildings, routes and open spaces within the Proposed *Development* are provided, situated and orientated in relation to each other and to buildings and spaces outside the Proposed Development.
- ‘Scale’ – the height, width and length of each building proposed within the Proposed Development in relation to its surroundings.

### **The Need for Flexibility**

- 5.5. The form of the application reflects the nature of the scheme. The Proposed Development comprises a mix of uses which will be built out over a prolonged period of time and will encounter market fluctuations, full economic cycles and demand pressures. The need for flexibility is therefore paramount to allow the Proposed Development to respond to changing needs and patterns as future phases come forward for development.

5.6. The detailed design of the Outline Proposals will come forward as part of future Reserved Matters Applications.

**Amount**

*The Detailed Proposals*

5.7. Detailed Proposals are submitted in respect of Phase A which includes Plots F, H1-2 and H3, I and J for which no matters are reserved. In addition to the documents submitted for the Outline Proposals, a suite of detailed planning application documents is submitted for the Detailed Proposals, as set out in the Planning Application Document Schedule.

5.8. The proposed total floorspace (GEA) by land use for the Detailed Proposals is set out in Table 4 below:

Land Use	Use Class	Plot F (GEA Sqm)	Plot H (GEA Sqm)	Plot I (GEA Sqm)	Plot J (GEA Sqm)	TOTAL
Retail	E	253	1,072	-	-	<b>1,324</b>
Temporary marketing suite	Sui Generis/E	317	-	-	-	<b>317</b>
Residential	C3	9,552	12,031	5,456	3,200	<b>30,239</b>
<b>TOTAL</b>	-	<b>10,122</b>	<b>13,103</b>	<b>5,456</b>	<b>3,200</b>	<b>31,881</b>

*Table 4: Total GEA Floorspace by use class within the Detailed Proposals (Note: Minor discrepancy in total result of figures being rounded)*

*The Outline Proposals*

5.9. The application seeks a total maximum 140,591sqm GEA floorspace for the Outline Proposals. Table 5 defines the maximum floorspace (GEA) for each category of land use proposed for the Outline Proposals.

5.10. The proposed total floorspace (GEA) by land use for the Outline Proposals is set out in Table 5 overleaf:

Use	Use Class	Phase B GEASQM	Phase C GEASQM	Phase D GEASQM	MAXIMUM GEA CAP BY USE (SQM)
Retail	E	395	-	721	<b>1,116</b>
Workspace	E	895	1,707	-	<b>2,602</b>
Residential	C3	56,651	57,296	20,329	<b>134,276</b>
Podium parking	C3	697	1,900	-	<b>2,597</b>
<b>MAXIMUM GEA CAP PER PHASE (SQ M)</b>	-	<b>58,638</b>	<b>60,904</b>	<b>21,050</b>	
<b>TOTAL MAXIMUM GEA CAP (SQ M)</b>					
		<b>140,591</b>			

Table 5: GEA Floorspace Parameters by Phase and use class within the Outline Proposals

#### Minimum Delivery Targets

5.11. The Applicant is committing to deliver a minimum amount of retail, office and residential provision to ensure that the regional and local policy aspirations for the Site and the Masterplan are met. On this basis, the following minimum delivery targets will be secured once the Proposed Development as a whole has been completed:

- A minimum of 1,539 residential dwellings (including affordable housing);
- A minimum of 2,569 sqm GEA of Use Class E workspace floorspace; and
- A minimum of 2,441 sqm GEA of Use Class E retail floorspace.

#### Height and Massing

5.12. The proposed heights vary across the Site with the tallest building proposed at 100m AOD. Heights in the illustrative masterplan reach up to 28 storeys, promoting visual interest and in consideration of locally designated borough views.

5.13. Table 6 overleaf outlines the maximum heights and storeys of the Proposed Development with the Detailed Proposals coloured in blue. The heights have been devised to ensure that the Proposed Development is optimised whilst respecting each plot's context.

Plot	Maximum height AOD	Storey heights
Plot I	39.38	11
Plot H1-2	30.87	8
Plot H3	25.17	6
Plot F	42.73	12
Plot J	26.9	6
Plot E1-3	43.5	10
Plot D1-4	39	9
Plot C1-4	84	24
Plot B1-2	83.5	24
Plot B3	100	28
Plot B4	13.5	3
Plot B5	19	3
Plot C5	18	3
Plot C6	18.5	3
Plot A1-2	49.5	12

Table 6: Maximum AOD and storey heights

### Proposed Land Uses

5.14. Table 7 below provides an indicative summary of each Building Plot. The Plots shaded in blue form part of the Detailed Proposals.

Development Plot	Indicative Summary Description
Plot I	Residential (C3) block of flats. Parking and plant is provided.
Plot H1-2	Residential (C3) block of flats lining the west side of Aberfeldy Street with non-residential retail uses (E) on the ground floor to form the high street. Areas of communal amenity space will be provided within the ground floor level, with external bicycle storage provided on Kirkmichael Road. Plant will also be provided.
Plot H3	Residential (C3) block of flats lining the east side of Aberfeldy Street with non-residential retail uses (E) on the ground floor to form the high street. Plant will also be provided.
Plot F	Residential (C3) building marking the new town square. Non-residential retail uses (E) will be provided on the ground floor and front the new Town Square. A temporary marketing suite which will be converted to retail (E) when no longer required is also provided. Parking and plant will also be provided.

Plot J	Residential (C3) terraced houses and a block of flats. Plant will also be provided.
Plot E1-3	Residential (C3) courtyard building with communal amenity space. Non-residential workspace uses (E) will be provided on the ground floor along the Enterprise Yard frontage. Parking and plant will also be provided.
Plot D1-4	Residential (C3) courtyard building with communal amenity space. Non-residential retail uses (E) will be provided on the ground floor along the Aberfeldy Street frontage to continue the high street. Parking and plant will also be provided.
Plot C1-4	Residential (C3) courtyard building with communal amenity space. Parking and plant will also be provided.
Plot B1-2	Residential (C3) tower with leg. Plant will also be provided.
Plot B3	Residential (C3) tower. Plant will also be provided.
Plot B4	Residential (C3) terraced houses. Plant will also be provided.
Plot B5	Non-residential workspace uses (E). Plant will also be provided.
Plot C5	Non-residential workspace uses (E). Plant will also be provided.
Plot C6	Non-residential workspace uses (E). Plant will also be provided.
Plot A1-2	Residential (C3) courtyard building with communal amenity space. Parking and plant will also be provided.

*Table 7: Development Plot Description*

### Residential

- 5.15. The Outline Proposals seek permission for a maximum level of Use Class C3 residential floorspace of 134,276 (GEA) floorspace (excluding ancillary podium car parking space) and up to 1,288 residential homes, distributed across the Outline Proposals phases B, C and D.
- 5.16. In terms of the Detailed Proposals, Plot F will provide 9,552sqm GEA of residential floorspace, Plot H will provide 12,031sqm GEA of residential floorspace, Plot I will provide 5,456sqm GEA of residential floorspace and Plot J will provide 3,200sqm GEA of residential floorspace, in total the Detailed Proposals will deliver a total of 277 homes.
- 5.17. The Proposed Development will provide a mix of housing types from studios to 6-bedroom homes. The number of residential homes and the mix to be delivered as part of the Outline Proposals is to be agreed at the Reserved Matters Application stage. An indicative target housing mix for the Proposed Development as a whole is provided in Table 8 overleaf. This is based on the maximum parameter scheme and incorporates the Detailed Proposals:

		Market Housing		Intermediate		Affordable /Social Rented	
Unit Size	Total Units	Units	As a %	Units	As a %	Units	As a %
Studio	127	127	11.4%	0	0%	0	0%
1-bed	551	427	38.3%	48	60.8%	76	20.4%
2-bed	657	536	48.1%	31	39.2%	90	24.2%
3-bed	170	24	2.2%	0	0%	146	39.2%
4-bed	56	0	0%	0	0%	56	15.1%
5-bed	0	0	0%	0	0%	0	0%
6-bed	4	0	0%	0	0%	4	1.1%
<b>Total</b>	<b>1,565</b>	<b>1,114</b>	<b>-</b>	<b>79</b>	<b>-</b>	<b>372</b>	<b>-</b>

Table 8: Maximum parameters indicative housing mix

5.18. In terms of the Detailed Proposals, the following mix is proposed and fixed as part of the Hybrid Application:

		Market Housing		Intermediate		Social Rented	
Unit Size	Total Units	Units	As a %	Units	As a %	Units	As a %
Studio	32	32	17.7%	0	0%	0	0%
1-bed	74	63	34.8%	1	9.1%	10	11.76%
2-bed	113	77	42.5%	10	90.9%	26	30.6%
3-bed	39	9	5%	0	0%	30	35.29%
4-bed	15	0	0%	0	0%	15	17.6%
5-bed	0	0	0%	0	0%	0	0%
6-bed	4	0	0%	0	0%	4	4.71%
<b>Total</b>	<b>277</b>	<b>181</b>	<b>-</b>	<b>11</b>	<b>-</b>	<b>85</b>	<b>-</b>

Table 9: The Detailed Proposals mix

5.19. The Detailed Proposals will provide 48.6% affordable housing by habitable room. In terms of tenure split, this amounts to 92.04% social rent and 7.96% intermediate.

- 5.20. The amount of affordable housing to be delivered in subsequent phases will be subject to scheme viability, grant availability and other scheme requirements. However, at a minimum all social rented existing floorspace will be re-provided and overall, the scheme will provide 38.8% affordable housing. In terms of affordable tenure, all social rented habitable rooms will be re-provided and the affordable homes provided in addition of the re-provision will be delivered with a tenure split of approximately 77:23 between affordable/social rent and intermediate, based on the illustrative scheme and on a habitable room basis.

#### Retail

- 5.21. The Outline Proposals seek permission for a maximum of 1,116 sqm GEA of retail (Use Class E) floorspace across the Outline Proposals phases B to D.
- 5.22. Additional incidental and ancillary retail, leisure or cultural uses could occur within the public open space 'Highland Place' as part of the repurposing of the underpass. However, any incidental use would be small scale and additional permanent structures will be subject to separate planning applications.
- 5.23. In terms of the Detailed Proposals, Plot F will provide 253 sqm GEA of retail floorspace and Plot H will provide 1,072 sqm GEA of retail floorspace.
- 5.24. Plot F will also provide a temporary marketing suite (317 sqm GEA) which would be converted to retail (Use Class E) once the sale of the final private residential home has completed.

#### Workspace

- 5.25. The Outline Proposals seek permission for a maximum of 2,602 sqm GEA of workspace floorspace (Use Class E).
- 5.26. The workspace provision is predominantly focused within the Proposed Development's Enterprise Yard character area, which runs north to south and parallel to the A12. The vision for this area is to include workspace, maker spaces and studio spaces and to form an extension to the existing and successful Poplar Works development.

### Open Space and Public Realm

5.27. The Proposed Development will include new and improved areas of open space. These areas include the following:

- *‘Highland Place’, a new piece of public realm contributing to a key pedestrian and cycle connection and integrated with playable landscape.*
- *The ‘Town Square’, this performs an important civic and social function for the neighbourhood.*
- *‘Culloden Green’, a key local square/green set within Community Lane.*
- *‘Nairn Park’, a new open space created following the previous removal of Block A3.*
- *The ‘Allotments’, a transformed area of public realm within the Detailed Proposals; and*
- *Improvements and links to the three existing green spaces including Leven Road Open Space, Braithwaite Park and Jolly’s Green. There will also be improvements to Millennium Green which sits outside of the red line boundary and will be secured through the Section 106 Agreement) as explained within the draft Heads of Terms in Chapter 9 of this Planning Statement).*

### Child Playspace

5.28. The Proposed Development will provide dedicated playspace provision which will be calculated in line with the London Borough of Tower Hamlet’s playspace calculator. Alongside the new areas of playspace created and delivered by way of the new masterplan, the proposals also seek to improve and deliver playspace within areas of existing open space, Braithwaite Park, Leven Road Open Space and Jolly’s Green. At present these areas deliver a combined total of 1,553sqm of dedicated play. The illustrative masterplan includes the provision of up to 4,075sqm of dedicated play. This is an uplift of 2,522sqm of dedicated play space within these areas of open space.

5.29. The *‘Design and Access Statement: The Masterplan’* and associated Addendum prepared by Levitt Bernstein and LDA Design sets out the play strategy across the Proposed Development. It shows how play space is spread across the Site and how those spaces

within the Outline Proposals could illustratively come forward as part of future Reserved Matters Applications. The Detailed Proposals will be providing play space as follows:

Age Group	Requirement	Quantum Proposed
Aged 0-4	629sqm	643sqm
Aged 5-11	547sqm	564sqm
Aged 12-18	604sqm	62sqm
Total	1,779sqm	1,269sqm

*Table 10: The Detailed Proposals play space provision*

- 5.30. Due to the indicative phasing, the 0–4-year-old play provision for Plot F will be in a temporary location next to Plot F in the future Phase D, this temporary provision will amount to 324sqm. Its permanent location will be delivered as part of Phase C. It should be noted that Phases 1-3 of the 2012 Outline Planning Permission for Aberfeldy Village have been built out, and based on the units and play space that have been provided within these phases of the 2012 permission, there is an over provision of play space of 1,068 sqm when considering the number of units (and the unit mix) of the residential accommodation built to date by way of the extant Outline Planning Permission.
- 5.31. The amount and final location/details of play space provision to be delivered in subsequent phases will be determined through future Reserved Matters Applications.
- 5.32. The Proposed Development will meet this demand through the provision of a variety of different play environments to be provided throughout the scheme and within the local area. The pedestrian dominated areas of the Proposed Development will be encouraged to provide play opportunities. The Design and Access Statement (and associated Addendum) and Design Code provide a greater overview of the distribution and form of these areas within the Proposed Development.

Car Parking

- 5.33. A Framework Travel Plan has been submitted in support of the Application. This document sets out a strategy for promoting sustainable modes of transport during the life of the Proposed Development and reducing the reliance on car use in the future.

- 5.34. An Outline Parking Design and Management Plan is submitted in support of the Hybrid Application. It provides a summary of the proposed parking provision and the strategy for its operation. The provision of car parking in the Proposed Development will be reviewed as the Proposed Development evolves and the requirement for spaces is confirmed as set out below.
- 5.35. The development is proposed to be car-lite progressing to car-free. For new residents and staff, only Blue Badge parking spaces for all land uses will be provided.
- 5.36. The Resident Offer which formed the basis of the estate regeneration ballot was predicated on the principle that existing Poplar HARCA parking permits are re-provided.
- 5.37. Returning residents will be permitted to apply for a parking permit where they have an existing right to park. It is understood that approximately 70 returning residents have such rights and in order to protect local parking amenities, new residents would be prohibited from obtaining on-street parking permits. As residents inevitably move out of the development, car ownership will reduce as new residents would not be able to apply for a parking permit. It is proposed that the space that is made available could be turned into additional public realm improvements, cycle parking for residents, additional parking for the mobility impaired, additional car club provision or other uses that benefit the community.
- 5.38. At this stage, the number of these returning residents is expected to be around 70. However, this figure cannot be fixed at this stage due to uncertainty generated by the project programme and potential changes to residential tenants. For robustness and in order to provide certainty, it is proposed that the number of standard permit parking spaces will not exceed 80 car parking spaces.
- 5.39. However, the accessible parking provision and car club provision proposed are fixed and will deliver in slight excess of 3% Blue Badge parking, which equates to approximately 50 spaces. Parking will be provided on-street and within the development (i.e. podium parking). One Blue badge space is included for commercial uses.
- 5.40. In terms of car club spaces, four spaces are proposed within the Site and one space is proposed per phase. The Detailed Proposals will deliver the following:

- 5 permit spaces;
- 9 blue badge spaces; and
- 1 car club space.

### Cycle Parking

5.41. Cycle parking for the Detailed and Outline Proposals will be provided in accordance with the requirements of the London Plan (2021).

5.42. The Detailed Proposals will deliver 485 long-stay and 17 short-stay cycle spaces associated with the proposed residential floorspace, as set out within the Table below.

Unit Type	Proposed Number of units	London Plan long-stay requirements	London Plan long-stay requirements	Proposed long-stay cycle parking spaces	London Plan short-stay requirements	Proposed short-stay cycle parking spaces
Studio (1B1P)	32	1 space	32	485	5 to 40 dwellings: 2 spaces	17
1-bed (1B2P)	74	1.5 spaces	111			
2-bed	113	2 spaces	226		Thereafter: 1 Space per 40 dwellings	
3-bed	39		78			
4-bed	15		30			
5-bed	0		0			
6-bed	4		8			
Total	277	-	485		485	

*Table 11: Phase A cycle parking numbers for the residential floorspace*

5.43. The Detailed Proposals will deliver 12 long-stay cycle spaces and 68 short-stay cycle spaces provided for the retail and workspace floorspace, as set out within the Table below.

Land Use	Floor Area sqm GEA	London Plan long-stay requirements	Proposed long- stay cycle parking spaces	London Plan short-stay requirements	Proposed shortstay cycle parking spaces
Retail	1,324	1 space per 175 sqm (GEA)	8	1 space per 20 sqm (GEA)	67
Sui Generis (Temporary Marketing Suite)	317	1spaceper 75 sqm (GEA)	4	first 5,000 sqm: 1 Space per 500 sqm thereafter: 1 space per 5,000 sqm (GEA)	1
Total	1,641		12		67

Table 12: Phase A cycle parking numbers for the commercial floorspace

### Highway Commitments

5.44. The Application seeks permission to carry out works to existing highways. Details of these commitments are shown within the Parameter Plans and Design Code, and supported by the Transport Assessment. These include:

- Carriageway and footway realignments throughout the Proposed Development;
- The creation of two new north-south routes (Community Lane and Enterprise Yard);
- Traffic calming measures and upgrades at Abbott Road in line with Healthy Street principles;  
Upgrades to the existing A12 pedestrian underpass at Dee Street;
- A Cycle Docking Station will be re-provided; and
- Formation of a new pedestrian and cycling route under the A12 through the conversion of the existing vehicular underpass at Abbott Road.

- 5.45. Further vehicular access points are expected to be proposed to access various plots in the Outline Proposals and these will be developed at Reserved Matters stage although they are controlled by the Parameter Plans titled 'Access and Circulation', ref: '3663-LBA- DR-05'.

#### Formation of a new pedestrian and cycling route under the A12

- 5.46. A key objective of the Proposed Development is to overcome the severance created by the A12 and create new walking and cycling connectivity by re-purposing the Abbott Road vehicular underpass. The Proposed Development would close the underpass to vehicles and make it an attractive walking and cycling connection that is integrated into new public realm. The left-in, left-out Abbott Road and A12 junction would be relocated to the north by extending Abbott Road along its historic alignment. This would allow the removal of the existing vehicle dominated environment on Abbott Road to be replaced by a new public realm and green space, which is proposed to be named Highland Place. The new pedestrian and cycling route will create a new strategic route and connect Highland Place to Jolly's Green.
- 5.47. This key strategic intervention provided by the Proposed Development would benefit the whole of Poplar and the many developments coming forward along the River Lea, notably Poplar Riverside and Leven Road Bus Depot development sites and finally address the severance caused by the A12 which has long been noted as a hindrance to the area's regeneration.

#### Retained Buildings

- 5.48. The red line boundary includes two existing buildings where no works are proposed as part of the Hybrid Application and which include 384 Abbott Road, Poplar Works and 2a Ettrick Street, the GP Practice.

#### *384 Abbott Road, Poplar Works*

- 5.49. The building at 384 Abbott Road, the Poplar Works building, is a development made up of individual studio spaces which are let to designers and makers. No works are proposed to this building as part of the Hybrid Application. Its inclusion within the red line boundary

is to enable landscaping and public realm works and to enable its incorporation within the wider Proposed Development.

*2a Ettrick Street, the GP Practice*

- 5.50. The building at 2a Ettrick Street, is currently in use as a GP Practice. No works are proposed to this building as part of the Hybrid Application.
- 5.51. Under the Extant Permission as part of Phase 3b, a new larger health centre has been built for the GP Practice, and it is expected that the existing GP Practice will move to the new health centre imminently. Therefore, this building at the heart of the Aberfeldy Village Masterplan will soon be vacant. It was considered integral to the Aberfeldy Village Masterplan that this building should be repurposed with a use appropriate to the building's position and importance within the Proposed Development, near the new Town Square. Therefore, its inclusion within the red line boundary is to enable a future change of use application which will be linked through the Section 106 Agreement. This is detailed below under 'Wider Works' and the 'Faith Centre'.

Wider Works

*Faith Centre*

- 5.52. It is outlined within the draft Heads of Terms (set out within Chapter 9 of this Planning Statement) that within the Section 106 Agreement associated with the Extant Permission there is an obligation to re-deliver the Faith Centre. It is also proposed that this planning obligation is transposed to the new Section 106 which would be secured as part of this Hybrid Application.
- 5.53. Due to the phasing and construction programme linked to the Extant Permission, the Faith Centre was temporarily re-located to Aberfeldy Street which is within the land pertaining to Phase A of this Hybrid Application. Thus, there is a need to redeliver the Faith Centre prior to the demolition of the buildings within Phase A and there is an aspiration to secure The Aberfeldy Islamic and Cultural Centre and Mosque, a permanent address at the heart of the Aberfeldy.

- 5.54. Set out above it is explained that the existing GP Practice at 2a Ettrick Street will soon move to the new, larger Health Centre which was provided under phase 3b of the Extant Permission. Therefore, as this building will be vacant and at the heart of Aberfeldy and in close proximity to the new Town Square, the Applicant is exploring the Faith Centre's relocation as part of a future Change of Use application related to 2a Ettrick Street and it is the intention of the Applicant to relocate the Faith Centre at 2a Ettrick Street.
- 5.55. The change of use application does not form part of the Hybrid Application as the Applicant is working with The Aberfeldy Islamic and Cultural Centre and Mosque to understand their requirements.

#### Millennium Green

- 5.56. It is explained in the proposed public realm and open spaces section above that there are extensive landscaping improvements proposed at Leven Road Open Space and Braithwaite Park and these are included within the Detailed Proposals.
- 5.57. The Applicant also proposes to do comparable improvement works at Millennium Green, which is outside of the red line boundary. The Applicant sees the improvement works to Aberfeldy's three existing green spaces as an integral part of the Aberfeldy Village Masterplan and is committed to their delivery.
- 5.58. The Applicant has not included Millennium Green within the red line boundary due to its land ownership position and the complexities and risks this would create for the Hybrid Application. The Applicant intends to ensure the proposed works are fully secured by way of a planning obligation in the Section 106 Agreement for the Hybrid Application.
- 5.59. The draft Heads of Terms for the Section 106 Agreement for the Hybrid Application are set out within Chapter 9 of this Planning Statement. The Applicant proposes a number of obligations to ensure LBTH would maintain full control over the scope and the delivery of the improvements so that a robust position is reached and the proposed works at Millennium Green can clearly form part of the benefits of the Proposed Development. However, figures provided such as those pertaining to Urban Greening Factor scores exclude Millennium Green, unless specified.

## **6. PLANNING POLICY FRAMEWORK AND OVERVIEW**

- 6.1. The purpose of this Chapter is to identify the key national, regional and local planning policy and guidance relevant to the determination of the application for the Proposed Development, and against which the proposals have had regard to during design development. An analysis of the key policies and tests is included in the relevant sections.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.3. The Development Plan for the Site comprises the following:
- The London Plan (2021); and
  - Tower Hamlets Local Plan 2031 (2020).
- 6.4. LBTH have commenced preparation of their new Local Plan. On 25 October 2023 Cabinet resolved to proceed to Regulation 18 consultation, with the Council consulting on the draft Plan between 6 November and 18 December 2023. Given the emerging Local Plan is at an early stage in the plan making process, it anticipated that only limited weight will be given to consideration of its emerging policies.
- 6.5. In addition to the Development Plan, regard has been had to the following:
- National Planning Policy and Guidance
  - National Planning Policy Framework (NPPF) (2023)
  - Planning Practice Guidance
- 6.6. The NPPF (most recently updated in September 2023) establishes the Government's planning policies for England. These policies articulate the Government's vision for sustainable development, which should be interpreted and applied locally to meet local aspirations.
- 6.7. The NPPF states that the purpose of the planning system is to advise and guide on best practice development which is as sustainable as possible. The NPPF stresses that the goal of sustainable development should not hinder or prevent future development. The overarching national planning policy theme is that of sustainable development. The

government have advised that this should be a central theme for plan making and decision taking.

## **REGIONAL POLICY**

### **The London Plan (2021)**

- 6.8. The Regional Planning Policy relevant to the Site is the London Plan (2021), being the spatial development strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.

## **LOCAL PLANNING POLICY**

### **The Tower Hamlets Local Plan (2020)**

- 6.9. The LBTH Local Plan (2020) was adopted by the Council on the 15 January 2020. The document sets out spatial policies, development management policies and site allocations to guide and manage development in the borough.
- 6.10. The Local Plan is supported by the Policies Map which geographically illustrates the proposals, constraints and policies that are listed within the document.

## **SUMPLEMENTARY GUIDANCE**

- 6.11. The Development has also had regard to various relevant GLA and LBTH strategies and guidance documents, which although do not form part of the Development Plan against which the Development is assessed, have been taken into consideration where relevant.

## **GLA**

- 6.12. The GLA have published several adopted Supplementary Planning Guidance (SPG) documents. Of relevance to this Site and hybrid planning application are the following adopted documents:

- Affordable Housing and Viability (2017);
- Housing (2016);
- Better Homes for Local People: the Mayor's Good Practice Guide to Estate Regeneration' (May 2018);
- Play and Informal Recreation (September 2012);
- 'Be Seen' energy monitoring guidance (2021);

- Circular Economy Statements (2022);
- Whole Life-Cycle Carbon Assessments (2022);
- Sustainable Transport, Walking and Cycling (2022);
- Optimising Site Capacity: A Design-led Approach LPG (2023);
- Characterisation and Growth Strategy LPG (2023);
- Housing Design Standards LPG (2023);
- Air Quality Neutral (2023);
- Air Quality Positive (2023); and
- Urban Greening Factor (UGF) LPG (2023).

### **LBTH**

6.13. The LBTH have also published several adopted Supplementary Planning Guidance (SPG) documents. Of relevance to this Site and hybrid planning application are the following adopted documents:

- LBTH Planning Obligations SPG (2021);
- LBTH Development Viability SPG (2017); and
- LBTH High Density Living SPG (2021).

### **EMERGING PLANNING POLICY**

6.14. In addition to the adopted planning policy and guidance listed above, regard has been given to emerging policy. The most significant emerging policy documents at both Regional and Local level, are as follows:

- Affordable Housing LPG (draft – 2023);
- Development Viability LPG (draft – 2023);
- Fire Safety LPG (draft – 2022);
- LBTH Tall Buildings SPD (2021);
- Large scale purpose built shared living LPG; and
- Leaside Area Action Plan (2021).

### **SITE DESIGNATIONS**

6.15. The Site has the following policy designations at a regional and local level:

- Poplar Riverside Opportunity Area;
- Poplar Riverside Housing Zone;
- The Aberfeldy Street Neighbourhood Centre;
- Lower Lea Valley;
- Archaeological Priority Area: Lea Valley;
- Green Grid Buffer Zone;
- Critical Drainage Area;
- Located within Flood Zone 2/3(b);
- Air Quality Management Area;
- Green Grid Buffer Zone;
- Area of Deficiency of Access to Nature: East India and Lansbury;
- Borough Views: 'Langdon Park towards Balfron Tower' and 'East India Dock Road towards Balfron Tower';
- Publicly Accessible Open Space: Leven Road Park and Braithwaite Park; and
- The most northern part of the Site is partially located within the Ailsa Street Site Allocation.

6.16. In the emerging draft LBTH's Leaside Area Action Plan, the Site is allocated for redevelopment under the draft site allocation 'Site LS-A – Aberfeldy Estate'.

## 7. PLANNING POLICY ASSESSMENT

### INTRODUCTION

- 7.1. This Chapter assesses the Proposed Development in the context of key national, regional and local planning policy and guidance relevant to the determination of the application.
- 7.2. The Proposed Development as a whole is assessed within this Chapter. Where relevant, additional commentary on the Detailed Proposals is provided to reflect the greater level of detail submitted as part of the planning application.

### Principle of Development

#### Policy Context

- 7.3. The principle of the redevelopment of the Site to deliver a high-density mix of uses is supported by planning policy at all levels.
- 7.4. The NPPF sets out three overarching economic, environmental and social objectives to achieve sustainable development and how these are expected to be applied.
- 7.5. Paragraph 11 outlines that for decision-taking, local authorities should apply a presumption in favour of sustainable development by:

*“c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*1. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

- 7.6. Chapter 5 of the NPPF supports the delivery of a sufficient supply of homes. Paragraph 60 recognises the importance *“that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”* to meet the Government’s objective of significantly boosting housing supply.
- 7.7. Chapter 11 promotes the effective use of land in meeting the need for homes and other uses. Paragraph 120 gives *“substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”*.
- 7.8. Furthermore, Paragraph 121 encourages Local Planning Authorities (“LPAs”) to take a *“proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership”*.
- 7.9. The national strategic objectives are supported by the Planning Practice Guidance, which sets out further detail on how the Government’s objectives can be achieved through plan-making and decision-taking.
- 7.10. The Regional Planning Policy relevant to the Site is the recently adopted London Plan (2021) which is the new spatial development strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years.
- 7.11. Policy GG2 of the London Plan encourages making the best use of land, including enabling the development of brownfield land and proactively exploring the potential to intensify the use of land for homes and workspaces by higher density development on well-connected sites.

- 7.12. To ensure that Boroughs achieve their housing targets, Policy H1 requires development plans to allocate sites suitable for residential and mixed-use development. Part 2 encourages plans and decisions to optimise the potential for housing on all suitable and available brownfield sites, especially on well-connected sites and identified industrial sites, amongst other criteria.
- 7.13. The London Plan has designated Poplar Riverside as a new Opportunity Area. It contains the Poplar Riverside Housing Zone in which the Site is also included within.
- 7.14. Opportunity Areas are defined as significant locations with development capacity to accommodate new housing, commercial development and infrastructure (of all types), linked to existing or potential improvements in public transport connectivity and capacity.
- 7.15. The Opportunity Area has the potential for 9,000 new homes, 3,000 new jobs and improved connectivity in a part of the borough with significant infrastructure challenges.
- 7.16. London Plan Policy H8, part C requires proposals “considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. They should balance the potential benefits of demolition and rebuilding of homes against the wider social and environmental impacts and consider the availability of Mayoral funding and any conditions attached to that funding.”
- 7.17. The LBTH Local Plan includes the Site within Sub-area 3: Lower Lea Valley and sets a vision for this area.

*“By 2031, the Lower Lea Valley will experience comprehensive regeneration and redevelopment of former and underused industrial areas. Connectivity will be transformed with a series of new bridges and riverside walkways across the River Lea, and crossings along the A12 and A13, which will integrate existing and new communities in the area...Development in the area will have sufficient transport and social infrastructure to facilitate the creation of thriving mixed communities alongside vibrant neighbourhood centres. Housing provision will be accelerated through the*

*Poplar Riverside Housing Zone and delivered alongside new local employment, enterprise and business opportunities.”*

7.18. To achieve this vision, LBTH set out a number of objectives which include:

*“a. Improve strategic connections to overcome the physical barriers to movement created by the A12, A13 and the waterways...*

*c. Improve local connections by creating a street pattern that increases permeability for ease of pedestrian and cyclist movement*

*d. Support existing and new neighbourhood centres by improving accessibility to them to ensure they act as the civic heart of surrounding communities*

*e. Contribute towards the delivery of new affordable homes and community facilities through Poplar Riverside Housing Zone regeneration...”*

7.19. In the emerging draft LBTH’s Leaside Area Action Plan, the Site is allocated for redevelopment under the draft site allocation ‘Site LS-A – Aberfeldy Estate’.

#### Assessment of the Proposed Development

7.20. The Proposed Development fully accords with current and emerging planning policy and guidance. In accordance with National policy, the London Plan, and LBTH Local Plan, the proposals seek to optimise the delivery of a high-quality, high density mixed-use development around the Neighbourhood Centre of Aberfeldy.

7.21. The London Plan identifies Poplar Riverside as an Opportunity Area, and as one of the most appropriate locations for accommodating major development and “good growth”.

7.22. The Site is proposed as a draft site allocation within the draft LBTH’s Leaside Area Action Plan and is therefore draft allocated for its comprehensive redevelopment and regeneration.

7.23. The Extant Permission has long signalled the Site as a place earmarked for regeneration.

- 7.24. The Proposed Development would be an exemplary example of estate regeneration, proposed to transform a large area of underutilised brownfield land and existing homes and facilities no longer fit for purpose into a transformed neighbourhood for people to live, work and play, with active frontages delivering animation. It will be a place of activity fostering a sense of community and a safe place to be. The public realm would provide new spaces for the local community to enjoy. The Proposed Development will also stimulate economic regeneration, which is meaningful given the scale of the Proposed Development, the potential for job creation and benefits which will be felt in the locale.
- 7.25. In summary, the principle of development accords with planning policy at all levels, there is an Extant Permission for the Site's redevelopment and the need for redevelopment is recognised through the draft Site Allocation. The full summary of planning benefits that will be delivered by the Proposed Development is set out within Chapter 10 of this Planning Statement.

#### **LAND USE**

- 7.26. This Section assesses the Site's suitability for the range of uses proposed as part of the Proposed Development. The assessment evaluates the acceptability of the principle of each of the land uses.

#### **Retail**

- 7.27. A Retail Impact Assessment, prepared by AND, is submitted in support of the Proposed Development, providing a full assessment of the retail elements of the Proposed Development.

#### **Policy Context**

- 7.28. Chapter 6 of the NPPF sets out a presumption in favour of creating conditions to help build a strong, competitive economy.
- 7.29. Chapter 7 of the NPPF seeks to ensure that planning policies and decisions support the role that town centres play and take a positive approach to their growth, management and adaptation.

- 7.30. The London Plan recognises the importance of town centres and that boroughs plan positively to meet the needs of their communities. Policy SD6 relates to town centres and high streets outside of the Central Active Zone (CAZ) and seeks to protect them.
- 7.31. Chapter 6 of the London Plan recognises that “commercial activity provides opportunities for micro, small and medium-sized enterprises to establish and contribute to the diversity of town centres. Independent businesses, including shops, cafés and restaurants, play an important role in supporting the vitality and vibrancy of town centres and local communities, and many operate from smaller premises”.
- 7.32. LBTH Policy D.TC2 relates to protecting retail within town centres, including Neighbourhood Centres.
- 7.33. As of the 1st September 2020, the Use Class E was introduced via an amendment to the Use Class Order under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020. The new Class E supersedes the previous retail use classes A1/2/3.

#### Assessment of the Proposed Development

- 7.34. A Retail Impact Assessment has been prepared by AND to assess the retail floorspace proposed.
- 7.35. The Proposed Development will provide up to 2,441 sqm (GEA) of retail floorspace, Use Class E.
- 7.36. The Detailed Proposals will provide 1,323 sqm (GEA) of retail floorspace and 317 sqm (GEA) will be a temporary marketing suite located within Plot F will convert to retail once the sale of the final private residential home has completed. The provision of replacement retail floorspace is strongly supported by planning policy, given the Site’s status as a Neighbourhood Centre.
- 7.37. As part of the Detailed Proposals, the retail floorspace proposed as part of Plot F and Plot H1-2 and H3 will form the first part of the new High Street on Aberfeldy Street. The retail elements of the Detailed Proposals will enliven the northern part of the new High Street

and create active frontages. The retail units will enhance the vitality and viability of the existing centre.

7.38. Aberfeldy Street, the existing high street, is currently underperforming as a Neighbourhood Centre, as evidenced by the number of vacant units and therefore the creation of an upgraded and new diverse Neighbourhood Centre will realise its full potential.

7.39. The existing centre is relatively poor quality, lacks quality comparison retailing and cafes/restaurants, and diversity. Further, the existing centre is disjointed, and lacks effective linkages and a high-quality public realm.

7.40. The proposed retail vision for the Proposed Development is as follows:

- A key focus for retail floorspace will be at Aberfeldy Street, the High Street, and key moments throughout the Site to activate and create vibrancy such as fronting Millennium Green and the new town square.
- A Neighbourhood Centre that will serve a variety of different ages, genders, family types, incomes and offer a diversity of spaces, including outdoor and indoor shopping and eating and drinking.
- The creation of a unique and diverse mix of uses, including the integration of independent and local operators.
- Providing high-quality public realm and the associated placemaking advantages of higher levels of pedestrian movement throughout the Proposed Development with added benefits in terms of vibrancy, safety and the viability of the retail offer.
- The Proposed Development will have a positive placemaking impact enhancing the potential for future public and private investment in the centre as it forms part of the wider vision for the Opportunity Area and will act as a catalyst for future development.
- Employment from the retail jobs.

- 7.41. The Retail Impact Assessment concludes that the Proposed Development is of an appropriate scale and would not create an adverse retail impact on neighbouring centres.
- 7.42. The Applicant has been in discussion with the retail occupiers regarding their tenancies. The occupiers have been made aware by the Applicant of the large-scale regeneration project on the Site. Aberfeldy Street, the existing high street and where the existing retail floorspace is located is included as part of the Extant Planning Permission under Phase 4 and the retail units were earmarked for redevelopment.
- 7.43. The Applicant is committed to continuing and building upon their implementation of a meanwhile use strategy to benefit existing residents and tenants throughout the determination and construction phase.
- 7.44. In light of the above, the retail element of the Proposed Development is entirely in accordance with the provisions set out in the NPPF, London Plan Policy SD6 as well as LBTH Local Plan Policy D.TC2.

## **Workspace**

### Policy Context

- 7.45. Policy E1 Part G of the London Plan sets out that developments comprising office floorspace should consider the need for a range of suitable workspace including lower cost and affordable workspace to support the growth of new start-up companies and to accommodate SMEs, including lower-cost and affordable business space.
- 7.46. Policy E2 Part D outlines that proposals for new B Use Class (now Class E) business floorspace greater than 2,500 sq.m. (gross external area), or a locally determined lower threshold, should consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium-sized enterprises. Supporting Paragraph 6.2.6 identifies that this workspace can include a variety of types of space including serviced offices, co-working space and hybrid industrial space for B1c (now E(g)(iii))/B2/B8 uses. What constitutes a reasonable proportion of workspace suitable for SMEs should be determined on the circumstances of each case.

- 7.47. Policy E3 specifically relates to affordable workspace, defined as workspace that is provided at rents maintained below the market rate for that space for a specific social, cultural, or economic development purpose. It can be provided and/or managed directly by a dedicated workspace provider, a public, private, charitable or other supporting body; through grant and management arrangements (for example through land trusts); and/or secured in perpetuity or for a period of at least 15 years by planning or other agreements. Policy E3 requires Councils to identify areas where there is a need for affordable workspace, based on local evidence of need and viability.
- 7.48. Policy E8 seeks to promote employment opportunities for Londoners across a diverse range of sectors. In order to achieve this, Part C identifies and supports a range of workspaces including start-up / incubator spaces; flexible workspaces such as coworking and serviced offices; grow on / move on spaces for businesses and affordable workspace.
- 7.49. Where justified and supported by evidence of local need, Policy E9 also seeks to secure affordable commercial and shop units, acknowledging that commercial activity provides opportunities for micro, small and medium-sized enterprises to establish and contribute to the diversity of town centres.
- 7.50. LBTH Policy D.EMP2 relates to the provision of new employment floorspace in developments and includes a requirement for 10% of new employment floorspace to be affordable.
- 7.51. As of the 1st September 2020, the Use Class E was introduced via an amendment to the Use Class Order under the Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020. The new Class E supersedes the previous workspace use classes B1a/b/c.

#### Assessment of the Proposed Development

- 7.52. A Commercial Strategy has been prepared by AND to assess the retail floorspace proposed.

- 7.53. The Proposed Development comprises up to 2,602 sqm (GEA) of workspace (E) floorspace. The workspace floorspace will be focussed within Enterprise Yard.
- 7.54. The vision for the workspace offer is to expand on the success of Poplar Works. The project provides individual studios that can be let to designers and makers. It was supported in part by grants from the GLA and was delivered as a Partnership between Poplar HARCA, London College of Fashion, UAL and The Trampery.
- 7.55. The full details of the workspace typologies proposed is included within the Commercial Strategy but includes:
- Studio spaces;
  - Maker spaces;
  - Small/medium factory spaces;
- 7.56. The Proposed Development will provide a variety of workspaces for small enterprises, catering to a variety of occupiers. The workspace floorspace will enhance the vibrancy of the town centre and will contribute to the mix of uses within the Proposed Development, supporting the retail and residential uses.
- 7.57. The workspace and retail floorspace provided will amount to approximately 253 - 281 end use workers. This can be broken down to as follows:
- Workspace – 168 FTE
  - Retail – 85 – 113 FTE
  - Residential Hub – 5 FTE
- 7.58. This amounts to a large increase from the approximately 46-63 existing workers on the Site.
- 7.59. The Proposed Development is also projected to generate a significant number of construction employment over the build period, including apprenticeships and training.

- 7.60. The proposed affordable workspace offer will deliver an exciting opportunity for new and growing local businesses, contribute towards the placemaking and identity of the Site and deliver real social benefits for the community, in line with all levels of planning policy objectives.
- 7.61. The Proposed Development will result in the delivery of affordable workspace available to local businesses, provided at rents maintained below the market rate.
- 7.62. In short, the proposed workspace provision is fully in accordance with the relevant development plan policies including London Plan policies E1, E2, E3, E8, E9 and LBTH Local Plan Policy D.EMP2.

### **Residential**

- 7.63. This should be read in conjunction with the Design Code prepared by Levitt Bernstein and LDA Design, the *'Design and Access Statement: The Masterplan'* and associated Addendum prepared by Levitt Bernstein and LDA Design, and the *'Design and Access Statement: Detailed Proposals'* and associated addendum prepared by Morris and Company and LDA Design.

### Policy Context

- 7.64. Chapter 5 of the NPPF seeks to deliver a sufficient supply of homes.
- 7.65. Paragraph 59 specifically outlines the "Government's objective of significantly boosting the supply of homes" and that "it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".
- 7.66. Paragraph 67 requires policy-making authorities to have a clear understanding of available land and identify a sufficient supply and mix of sites for years one to five of the plan period. Planning authorities are then required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement (in addition to any buffers) as per paragraph 73.

- 7.67. Paragraph 72 outlines that “The supply of large numbers of new homes can often be or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities”.
- 7.68. To maintain the supply of housing, LPAs should monitor progress in building out sites which have permission. The Housing Delivery Test (HDT) is an annual measurement of housing delivery in the area of relevant plan-making authorities. Where the HDT indicates that delivery has fallen below 95% of the LPA’s housing requirement over the previous 3 years, the LPA should prepare an Action Plan to assess the causes of under delivery and identify actions to increase delivery in future year, in accordance with paragraph 75 of the NPPF.
- 7.69. The Mayor has carried out a London-wide Strategic Housing Market Assessment (SHMA) which has identified need for 66,000 additional homes per year. The Strategic Housing Land Availability Assessment (SHLAA) identifies that there is capacity across London for approximately 40,000 new homes a year on ‘large sites’, defined as greater than 0.25 hectares in size.
- 7.70. Policy H1 of the London Plan seeks to increase housing supply to meet this identified need and sets out ten-year targets for net housing completions which LPAs must plan for. Table 4.1 sets out a ten-year housing target of 34,730 net housing completions (2019/20 - 2028/29) for LBTH.
- 7.71. Part 2 of Policy H1 outlines that housing delivery should be optimised on all suitable and available brownfield sites, especially those which are highly accessible and have a PTAL rating higher than 3.
- 7.72. The Mayor recognises, at paragraph 41.3 that “development of this scale will require not just an increase in the number of homes approved but also a fundamental transformation in how new homes are delivered”.
- 7.73. Locally, under the LBTH Local Plan the Site is located within Lower Lea Valley Sub Area on the eastern side of the borough. The vision for the Lower Lea Valley is as follows:
- “By 2031, the Lower Lea Valley will experience comprehensive regeneration and redevelopment of former and underused industrial areas. Connectivity will be*

*transformed with a series of new bridges and riverside walkways across the River Lea, and crossings along the A12 and A13, which will integrate existing and new communities in the area.*

*The development of the Lea River Park (including the Leaway) will provide a new strategic publicly green space and a series of new pedestrian and cycling routes, linking the River Lea to London's wider green grid network.*

*Development in the area will have sufficient transport and social infrastructure to facilitate the creation of thriving mixed communities alongside vibrant neighbourhood centres. Housing provision will be accelerated through the Poplar Riverside Housing Zone and delivered alongside new local employment, enterprise and business opportunities."*

- 7.74. Amongst LBTH objectives to achieve this vision are to *"Improve strategic connections to overcome the physical barriers to movement created by the A12, A13 and the waterways", "improve local connections by creating a street pattern that increases permeability for ease of pedestrian and cyclist movement", "support existing and new neighbourhood centres by improving accessibility to them to ensure they act as the civic heart of surrounding communities" and "contribute towards the delivery of new affordable homes and community facilities through Poplar Riverside Housing Zone regeneration."*
- 7.75. In the emerging draft Leaside Area Action Plan the Site is allocated for development under the draft site allocation 'Site LS-A – Aberfeldy Estate'. The vision for this area is for the residential- led redevelopment of the Site, which meets the design, connectivity, infrastructure and delivery criteria set out below, as well as being in accordance with other development plan policies.
- 7.76. LBTH Local Plan Policy S.H1 states that Development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need.
- 7.77. LBTH Local Plan Policy D.H2 requires development to provide a mix of unit sizes (including larger family homes) in accordance with local housing need as outlined within the policy.

### Assessment of the Proposed Development

- 7.78. The Site is located within the Poplar Riverside Opportunity Area and the Poplar Riverside Housing Zone and the provision of significant new housing as part of the Proposed Development is therefore supported by planning policy at all levels.
- 7.79. The Proposed Development will result in the demolition of all existing housing on the Application Site. There are currently 252 existing social rent and 78 leasehold properties.
- 7.80. The Proposed Development will comprise up to 164,515sqm (GEA) of residential floorspace when taking into account both the Outline and Detailed Proposals. It is envisaged that this could provide up to 1,565 homes. This will be dependent on scheme viability, grant availability and the precise mix of unit sizes. The Applicant is committing to a minimum of 1,539 residential units (including affordable housing) in order to ensure policy objectives for the Site are met.
- 7.81. The majority of the Site is an existing housing estate, with 330 existing homes. The Proposed Development would represent a significant number of new homes.
- 7.82. The precise mix, tenures and typologies of the housing units within the Outline Proposals is not set at this stage; however, the Development Specification provides maximum parameters against which the Outline Proposals can be assessed. An indicative mix is provided within the Description of the Proposed Development at Chapter 5 of this Planning Statement. The Proposed Development should have the ability to respond to market demand and identified local need (in particular the housing needs of existing residents to be re-housed), with details of housing mix to come forward at Reserved Matters Stage.
- 7.83. Housing delivery is one of the most important benefits of the Proposed Development and will play a crucial role in meeting the regional and borough-wide housing targets which can only be brought forward through the comprehensive redevelopment of the Site.
- 7.84. The Proposed Development will provide a significant level of new housing in an area with good public transport accessibility, in accordance with London Plan objectives.

- 7.85. The Proposed Development optimises the potential of the Site to provide the maximum number of residential units, in line with the Site's status as an Opportunity Area and Housing Zone, thereby achieving the Mayor and Council's strategic housing objectives for the Site.
- 7.86. Providing a balanced and integrated mix of new homes to support a mixed and balanced community. The Proposed Development will make a significant contribution to family housing.
- 7.87. The Proposed Development will provide up to 1,565 new residential units and deliver a high number of family sized homes including in the form of houses with rear gardens.
- 7.88. In conclusion, the Proposed Development will comply with the NPPF, London Plan Policy H1 and LBTH polices S.H1 and S.H2.

#### **Estate Regeneration and Affordable Housing**

- 7.89. A Financial Viability Assessment and Affordable Housing Statement, both prepared by DS2, have been submitted in support of the Hybrid Application and provide a full assessment of the Proposed Development's affordable housing provision.
- 7.90. A Decant Strategy has also been prepared by Poplar HARCA which explains the options that will be available for existing occupants that currently reside on the Site and those required to be rehoused.

#### Policy Context

- 7.91. The NPPF seeks to create mixed and balanced communities. Paragraph 61 outlines that planning policies should specify the type of affordable housing required and expects it to be met on Site.
- 7.92. The Estate Regeneration National Strategy – Good Practice Guide Part 1, 2 and 3 (December 2016) sets out the government's guidance to Estate Regeneration. The guide is for stakeholders and sets out the principal activities and considerations for estate regeneration projects. The government have also produced two other guidance documents, one on resident engagement and protection and other on finance and delivery.

7.93. The London Plan, Policy H8 goes into detail in what it expects from estate regeneration projects. Part A states the loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. Part D states:

*“Demolition of affordable housing, including where it is part of an estate redevelopment programme, should not be permitted unless it is replaced by an equivalent amount of affordable housing floorspace. Affordable housing that is replacing social rent housing must be provided as social rent housing where it is facilitating a right of return for existing tenants. Where affordable housing that is replacing social rent housing is not facilitating a right of return, it may be provided as either social rent or London Affordable Rent housing. Replacement affordable housing should be integrated into the development to ensure mixed and inclusive communities.”*

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

7.95. Part E of London Plan Policy H8 explains that all development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.

7.96. The Mayor’s Good Practice Guide to Estate Regeneration (2018) goes into greater detail on guidance in relation estate regeneration proposals, as detailed below:

‘Better Homes for Local People’ Principles

7.97. The guidance sets out that estate regeneration schemes involving demolition of existing homes should provide:

- i. an increase in affordable housing;
- ii. full rights to return or remain for social tenants; and
- iii. a fair deal for leaseholders and freeholders.

i. an increase in affordable housing

7.98. Demolition and rebuilding will only be considered acceptable where it does not result in a net loss of affordable housing, and where residential accommodation is provided on a like-for-like basis by both tenure and rent levels. It may be possible to re-provide an alternative mix of affordable housing if like-for-like replacement is achieved across the programme.

7.99. Replacement of affordable homes will be based on floorspace, rather than number of units to encourage the provision of family homes. Where this would render a scheme financially unviable gap funding should be explored (Mayoral and Central Government support).

ii. full rights to return or remain for social tenants

7.100. Social tenants should have a full right to a property on the regenerated estate of a suitable size, at the same or a similar level of rent, and with the same security of tenure.

iii. a fair deal for leaseholders and freeholders.

7.101. Where it is necessary to acquire homes owned by leaseholders and freeholders, landlords should seek to do so by negotiation before compulsory purchase.

7.102. Housing associations should offer resident leaseholders and freeholders the right to a new home on the regenerated estate through at least the following options:

- a) on a shared equity basis, where the resident leaseholder or freeholder owns a proportion of the new home equivalent to the market value of the property that they gave up, with no rent payable on the remaining 'unsold' share. The resident leaseholder or freeholder should be allowed to retain any uplift in the value of their share of the new property between the point of purchase and any eventual sale; or

- b) a shared ownership basis, where the resident leaseholder or freeholder owns a share of a new affordable home, is able to increase the share owned over time, and may pay rent on the remaining share to the council or housing association in the meantime.

7.103. LBTH Local Plan Policy D.H2, part 5, sets out their expectations for estate regeneration schemes and states:

*Estate regeneration development schemes are required to:*

- a) *protect and enhance existing open space and community facilities*
- b) *protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels*
- c) *provide an uplift in the number of affordable homes, and*
- d) *include plans for refurbishment of any existing homes to the latest decent homes standard.*

7.104. Further commentary is specified in the explanation of the policy as follows:

*“Part 5 recognises the importance of retaining these facilities and the existing quantum of affordable housing. Where it would result in an improvement in quantity and quality of open space or community facilities, re-provision will be allowed. Affordable units must be re-provided with the same or equivalent rent levels. This policy also recognises that additional homes may be provided through estate regeneration schemes and seeks to secure that any net additional homes are also subject to the affordable housing requirements in Policies S.H1 (Part 2) and D.H2 (see Parts 1 and 2). Part 5(d) ensures that there is a plan in place to bring any existing homes retained as part of an estate regeneration scheme up to the latest decent homes standards, either during the regeneration works or through a planned maintenance and/or major works programme.”*

#### The Viability Tested Route

7.105. All estate regeneration schemes must follow a ‘Viability Tested Route’ to planning permission to demonstrate additional affordable housing has been maximised.

- 7.106. The Viability Tested Route is set out in the London Plan in Policy H5 ‘Threshold approach to applications’ and requires detailed viability evidence to be submitted to LBTH and the GLA using the methodology and assumptions as set out in the London Plan and the Affordable Housing and Viability SPG. Relevant guidance is also provided within the emerging Affordable Housing LPG and Development Viability LPG.
- 7.107. Proposals must demonstrate that the maximum level of affordable housing is proposed. Such schemes will also be subject to an Early Stage Viability Review if an agreed level of progress on implementation is not made within two years of the permission being granted (or a period agreed by LBTH), a Late Stage Viability Review which is triggered when 75% of the units in a scheme are sold or let (or a period agreed by the borough) and Mid-term Reviews prior to implementation of phases. As part of the Stage 3 Call In process, specific viability terms have been agreed with the GLA which go beyond the requirements set out above.

#### Affordable Housing Policy Targets

- 7.108. London Plan Policy H4 sets a strategic target of 50% of all new homes delivered across London to be genuinely affordable. Grants should be used to increase affordable housing delivery beyond the level that would otherwise be provided. All affordable housing providers with agreements with the Mayor should deliver at least 50% affordable housing across their development programme. It is also expected that public sector land should deliver at least 50% affordable housing on each site.
- 7.109. LBTH’s Local Plan Policy D.H2 also sets a strategic target of 35-50% affordable homes on sites providing net additional residential units (subject to viability).

#### Assessment of the Proposed Development

- 7.110. In line with Part C of London Plan Policy H8, a number of alternative options to redevelopment have been considered, as shown within the accompanying Circular Economy Statement, but were ruled out on the basis that the refurbishment of the existing buildings alone would not have resolved the fundamental issues with the estate and a comprehensive redevelopment programme was required to improve the quality of life for existing residents and any ambition to retain structures would be impractical and

uneconomical. The existing buildings are poor quality, unsuited to modern living and inefficient in energy terms. Those homes that are within the land pertaining to phases 4, 5 and 6 of the Extant Permission have long been earmarked for redevelopment and existing residents have been long waiting for new homes. Therefore, the demolition and redevelopment has been confirmed as the best approach for Site and residents.

#### Affordable Proposal

- 7.111. In line with planning policy at all levels, the Proposed Development proposes a diverse mix of types and tenure of homes, to meet a range of needs in the local area. Overall, the Proposed Development includes proposals for 38.8% affordable housing by habitable room.
- 7.112. As the Proposed Development will take place over a 15-year period, planning policy, availability of grant, and market circumstances will be subject to change. Therefore, affordable housing for future phases as part of the Outline Proposals will be determined through reviews at the point that each residential Reserved Matters Application is submitted. This results in the maximum amount of affordable housing, in addition to re-provision requirements, being provided for each residential phase. Mechanisms to secure the delivery of affordable housing alongside the delivery of market housing will be secured within the Section 106 Agreement which will ensure a rolling-minimum of 38.8% affordable housing, by habitable room, is provided throughout the delivery of the Masterplan.
- 7.113. In terms of affordable tenure, all social rented habitable rooms will be re-provided. The proposed tenure split, including re-provided social rented homes, equates to approximately 89:11 in favour of social/affordable rent over intermediate tenure. Excluding re-provided homes, the proposed tenure split on the basis of the illustrative scheme equates to approximately 77:23 in favour of social/affordable to intermediate, significantly in excess of the requirement in Policy D.H2 which stipulates a tenure split of 70:30, thereby providing significantly more affordable rented homes, for which there is the greatest need locally.
- 7.114. The Detailed Proposals provide approximately 49% affordable housing by habitable room, with all of the affordable rented homes within the Detailed Proposals to be provided as

social rent. The proposed tenure split within the Detailed Proposals is 92:8 social rented homes to intermediate homes, in favour of rented accommodation.

- 7.115. The affordable housing will be 'tenure blind', meaning that there will be no outward difference between market and affordable units and will be distributed throughout the residential areas within the Proposed Development and throughout the phases of delivery.

#### Viability

- 7.116. The Applicant has secured grant funding in order to maximise the delivery of affordable housing in line with the Mayor of London's Better Homes for Local People – The Mayor's Good Practice Guide to Estate Regeneration (2018). This has been reflected in the Financial Viability Assessment.
- 7.117. Since the Proposed Development is an estate regeneration scheme it must follow a 'Viability Tested Route'. The economics of estate regeneration projects as recognised in policy, are challenging. This is the case with the Proposed Development which is extremely challenged financially as set out in the Financial Viability Assessment prepared by DS2 which is submitted in support of the Hybrid Application. DS2 have engaged with LBTH and their appointed advisors, as well as with the GLA, throughout the application process.
- 7.118. The Financial Viability Assessment demonstrates that the 38.8% affordable housing proposal within the Proposed Development is considerably in excess of the viable provision and is being delivered by the Applicant as a commercial decision recognising the need for affordable housing in LBTH.
- 7.119. It is clear the affordable housing proposal far exceeds the planning policy requirement for estate regeneration schemes which as stated in London Plan Policy H8, Part D and E, is the re-provision of affordable housing floorspace and that the Viability Tested Route should be followed to seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace.
- 7.120. The Applicant will deliver replacement new homes and an uplift in affordable housing as part of the Masterplan, as well as new workspace, a new high street and public realm improvements and there will be a commitment to reassess viability during the development programme in order to maximise the public and social benefits. However,

clearly this needs to be balanced with the challenging economics and the requirement to attract investment that will cross fund the project.

### Decant Strategy

- 7.121. The Decant Strategy (September 2023) prepared by Poplar HARCA submitted in support of the Hybrid Application provides further details and sets out the relocation options that will be available to existing residents that currently reside in the homes that are to be demolished to make way for the new scheme.
- 7.122. All existing secure tenants and resident homeowners will be given the opportunity to remain in Aberfeldy. The proposed phasing strategy and approach to redevelopment will allow affected residents the opportunity to move only once and stay on the Aberfeldy should they so wish. Poplar HARCA have given an undertaking to all affected residents to work with them on a one to one basis to establish their housing needs and provide a relocation solution that is tailored to those needs.
- 7.123. The Residents Offer (Landlord Offer) to which the Residents Ballot on the principle of Estate Regeneration was predicated on is appended to the Decant Strategy submitted in support of the Hybrid Application. In summary, the offer to residents is as follows:
- Offer to social rent tenants: each tenant will be offered the right to return to a new home that meets their needs and will receive a home loss payment. Costs for additional services such as removals will be reimbursed;
  - Offer to resident leaseholders: resident leaseholders will be offered full market value for their existing home plus a 10 per cent home loss payment and eligible moving costs such as removals. Those leaseholders wishing to move into the new development will be given the opportunity to buy a new home outright or, if they cannot afford to do so with the proceeds from the sale of their existing property, there will be options to part purchase with Poplar HARCA. Resident leaseholders will also be incentivised to relocate into the new development via an equity gifting scheme; and

- Offer to non-resident leaseholders and freeholders: PH will buy their property at full market value and pay an additional 7.5 per cent home loss payment. Costs for additional services such as removals will be reimbursed.

7.124. The approach taken in seeking to deliver the maximum viable amount of affordable housing, subject to viability, on the Site fully accords with London Plan Policies H5 and H8, the GLA's Affordable Housing and Viability SPG and LBTH Policy D.H2. The approach undertaken fully accords with the Mayor of London's *'Better Homes for Local People – The Mayor's Good Practice Guide to Estate Regeneration'* (2018).

## **Density**

### Policy Context

- 7.125. Paragraph 124 of the NPPF requires planning policies and decisions to support development that makes efficient use of land, taking into account a range of contextual factors.
- 7.126. Section 12 of the NPPF sets out the requirement for developments to achieve well designed places. The MHCLG National Design Code outlines that well-designed places can have compact forms of development which make places easily accessible, makes the efficient use of land and optimises density.
- 7.127. London Plan Policy GG2 promotes higher density development in locations that are well connected to jobs, services, infrastructure, amenities by public transport, walking and cycling, applying a design-led approach.
- 7.128. This is echoed in Policy D2 and D3 which outlines that density of development should be arrived at through a design-led approach, taking account of the site context and infrastructure capacity and accessibility by way of PTAL and to services.
- 7.129. The London Plan defines higher density development as those with a density of at least 350 units per hectares at footnote 28.
- 7.130. The GLA's 2016 Housing SPG provides further guidance in relation to calculating densities on mixed use developments at paragraph 1.3.7.1 where schemes have a substantial proportion of non-residential uses (e.g more than 30-35%). Although this guidance relates

to the former London Plan density matrix and shouldn't be applied mechanistically, it is clear that it may be more appropriate to undertake an apportionment plot ratio exercise to adjust the site area to reflect the quantum of proposed residential and commercial floorspace. The more recent '*Optimising Site Capacity: A Design-led Approach*' LPG states that good growth across London requires development to optimise site capacity by responding to the existing character and distinctiveness of the surrounding context and balancing the capacity for growth, need for increased housing supply, and key factors such as access by walking, cycling and public transport, alongside an improved quality of life for Londoners.

- 7.131. LBTH's Local Plan Policy D.DH7, Density, states that where residential development exceeds the density levels set out in the London Plan, it must demonstrate that the cumulative impacts have been considered (including its potential to compromise the ability of neighbouring sites to optimise densities) and any negative impacts can be mitigated as far as possible.

#### Assessment of the Proposed Development

- 7.132. This Site is currently considered to be underutilised given its existing low-density within an accessible central London location and being identified for high density development within an area designated for growth.
- 7.133. Based on the maximum quantum of residential units proposed (1,565) and the size of the Site (7.16ha with the exclusion of the three green spaces), the Proposed Development would have a maximum density of approximately 219 dwellings per hectare.
- 7.134. Whilst there is no prescriptive guidance to residential density in the London Plan (2021), which takes a design-led approach as opposed to the former matrix, the proposed density is considered appropriate given the high level of accessibility to the Site and that it benefits from a draft Site Allocation for redevelopment within LBTH's draft Leaside Area Action Plan.
- 7.135. The redevelopment of the Site for higher density development will achieve wider planning policy objectives, including boosting housing and employment opportunities to meet strategic and local targets, with wide-reaching positive outcomes.

## Design

- 7.136. This analysis should be read in conjunction with a number of other application documents, of which the principal documents are listed below:

### Outline Proposals

- Parameter Plans, prepared by Levitt Bernstein [For Approval]
- Design Code, prepared by Levitt Bernstein and LDA Design (Revision D, dated November 2023) [For Approval]
- Design and Access Statement: The Masterplan, prepared by Levitt Bernstein (Revision B, dated August 2022)
- Design and Access Statement: The Masterplan Addendum, prepared by Levitt Bernstein (Revision E, dated November 2023)
- Environmental Statement Volume II: Townscape and Visual Impact Assessment prepared by The Townscape Consultancy
- Environmental Statement Volume II: Built Heritage Assessment prepared by KM Heritage

### Detailed Proposals

- Proposed architectural drawings, prepared by Morris and Company [For Approval]
- Proposed landscaping drawings, prepared by LDA Design [For Approval]
- Design and Access Statement: Detailed Proposals, prepared by Morris and Company (Revision B, dated October 2022)
- Design and Access Statement: Detailed Proposals Addendum, prepared by Morris and Company (Revision B, dated November 2023)
- Environmental Statement Volume II: Townscape and Visual Impact Assessment prepared by The Townscape Consultancy
- Environmental Statement Volume II: Built Heritage Assessment prepared by KM Heritage

### Policy Context

- 7.137. Chapter 12 of the NPPF sets out the requirement for developments to achieve well designed places. This is outlined further in the supporting National Design Code which looks to achieve “*beautiful, enduring and successful places*”.

- 7.138. The NPPF considers that *“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”* at paragraph 126.
- 7.139. Paragraph 130 sets out a list of requirements developments must achieve to secure quality, respect heritage, and establish successful and safe places.
- 7.140. Paragraph 132 outlines that design should be considered throughout the evolution and assessment of the proposals, encouraging pre-application discussions with the Council and local community.
- 7.141. The MHCLG National Design Code published January 2021 provides further guidance on how to achieve well-designed places, including built form and well-designed homes and buildings. Successful developments are considered to provide good quality internal and external environments, relate positively to the spaces around them promoting interaction and inclusion and are well integrated into their neighbourhoods. Built form should also be determined by good urban design principles that combine layout, form and scale which responds positively to its context.
- 7.142. The London Plan promotes development of the highest architectural quality. Chapter 3 focuses on policies relating to design.
- 7.143. Policy D2 requires the density of development to be proportionate to a site’s connectivity and accessibility and to consider the provision of future planned levels of infrastructure.
- 7.144. Policy D3 seeks to optimise site capacity through the design-led approach. Part B promotes higher density developments in locations that are well connected to jobs, infrastructure and amenities by public transport, walking and cycling. Part D sets out a list of criteria which development proposals should achieve.
- 7.145. Policy D4 encourages masterplans and design codes to help bring forward development and ensure it delivers high-quality design and placemaking. At least one Design Review Panel for large schemes which meet the relevant criteria is also required during the preapplication stage.

- 7.146. The Mayor of London's 'Housing Design Standards LPG' was adopted in June 2023 and helps to interpret, the housing-related design guidance and policies set out in the London Plan 2021. It provides a set of standards that relate to housing design.
- 7.147. LBTH Local Plan Policy S.DH1 requires high-quality design and development to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm. It sets out several objectives developments must meet.
- 7.148. LBTH Local Plan Policy S.DH2 sets out a series of design principles that development should adhere to in order to create attractive streets, spaces and public realm. The policy states that, amongst other things, development should optimise active frontages towards public streets and spaces.
- 7.149. The LBTH High Density Living SPD (2021) also sets out a number of design principles which tall buildings should seek to incorporate in their design, particularly in the spaces around buildings, where active and defined frontages are encouraged to the interface of development with public spaces.

#### Assessment of the Proposed Development

##### *Overarching Vision*

- 7.150. Achieving high quality urban design is an overarching planning objective. The importance of place making has been a key driver of the design for the Aberfeldy Village Masterplan.
- 7.151. The Proposed Development has been the subject of extensive pre-application discussions and ongoing discussions throughout determination of the application with the GLA, and LBTH's Planning and Design Officers and has been presented to and reviewed on two separate occasions by the LBTH's Conservation and Design Advisory Panel (CADAP).
- 7.152. From a design perspective it is clear that the proposed development responds positively to its context and the Applicant's design team have worked closely with LBTH and responded to their feedback throughout the pre-application process.
- 7.153. There are a number of vision pillars and fundamental design principles that have underpinned the Proposed Development, which are explored in detail in the Design and

Access Statement and have been used to inform the parameters set by the Design Code which is submitted for approval.

7.154. The design of the Proposed Development and the resulting maximum parameters are the result of extensive review and refinement having been well considered and developed, in consultation with LBTH, the GLA, the local community and other relevant stakeholders. The Proposed Development relates well to the Site's existing context and the overarching ambitions for the wider opportunity area. It is considered to accord with planning policy for the following reasons:

- The Proposed Development is legible, permeable and strongly connected to the surrounding context and wider area, improving connectivity to, from and through the Site east and west, and north and south.
- It has been designed to an appropriate scale and density for its location and in the context of the policy drivers for the Site, including the Opportunity Area and Housing Zone designations.
- The Proposed Development will create revitalised and genuinely mixed- use, Neighbourhood Centre, with a range of uses proposed, both retail and workspaces to support a successful and vibrant place.
- The Proposed Development will finally address the severance caused by the A12 and reconnect Poplar Riverside to the rest of Poplar through a new pedestrian and cycle only route and connect into Jolly's Green creating innovative car-free public realm.
- The Design Code secures high quality public realm, focussed on walkability, healthy streets and creating a child friendly space contained within four principle public realm character areas: the High Street, Community Lane, Enterprise Yard and Healthy Street.
- It will create a network of safe and navigable pedestrian and cycle routes.
- It will provide significant new areas of public open space with green amenity for all to enjoy and provide significant improvement works to existing green spaces, joined by green and linkages and routes.

- The sensitive siting of land uses across the Site, with particular regard to their impact on neighbouring residential communities.
- Delivering a sustainable masterplan which encourages healthy and active lifestyles.
- Delivering varied building typologies and responding to tall building opportunities as well as having regard to the borough designated views and local heritage assets.
- Securing the highest quality of design through the Design Code and this design intent is clearly demonstrated by the high quality shown within the Detailed Proposals.

7.155. In addition to the above, the design team have from the outset focused on meeting the eight Regeneration Outcomes identified by LBTH in their Regeneration Delivery Plan presented by the Transformation and Improvement Board on the 9th September 2019 to the project team.

#### Outline Proposals

7.156. The Design Code sets out the rules and standards which will guide the Outline Proposals through a series of site-wide, individual plot, and building typology design guidelines. The Design Code will instruct the future physical development of the Site when determined through subsequent Reserved Matters Applications and ensure high quality design, in line with the overarching masterplan vision.

7.157. The *'Design and Access Statement: The Masterplan'* and associated Addendum explain the principles which underpin the Design Code and provides more detail about the types of places that will be created. The Design and Access Statement also describes and explores the Illustrative Masterplan, which represents one way in which the Proposed Development could come forward within the parameters set by the three control documents, the Development Specification, the Parameter Plans and the Design Code. The role of the Illustrative Masterplan throughout the pre-application period has been as a vehicle for continual testing and seeking to reach consensus with stakeholders, whilst directly informing the Design Code. The Illustrative Masterplan has been shaped and adjusted to reflect feedback received during the consultation process.

- 7.158. The Outline Proposals will deliver high quality design with exemplary place-making governed by adherence to the Design Code and Parameter Plans which are submitted for approval.

#### Assessment of the Detailed Proposals

- 7.159. A series of key principles have informed the design of each of the plots, including consideration of the immediate surroundings, any constraints and the aspirations for each plot. This is discussed in detail within the *'Design and Access Statement: Detailed Proposals'* and associated Addendum.
- 7.160. The proposed buildings utilise differing typologies, architectural styles and material finishes to create a varied and interesting urban environment that will better connect with its surroundings and revitalise the high street and Neighbourhood Centre. This is supported by the high quality landscape design, such an approach offers an attractive and effective means of higher density urban living that positively contributes to the character of the wider area and delivers the design-related planning policy objectives set out above.
- 7.161. All homes are designed to exceed the nationally described space standard (NDSS) and will have private amenity space accessed directly from the living room, as either a garden, balcony or roof terrace. The proposed Development offers a level of inclusive design that exceeds the minimum access requirements of the Building Regulations, local and London-wide access policies. Further, the proposals were designed to accord with the Mayor of London's Housing SPG (2016) and remain generally consistent with the newly adopted Housing Design Standards LPG (2023).
- 7.162. 11% of the dwellings will be provided to the M4(3) Category 3: Wheelchair user dwellings standard, while the remainder will meet the M4(2) Category 2: Accessible and adaptable dwellings standard. This is part of the wider wheelchair housing strategy which is overproviding for Phase A but will be balanced across the masterplan to provide 10.4% M4(3) units in accordance with the London Plan 2021.
- 7.163. Overall, the Proposed Development will deliver a high quality, well integrated, inclusive and sustainable place and will accord with the Section 12 of the NPPF, Chapter 3 of the

London Plan policies D2, D3 and D4, and LBTH policies S.DH1 and S.DH2 which all seek to secure good design.

### **Tall Buildings, Townscape and Views**

- 7.164. This section should be read in conjunction with the Built Heritage Assessment prepared by KM Heritage and the Townscape and Visual Impact Assessment prepared by The Townscape Consultancy contained within Volume 2 of the Environmental Statement for a full assessment of the heritage, townscape, and visual impact of the Proposed Development.
- 7.165. The key design principles for the tall buildings is set out within the Design Code prepared by Levitt Bernstein and LDA Design, the *'Design and Access Statement: Masterplan'*, and associated Addendum prepared by Levitt Bernstein and LDA Design and the *'Design and Access Statement: Detailed Proposals'*, and associated Addendum prepared by Morris & Company.
- 7.166. The Site's appropriateness for Tall Buildings is considered in full within the accompanying Tall Buildings Statement.

### Policy Context

- 7.167. London Plan Policy D9 provides strategic guidance for tall buildings in London. It states that boroughs should determine if there are locations where tall buildings may be an appropriate form of development, subject to meeting the other requirements of the Plan.
- 7.168. London Plan Policy D9 defines a 'Tall Building' as a building greater than 6 storeys or 18m and sets out a detailed list of criteria which the proposals should address, relating to visual, functional, environmental and cumulative impacts. These include the visual impact (in long, mid and immediate range views) on strategic and local views and, where possible, remedying any past damage to such views within the townscape.
- 7.169. The LBTH's Local Plan (Policy D. DH6) defines a tall building as any building that is significantly taller than its local context and/or has a significant impact on the skyline. Within the borough, buildings of more than 30 metres, or those which are more than

twice the height of surrounding buildings (whichever is the lesser) will be considered to be a tall building.

- 7.170. Tower Hamlets Local Plan Policy D.DH6 directs tall buildings to designated Tall Building Zones (Aldgate, Canary Wharf, Millwall Inner Dock, Blackwall and Leamouth). Outside of these zones, Part 3 of the policy makes clear that tall building proposals will be supported provided they meet the general criteria set out in Part 1 of the policy and the four specific criteria set out in Part 3 of the policy.
- 7.171. The LBTH High Density Living SPD (2021) states that proposals for tall buildings can have a number of benefits, including good environmental credentials for the units delivered, an opportunity for high quality public realm as well as efficiency in terms of the total number of residential units which can ultimately be delivered.
- 7.172. LBTH have also initiated the preparation of a Tall Building SPD, a draft of which was consulted upon in early 2022. Comments in relation to the draft SPD were submitted to LBTH by the Applicant.

#### Assessment of the Proposed Development

- 7.173. The local context has changed significantly since the Extant Permission was granted, with higher density and taller schemes subsequently granted permission in the surrounding area, such as Islay Wharf with building heights of up to 21 storeys and the former Poplar Gas Works site which also has building heights of up to 21 storeys. The maximum of 11 storeys granted for the Outline Permission no longer optimises the Site.
- 7.174. Throughout the design development process, Levitt Bernstein and Morris & Company have been working closely with The Townscape Consultancy, KM Heritage and Miller Hare and in conjunction with LBTH, the GLA and Historic England, to assess the form of the buildings and ensure that the Proposed Development will make a positive contribution to the London skyline.
- 7.175. Whilst the majority of the taller buildings are being proposed in outline, the parameter of each tall building has been carefully fixed and is tightly controlled by the Parameter Plans. The Design Code sets out specific requirements for the taller buildings to be of exemplary design standard, setting out the key design principles but without being overly

prescriptive. The primary tower at B3 will establish a dialogue with Balfour Tower. The Detailed Proposals will act as a benchmark in design quality for the tall buildings in the Proposed Development and demonstrates a strong commitment from the Applicant to securing good design.

- 7.176. The Built Heritage Assessment prepared by KM Heritage and the Townscape and Visual Impact Assessment prepared by The Townscape Consultancy contained within Volume 2 of the Environmental Statement for a full assessment of the heritage, townscape, and visual impact of the Proposed Development.
- 7.177. These documents assess the Parameter Plans, Design Code and verified images against planning policy and assess the Illustrative Masterplan in the verified views, as an example of how the Proposed Development could come forward and the effect it would have in townscape terms.
- 7.178. In addition, a number of Scale, Massing and Building typology guidelines form part of the Design Code. The guidelines will be used to assess the tall buildings identified in the Parameter Plans in the context of strategic and local views of the Site. The guidelines ensure that appropriate design quality and public realm contribution is embedded in the design principles to support the inclusion of these elements of the Outline Proposals.
- 7.179. As part of the Townscape and Visual Impact Assessment, the suitability of the design of the Proposed Development in its spatial location has been assessed using 34 different viewing positions. The likely effect from the two LBTH borough designated views, 'View 5' from Langdon Park and 'View 6' from East India Dock Road are both considered to be moderate beneficial.
- 7.180. The assessment demonstrates that the Proposed Development would have negligible, minor to major beneficial likely effects on the local identified views.
- 7.181. Overall, the Townscape and Visual Impact Assessment states that the coherence of the Proposed Development compared to the existing situation on Site would result in a considerable enhancement in the quality of the townscape character area in which the Site is found. The principal effect would be to create a more cohesive and legible townscape in this part of Poplar with a strong sense of place, derived from well-choreographed arrangement of built form, routes and spaces. Where seen, the buildings

of the Proposed Development would help to signal the location of the regenerated Aberfeldy Estate, the revitalised neighbourhood centre at its heart, and the location of much enhanced connections across the A12.

- 7.182. London Plan Policy D9 sets out the criteria against which tall and large buildings should be assessed and establish support for the development of tall buildings where they create attractive landmarks and enhance London's character. The policy recognises that tall buildings can help provide a catalyst for regeneration, where they are acceptable in terms of design and impact on their surroundings.
- 7.183. London Plan Policy D9 further establishes that boroughs should determine where tall buildings are an appropriate form of development in Development Plans and criteria against which impact should be assessed, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 7.184. The LBTH's Local Plan (Policy D. DH6) defines a tall building as any building that is significantly taller than its local context and/or has a significant impact on the skyline. Within the borough, buildings of more than 30 metres, or those which are more than twice the height of surrounding buildings (whichever is the lesser) will be considered to be a tall building.
- 7.185. The Proposed Development includes maximum parameter heights of 100m AOD and is not specifically identified by LBTH as suitable for a tall building (as shown in 'Figure 7. Tall Building Zones', of the LBTH Local Plan). However, outside of these zones, Part 3 of the policy (D.DH6) makes clear that tall building proposals will be supported provided they meet the general criteria set out in Part 1 of the policy and the four specific criteria set out in Part 3 of the policy.
- 7.186. However, London Plan Policy D9 (Part C) also sets out specific criteria to assess the acceptability of a tall building, including its visual, functional, environmental and cumulative impacts, of which are assessed in the table overleaf:

<b>Policy D9: Part C</b>	<b>Assessment</b>
<b>Visual Impacts</b>	<p>The submitted Townscape and Visual Impact Assessment demonstrates that the proposal complies with the statutory London Plan and relevant guidance in terms of townscape and visual impacts.</p>
<b>Functional Impact</b>	<p>A Fire Statement for both the Detailed and Outline Proposals has been submitted with the Hybrid Application in line with London Plan Policy D12 to ensure the safety of users.</p> <p>In addition, an Outline Delivery and Servicing Plan, a Waste Management Strategy, a Framework Travel Plan and an Outline Parking Design and Management Plan have been submitted with the Hybrid Application to ensure the Proposed Development would function without causing disturbance or inconvenience to its surroundings.</p> <p>Detailed travel plans and a construction logistics plan, would be secured by condition.</p> <p>The Hybrid Application is accompanied by an Environmental Statement which includes a Socio-economic Chapter and a Health Impact Assessment which set out the jobs, services, facilities and economic activity that will be provided by the Proposed Development and the regeneration potential.</p>
<b>Environmental Impact</b>	<p>The Hybrid Application is accompanied by an Environmental Statement which includes chapters on Wind Microclimate, Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare, Air Quality and Noise and Vibration, demonstrating the</p>

proposal complies with environmental policies of the London Plan, the NPPF and other guidance.

*Table 14: Assessment of the Proposed Development in relation to London Plan Policy D9*

- 7.187. The assessment of the acceptability of tall buildings on the Site should be grounded in planning policy terms and as such is to be based on the criteria established in Policy D.DH6.
- 7.188. Policy D.DH6 establishes two sets of criteria applicable to this Site, Part 1 and Part 3. Part 1 comprises a series of 12 criteria, a number of which relate to the detailed design of buildings. The criteria, and an assessment of our proposal, is provided in the table below:

Policy D.DH6: Part 1 - criteria	Assessment
<p><b>a. Be of a height and scale, mass and volume that are proportionate to their role, function and importance of the location in the local, borough-wide and London context; and in keeping with take account of the character of the immediate context and of their surroundings.</b></p>	<p>Located within the Site is the Aberfeldy Neighbourhood Centre as defined in the Council’s Town Centre Hierarchy. A fundamental part of the Proposed Development will be the delivery of a revitalise Neighbourhood Centre and a new employment district, Enterprise Yard, and as such should be vibrant and have high levels of pedestrian activity which is encouraged through the density provided by the tall buildings.</p> <p>The Site is located within the Poplar Riverside Opportunity Area, an area already characterised by tall buildings, and as noted in the London Plan (2021) what constitutes a tall building should thus relate to the evolving context.</p> <p>The tall buildings respond directly to the townscape, respecting both the existing</p>

	<p>hierarchy and the evolving context. They will enhance the legibility of the area at a new key east-west route, delivered as part of the masterplan as well as signalling the significant regeneration of Aberfeldy, a major estate regeneration scheme.</p> <p>The buildings are of a height and scale proportionate to the importance of the area undergoing transformation and the extent of the regeneration proposal. They are reflective of both their existing and evolving context.</p>
<p><b>b. Achieve exceptional architectural quality and have innovative and sustainable building design, using robust and durable materials throughout the building.</b></p>	<p>Buildings will be of the highest architectural quality. The Proposed Development will build upon the positive change already instigated in the early phases of the Extant Permission and which show the Applicant’s clear commitment to delivering high quality design and placemaking.</p> <p>The design quality is demonstrated as part of the Design and Access Statement: The Masterplan and associated Addendum, prepared by Levitt Bernstein, and the Design and Access Statement: Detailed Proposals and associated Addendum, prepared by Morris and Company and the principles outlined within the Design Code and parameter plans prepared by Levitt Bernstein.</p>

<p><b>c. Enhance the character and distinctiveness of an area without adversely affecting designated townscapes and landscapes (including building/roof lines) or detracting from important landmarks, heritage assets, key views and other historic skylines, and their settings.</b></p>	<p>The Proposed Development has been designed to respond to the historic context, particularly Balfron Tower and the Balfron Tower Conservation area. Decisions on massing, architectural approach, and the preservation of key views have been informed through collaboration with officers.</p> <p>A Built Heritage Assessment and a Townscape and Visual Impact Assessment has been undertaken to demonstrate that the proposed tall buildings do not harm the settings of any designated or non-designated heritage assets.</p>
<p><b>d. Provide a positive contribution to the skyline during both the day and night time.</b></p>	<p>The Proposed Development will provide variety, interest, and architectural quality to a skyline already characterised by tall buildings. Proposed tall buildings will be designed to be responsive to the local context and mark a dramatically improved pedestrian connection from Abbott Road to the west side of the A12.</p> <p>The contribution of the scheme to the skyline is demonstrated as part of the Townscape and Visual Impact Assessment.</p> <p>The baseline photography was taken during daylight hours. It is considered that the appearance of the Proposed Development at night would be consistent with that of other existing developments in the local area, and separate night time AVRs are not provided.</p>

<p><b>e. Not prejudice future development potential of adjacent/ neighbouring buildings or plots.</b></p>	<p>The Proposed Development has been carefully designed to consider its relationship with its existing context, not least adjoining sites. The Applicant has explored how underutilised adjacent land can be integrated through comprehensive land assembly discussions.</p> <p>Where this has not been feasible, the Proposed Development has been designed to facilitate the future redevelopment of this land.</p>
<p><b>f. Maintain adequate distance between buildings to ensure a high-quality ground floor experience and enhanced residential environment.</b></p>	<p>The tallest elements in the Proposed Development are located away from the edges of the Site to preserve the residential quality of the neighbouring homes. Proposed tall buildings are positioned to maintain adequate distance from one another and orientated to minimise overlooking to ensure that internal spaces in the new homes are of the highest quality.</p> <p>The ground floor is activated by a mix of non-residential uses (predominantly workspace and retail) and the landscape and public realm design is of the highest standard.</p>

<p><b>g. Demonstrate consideration of public safety requirements as part of the overall design, including the provision of evacuation routes.</b></p>	<p>The Proposed Development is designed to appropriate regulations, and specialist consultants, including fire engineers, have been part of the design team from an early stage.</p> <p>The design quality is demonstrated as part of the <i>'Design and Access Statement: The Masterplan'</i> and associated Addendum prepared by Levitt Bernstein and the <i>'Design and Access Statement: Detailed Proposals'</i> and associated Addendum prepared by Morris and Company and the principles outlined within the Design Code and parameter plans prepared by Levitt Bernstein.</p>
<p><b>h. Present a human scale of development at street level and comprise an attractive and legible streetscape that takes into account the use of the public realm for a variety of users and includes active uses at ground floor level.</b></p>	<p>Plinths are proposed at the bases of buildings in most locations, and particularly on key pedestrian routes. Setting back the residential buildings above will reduce the perception of height at street level. Through changes in material and architectural expression, these plinths will define an active ground floor.</p> <p>Careful consideration has been given to maximising active frontages. Through the provision of new high-quality spaces, Aberfeldy Street will be rejuvenated as a retail street appropriate to a Neighbourhood Centre (as is its designation). The Development will provide a new 'Enterprise Yard' running parallel to the A12. Characterised by small and medium sized commercial and maker- spaces,</p>

	<p>this area will build on the success of Poplar Works at the north of the Site.</p>
<p><b>i. Provide high quality private and communal open space and play areas (where residential uses are proposed) which local residents can use and that encourage social cohesion.</b></p>	<p>The Proposed Development includes a comprehensive landscape and play strategy. This includes private and communal amenity space. In addition to this, the Proposed Development incorporates new and improved open space, which provides a key piece of strategic infrastructure for the local community which addresses the severance caused by the A12.</p> <p>To encourage social cohesion, play spaces are carefully designed to sit within the public realm, providing high quality routes and spaces for new residents and the wider community.</p> <p>The thresholds between public and private spaces are carefully considered and balanced to offer a variety of useable spaces for people of all ages.</p> <p>Improvements to the existing open spaces are also proposed in collaboration with Aberfeldy Big Local who led on the community</p>

	engagement and formed the design brief for these spaces.
<p><b>j. Demonstrate that the development does not adversely impact on the microclimate and amenity of the application site and the surrounding area.</b></p>	<p>Careful consideration has been given to microclimate and amenity and the design has developed in response to the recommendations of specialist consultants to ensure that a pleasant environment can be provided within the Site and to minimise impact on the surrounding area.</p> <p>The Hybrid Application is supported by an Environmental Statement which assesses the Proposed Development’s impact on microclimate.</p>
<p><b>k. Demonstrate that the development does not adversely impact on biodiversity and open spaces, including watercourses and water bodies and their hydrology.</b></p>	<p>The Proposed Development and landscape proposals have been designed to integrate and improve existing open space, to avoid adverse impacts on biodiversity and, where possible to enhance it as detailed through the submission documents.</p>
<p><b>l. Comply with Civil Aviation requirements and not interfere to an unacceptable degree with telecommunications television and radio transmission networks and river radar equipment.</b></p>	<p>The Environmental Scoping Opinion written by LBTH and dated 08.09.2021 notes that that the Site is approximately 3km to the north west of London City Airport, and due to the proposed height it is not anticipated to affect the current use of approach and/or departure procedures for London City Airport and it was agreed that aviation could be scoped out of the Environmental Assessment.</p>

	<p>A standalone Aviation Assessment has been prepared KL Grant Consulting.</p> <p>Both London City Airport and National Air Traffic Services (NATS) will be consulted on during the determination of the Hybrid Application.</p> <p>Furthermore, conditions will likely be attached to the Decision Notice to ensure compliance with Civil Aviation requirements.</p>
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*Table 15: Assessment of the Proposed Development in relation to LBTH Policy D.DH6, Part 1*

- 7.189. As has been set out in the above table, the tall buildings respond positively to the criteria set out in Part 1 of Policy D.DH6, against which all proposals for tall buildings within the Borough must be assessed.
- 7.190. In addition to Part 1, Policy D.DH6 establishes within Part 3 that tall building proposals will be supported outside of Tall Building Zones where the criteria set out in part 1 can demonstrate the four criteria. The criteria, and an assessment of our proposal, is provided in the table below:

Policy D.DH6: Part 2 - criteria	Assessment
a. be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas;	<p>The Site benefits from a good level of public transport accessibility and is located both within a Neighbourhood Centre, as established in the Council’s Town Centre Hierarchy, and within an Opportunity Area, and has been allocated as a site for regeneration within the Council’s draft Leaside Area Action Plan. London Plan (2021) Policy H1 also states that boroughs should optimise the potential for housing delivery on all suitable and available</p>

brownfield sites, especially from sites with PTALs 3 to 6 which are located within 800 metres distance of a station or town centre boundary. The site specific PTAL calculation for the Site, considering the actual walking distances and public transport service providers, identifies a PTAL ranging from 3 to 4.

Whilst continuing to promote a good level of public transport accessibility, the proposed pedestrianisation of the existing vehicular underpass will also bring further benefits such as the improvements to Jolly's Green. The proposed pedestrianisation of the existing vehicular underpass will provide links to the western side of the A12, alongside a direct connection into Jolly's Green – with new and improved routes provided through the existing green space linking Aberfeldy with areas to the West including Crisp Street Market and areas beyond.

It will significantly improve the walking routes to public transport stops and stations by making these more attractive and safer, in addition to improving air and noise quality when crossing the A12.

Through public consultation, resident engagement and youth engagement with Langdon Park School, residents of the estate, young people and members of the local community have identified the existing

	<p>subways at both Dee Street and Abbott Road as feeling unsafe.</p> <p>Additionally, the at-grade crossing takes a long time to cross with pedestrians and cyclists required to wait in the central reserve of the A12 for 60 to 90 seconds before crossing to the other side of the A12. The underpass will provide a well lit, safer route across the A12 that is wide enough to comfortably accommodate the number of pedestrians and cyclists using it.</p> <p>The underpass will help to overcome the barrier and severance caused by the A12, and better connect the Site to the west of the A12. Collectively this will help to promote walking and cycling, and sustainable travel.</p>
<p><b>b. address deficiencies in the provision of strategic infrastructure</b></p>	<p>At present the Site is surrounded by the A12, A13 and River Lea, resulting in the “Aberfeldy Island” being severed from its surroundings, with the A12 in particular causing a significant barrier to the east-west movement. This can often hinder walking and cycling and separates many of the key development areas from the existing community, local centres, and transport hubs.</p> <p>The masterplan will address the severance caused by the A12 through the transformation of the vehicular underpass to a new pedestrian and cycle route.</p> <p>This key strategic route would benefit the whole of the Poplar Riverside and the</p>

many developments coming forward along the River Lea, notably Poplar Riverside and Leven Road bus depot development sites.

Connections to new services and amenities within Aberfeldy Village Phases 1-3 will be enhanced, and connections to Aberfeldy Street strengthened. Routes to other local centres, including Chrisp Street Market and All Saints local centre would also be improved through reduced A12 severance, and the improved legibility offered by tall buildings at this important nodal point along the new east west connection.

Local primary and secondary schools would benefit from improved, more attractive connections, with students, teachers and parents able to travel to and from schools more safely.

The Proposed Development would create additional open space and improve the connections through to the existing provision, linking the spaces of Millennium Green, Leven Road Open Space and Braithwaite Park, alongside the proposed Highland Place. This would create a green grid promoting and aiding accessibility to these spaces and encouraging active lifestyles.

The repurposing of the vehicular underpass to a pedestrian and cycle only

	<p>route would connect Highland Place under the A12 to the rest of Poplar.</p> <p>In addition, the Proposed Development will result in significant CIL and s.106 contributions which will be used to fund significant infrastructure improvements to the local area required as a result of the Proposed Development.</p>
<p><b>c. significantly strengthen the legibility of a Major, District or Neighbourhood Centre or mark the location of a transport interchange or other location of civic or visual significance within the area</b></p>	<p>The Proposed Development has been designed in collaboration with officers and the heights strategy has evolved to respond to the key local and wider townscape views, as well as neighbouring heritage assets. The latter includes Balfron Tower and the conservation area within which it sits. A Built Heritage Assessment and a Townscape and Visual Impact Assessment, has been prepared which demonstrates that the proposed tall buildings do not harm any designated and non-designated heritage assets or key views.</p> <p>The proposals at Aberfeldy will help to reshape and regenerate the area, acting as a marker of significant change. The tall buildings will act as a marker for Aberfeldy Village itself and signal the transformation of this large regeneration area.</p> <p>The Proposed Development will enhance the legibility of the area by emphasising the new key east-west route: the transformed</p>

	<p>vehicular underpass to the new pedestrian and cycle route under the A12, which opens into the new public space, Highland Place. This is a strategically important east to west route which will finally address the segregation of Poplar Riverside from the rest of Poplar by the A12. It is also part of the wider network of routes through the Site which improves both east-west and north-south connectivity and legibility and connects Aberfeldy into its surroundings.</p> <p>The location of tall buildings adjacent to the underpass will also mark Highland Place as a significant area of new public realm and civic space for the existing and future residents of Aberfeldy and the surrounding neighbourhoods. This space, will offer play and amenity space, retail opportunities and cafes, creating a hub of community activity at the heart of the neighbourhood.</p>
<p><b>d. not undermine the prominence and/or integrity of existing landmark buildings and tall building zones (taking account of the principles set out in Figure 8).</b></p>	<p>The proposed tall buildings are located to mark the new underpass at Highland Place and away from Balfron Tower, which is a local landmark. Buildings in the vicinity of Balfron Tower will be lower and will not undermine the existing building's impact and imposing scale. By keeping buildings in this area lower, the 'sky-space' around Balfron Tower and the Balfron Tower Conservation Area will be protected, ensuring that the Proposed Development and the historic buildings read as separate and distinct from</p>

one another. The buildings which will sit directly across the A12 from Balfron Tower are lower rise and have retained the views of Balfron Tower's staircase, a prominent architectural feature of the building from the local borough view.

The tall buildings set around Highland Place have been designed to take account of the 'Figure 8: Principles of Tall Buildings Clusters' set out in the explanatory text of Local Plan Policy D.DH6 and are located at a significant distance from the designated Tall Building Zones within the LBTH Local Plan, notably Canary Wharf, Blackwall and Leamouth tall building zones.

Building heights step down significantly at the edge of the Proposed Development, ensuring that the cluster of three buildings at Highland Place is clearly defined. This will avoid the merging of tall buildings clusters. Tall buildings are positioned in such a way as to avoid breaking the silhouette of any tall buildings clusters when seen from the southern bank of the Thames riverfront.

The three tall buildings will display variation in height and a clear hierarchy of importance. The tallest element, which marks the entrance to the improved underpass and acts as a terminus to Abbot Road, will be

	<p>expressed differently to its neighbours, both of which are slightly lower.</p> <p>The massing and tall-buildings strategy has been developed through a number of consultations with LBTH and significant changes have been made to minimise any impact on heritage assets.</p>
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*Table 16: Assessment of the Proposed Development in relation to LBTH Policy D.DH6, Part 3*

- 7.191. The Applicant is committed to the long-term vitality and vibrancy of Aberfeldy. The tall buildings form a fundamental component of the masterplan and the principle of their inclusion is grounded within planning policy, the wider emerging townscape context, and they will be designed to the highest architectural and urban design quality, and set within a well-considered and high quality public realm.
- 7.192. This comprehensive and transformative strategic regeneration scheme will deliver significant qualitative and quantitative improvements in residential provision for the local community, provide high levels of affordable housing and deliver a high-quality living environment with retail and community facilities to strengthen the neighbourhood centre.
- 7.193. The high-density, high-quality proposals respond appropriately to the Site’s accessibility and townscape context, acting as a catalyst for change. The intensification of the Site responds proactively to local, regional and strategic priorities for good growth in sustainable locations, and appropriately targets high- density and large- scale development on this strategically important regeneration Site.
- 7.194. The Design Code will ensure that any future scheme would be of high quality in terms of its architectural design and have coherence throughout its massing through its controls. The specific details of the design of the tall buildings will continue to be consulted on and refined through the Reserved Matters Applications process which will ensure that the vision of the masterplan is carried through the final design for these buildings.
- 7.195. As such, the Site should be considered appropriate for tall buildings and will result in a significant package of planning benefits for the local and wider area. In summary, the

Proposed Development complies with London Plan Policy D9 and LBTH Local Plan Policy D.DH6 and should therefore be considered acceptable in this regard.

### **Heritage**

- 7.196. This Section should be read in conjunction with the Built Heritage Assessment prepared by KM Heritage and the Townscape and Visual Impact Assessment prepared by The Townscape Consultancy contained within Volume 2 of the Environmental Statement for a full assessment of the heritage, townscape and visual impact of the Proposed Development.

### Policy Context

- 7.197. National policy relating to conservation and enhancement of the historic environment is set out in Chapter 16 of the NPPF. It gives guidance relating to designated heritage assets – Listed Buildings, Conservation Areas, World Heritage Sites, Registered Parks and Gardens and undesignated heritage assets.
- 7.198. In order to assess the nature and degree of potential impacts on the significance of heritage assets, the NPPF requires *“an Applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”*
- 7.199. Section 16 of the NPPF relates to *“conserving and enhancing the historic environment”*. The NPPF states that applications should describe the heritage assets affected and that when considering a proposed development and its impact on the significance of a designated heritage asset, great weight should be given to the assets conservation. Paragraphs 199 – 208 of the NPPF identifies the manner in which proposed development impacting on a designated heritage asset should be assessed and the weighing of the public benefits against any perceived harm. Policy HC1 of the adopted London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings.

7.200. Policy S.DH3 of the LBTH Local Plan states that proposals must preserve or, where appropriate, enhance the borough's designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough's places.

#### Assessment of the Proposed Development

7.201. The design process has been based on a thorough understanding and respect of the existing context, in particular drawing on the Site's relationship with Balfron Tower (Grade II\*), Bromley Hall School (Grade II) and the Site's historic industrial context and cultural heritage. The Site's history, industrial heritage and cultural heritage has informed design decisions and is threaded through the Proposed Development on every level, from strategy to detail.

7.202. The Proposed Development has been designed through a process of pre-application consultation with stakeholders to respond in scale and mass, to the existing townscape, including the local conservation areas, and listed buildings. Likely adverse effects have been considered throughout the design process, and have been mitigated by design through an iterative design evolution process.

7.203. During the pre-application process, LBTH planning and design officers raised concerns over the emerging proposals' potential impacts on Balfron Tower, a Grade II\* listed tower to the west of the Site, on the opposite side of the A12. The Proposed Development's response to this heritage asset formed a large part of the evolution of the heights strategy which was developed together with LBTH.

7.204. The evolving masterplan was also presented to Historic England through their pre-application engagement process and on the basis of the draft visual assessment it was confirmed that the proposals do not appear to have a significant impact on the significance of the Grade II\* listed Balfron Tower and Balfron Tower Conservation Area. However, further visual testing was encouraged, and this forms part of the Townscape and Visual Impact Assessment submitted in support of the Hybrid Application.

7.205. Another key design consideration was Bromley Hall School (Grade II) which is situated south of Plot J. A key aspiration of the Proposed Development was to improve the setting

of this important heritage asset and this has influenced the architecture and heights strategy for Phase A. Another design consideration was to ensure the Proposed Development would interact with Bromley Hall School should the vacant building be brought back into use in the future. No works are proposed to Bromley Hall School or its curtilage and thus no listed building consent is sought in relation to this Hybrid Application.

- 7.206. The Built Heritage Assessment has assessed the likely long-term significant effects of the completed Proposed Development on the settings of listed structures and identified undesignated heritage assets in the local area, and Grade II and II\* listed assets within the wider area, where it is judged that through their location or setting, they may be sensitive to the impact of the Proposed Development. The Proposed Development has no or negligible impacts on the majority of the heritage assets, other than Bromley Hall School (Grade II listed), which during the demolition and construction phase is deemed to have a minor to adverse impact. However, once the Proposed Development is completed, there is deemed to have a minor to beneficial impact on Bromley Hall School (Grade II listed). Most notably, Balfron Tower (Grade II\*) is noted as having a negligible to neutral impact.
- 7.207. In terms of heritage benefits, the Proposed Development will replace low quality buildings which contribute little to the townscape with a high-quality mixed-use Neighbourhood Centre, with a series of streets and spaces which will create a distinct sense of place. The heritage benefits of the Proposed Development also include an improved understanding of the history of Aberfeldy, and reconnects the Site to its immediate context. The detailed design of Phase A (form, materials and details) are inspired by the cultural heritage of the local area and informed by buildings and features previously, such as the Meanwhile Use murals painted on Aberfeldy Street.
- 7.208. In conclusion, the Proposed Development will accord with Section 16 of the NPPF, Policy HC1 of the London Plan and LBTH Local Plan policies S.DH3 and should be considered acceptable in this regard.

## **Public Realm, Play Space, Open Space and Amenity Provision**

7.209. This section should be read in conjunction with the Design Code prepared by Levitt Bernstein and LDA Design, the *'Design and Access Statement: The Masterplan'* and associated Addendum prepared by Levitt Bernstein and LDA Design, and the *'Design and Access Statement: Detailed Proposals'* and associated Addendum prepared by Morris and Company and LDA Design.

### Policy Context

7.210. London Plan Policy S4 encourages opportunities to increase play and informal recreation, incorporating accessible play for all ages, recommending 10 square metres of play space per child.

7.211. LBTH Local Plan defines Open Space as all land that offers opportunity for play, recreation and sport or is of amenity value, whether in public or private ownership, and where public access is unrestricted, partially restricted or restricted.

7.212. LBTH Local Plan Policy S.OWS1 'creating a network of open spaces' requires proposals to provide or contribute to the delivery of an improved accessible, well-connected and sustainable network of open spaces through:

- improving the quality, value & accessibility of existing publicly accessible open space across the borough;
- delivering an improved network of green grid links in line with the Green Grid Strategy, to enhance access to key destination points; and
- maximising the opportunities to create/increase publicly accessible open space.

7.213. At a local level, amongst other things Policy D.H3 states that for developments with 10 or more residential units, the minimum communal amenity space (excluding circulation areas, access routes and waste or bike storage) should be 50 square metres for the first 10 units plus a further one square metre for every additional unit thereafter.

- 7.214. Design guideline AB.2 of the LBTH High Density Living SPD (2021) states that space requirements for communal amenity space, play space and public realm should be met independently.
- 7.215. The LBTH Local Plan Policy D.H3 requires private external amenity space to be provided for homes with a minimum of five square metres of private outdoor space to be provided for 1-2 person dwellings and an extra one square metre should be provided for each additional occupant thereafter. Balconies and other private external spaces should have a minimum width and depth of 1500 mm.

#### Assessment of the Proposed Development

- 7.216. The Public Realm strategy, contained within the *'Design and Access Statement: The Masterplan'*, and associated Addendum set out the principles and core values for the public realm and open space, and play spaces within the masterplan as a whole and the Outline Proposals. It is submitted for illustrative purposes only, with key landscaping principles secured in the Design Code. The landscape strategies and concepts allow for flexibility and will provide a sound basis for future negotiation, detailed design resolution and adaptation during the lifetime of the Outline Proposals and its implementation period.
- 7.217. The public realm is a key component of the Proposed Development and is at the heart of place-making. The carefully considered network of streets and open spaces form the character and identity of the Development. The Design Code secures commitments and set out clear objectives for high-quality design of the public realm.
- 7.218. The Proposed Development will provide an improved network of Green Grid links to enhance access to key destination points, notably to the west of the A12 through the new pedestrian underpass connection which will link directly into Jolly's Green, and through to the new Riverside Park and to the newly created and improved publicly accessible open space proposed within the Site.

#### The Outline Proposals

- 7.219. The Outline Proposals will include new and improved areas of open space. These areas include the following:

- ‘Highland Place’, a new piece of public realm contributing to a key pedestrian and cycle connection and integrated with playable landscape.
  - ‘Culloden Green’, a key local square/green set within Community Lane; and
  - ‘Nairn Square’ a local square that provides a variety of different areas for social opportunities, and for families and neighbours to gather and play and the adjoining ‘Nairn Park’ offering doorstep play and spaces to grow food close to the home; and
  - Improvements and links to Jolly’s Green and Millennium Green (which will be secured through the Section 106 Agreement as explained within the draft Heads of Terms in Chapter 9 of this Planning Statement);
- 7.220. The proposed improvement works to Millennium Green are an additional benefit offered by the Applicant and are not used within figures for the planning application unless explicitly stated as such.
- 7.221. The *‘Design and Access Statement: The Masterplan’* and associated Addendum set out the play strategy across the Proposed Development. It shows how play space is spread across the Site and how those spaces within the Outline Proposals could illustratively come forward as part of future Reserved Matters Applications.
- 7.222. A central aim of the strategy is not to restrict play to isolated areas but instead allow for playful features to be threaded throughout the Public Realm, including facilities for informal play, and incidental features that encourage children to play. Informal Play (playable Landscape) is recognised in the London Plan Policy S4 as latest best practice and LBTH SPD as a valuable play space alongside dedicated play. It provides important flexible space that allows a much wider range of experiential play for socialising, games, imaginary activity that can connect to nature and also be more flexibly located eg closer to people’s homes as well as much better integrated into the public realm. It shows how play space is spread across the Site and how those spaces within the Outline Proposals could illustratively come forward as part of future Reserved Matters Applications. Additional play space will be provided in off-site locations as part of the proposed improvement works at Millennium Green to be secured by way of the Section 106 Agreement.

## Communal and Private Amenity

- 7.223. The 'Design and Access Statement: The Masterplan' and associated Addendum describe and illustrates the principles and core values for the communal and private amenity provision within the Outline Proposals.
- 7.224. Private amenity space is provided for all homes in accordance with policy and guidance, where it is not possible for this to be provided in the form of external space, additional internal living space is proposed.

### The Detailed Proposals

#### *Open Space and Public Realm*

- 7.225. The Detailed Proposals provide new and upgraded public realm and open space. These areas include the following:
- The 'Town Square', this performs an important civic and social function for the neighbourhood;
  - The 'Allotments', a transformed area of public realm; and
  - Improvements and links to the existing green spaces including Leven Road Open Space, Braithwaite Park and Jolly's Green which include transformative landscaping, playable landscape and dedicated play.

#### *Play space provision*

- 7.226. In terms of play space provision per age group, the detailed proposals deliver as follows:

Age Group	Requirement	Quantum Proposed
Aged 0-4	629sqm	643sqm (319 + 324 temporary)
Aged 5-11	547sqm	564sqm
Aged 12-18	604sqm	62sqm
Total	1,779sqm	1,269sqm

Table 17: Detailed Proposals play space provision

- 7.227. There is a shortfall of 542sqm of play space for the older age groups, however, the total figure for play space provision in the table above excludes the improvements to the existing open spaces which include new play provision within both Braithwaite Park and Leven Road Open Space, which amounts to an additional 1,708sqm of play space provision over existing provision. It should be noted that Phases 1-3 of the 2012 Outline Planning Permission for Aberfeldy Village have been built out and based on the units and play space that have been provided within these phases of the 2012 permission, there is an over provision of play space of 1,068 sqm when considering the number of units (and the unit mix) of the residential accommodation built to date by way of the extant Outline Planning Permission.
- 7.228. In addition, play space for the older age groups (ages 12-18) will be delivered as part of the Outline Proposals, notably Highland Place, and thus the shortfall will be temporary in nature as it will be delivered in latter phases.
- 7.229. Furthermore, the Detailed Proposals far exceeds the communal amenity space requirements as detailed below which together with the play areas proposed within the upgrades to the local parks, mitigates this shortfall for playspace in the older age groups.

#### *Communal Amenity*

- 7.230. In respect of the Detailed Proposals, the following amount of communal amenity is provided:
- Plot F – 337 sqm (roof)
  - Plot H – 130sqm (roof) and 95sqm (ground floor)
  - Plot I – 176 sqm (roof) and 73sqm (ground floor)
  - Plot J – 0sqm
  - Total: 811sqm
- 7.231. Overall, the proposed provision far exceeds the planning policy requirement set out within LBTH Local Plan Policy D.H3.

- 7.232. Due to site constraints it is not feasible to create a plot specific provision for Plot J, however, the majority of the residents within this plot are within terraced houses and have access to their own private garden and those residents in the maisonette block have access to their own private amenity space and the dedicated amenity spaces within Plot J, including the Allotment Gardens and the play space provision.

#### *Private Amenity*

- 7.233. In terms of the private amenity space provided for each of the homes within Phase A, these are provided in the form of private gardens and balconies and are designed to meet policy requirements.

#### **Energy and Sustainability**

- 7.234. This Section should be read in conjunction with the Energy Strategy prepared by Meinhardt, the Sustainability Statement prepared by Greengage and Volume 1, Chapter 9: Climate Change prepared by Greenage from the Environmental Statement.

#### Policy Context

- 7.235. The provision of sustainable development is a key principle of the NPPF, where Chapter 14 requires the planning process to support the transition to a low carbon future. London Plan Policy SI2 requires development to minimise carbon emissions through sustainable design and construction, renewable energy, and connection to existing heating networks where possible. Furthermore, development must achieve 35% reduction in target carbon dioxide emissions against Building Regulations Part L (2021) levels. GLA guidance requires the remaining amount for domestic elements to be offset through a cash in lieu contribution to the Council, bringing the total offset to 100%.
- 7.236. Policy SI3 encourages energy masterplans to be developed for large-scale developments to establish the most effective energy supply options and connections to existing or planned heat networks.
- 7.237. Policy SI4 requires developments to reduce overheating and reliance on air conditioning systems through sustainable and efficient design, following a hierarchy which prioritises

minimising internal heat generation and reduction of heat entering through orientation, fenestration, and insulation.

- 7.238. Policy SI7 looks to reduce waste and support the circular economy outcomes and aim to be net-zero waste, in line with the GLA's Guidance for Circular Economy Statements (2022) and Whole Life-Cycle Carbon Assessments (2022).
- 7.239. LBTH Local Plan Policy S.SG2 requires development to deliver sustainable growth in Tower Hamlets.
- 7.240. LBTH Policy D.SG4 requires development to be built and constructed sustainably.
- 7.241. LBTH Policy S.DH1 requires Development to be designed sustainably.
- 7.242. LBTH Policy D.ES7 requires development to address the energy hierarchy, maximise energy efficiency and seek to be zero carbon through a minimum 45% reduction in emissions.

#### Assessment of the Proposed Development

- 7.243. The Energy Assessment prepared by Meinhardt sets out the Proposed Development's energy strategy. The energy strategy has been designed to ensure that opportunities to make use of the waste heat from neighbouring sites can be taken up. An Overheating Assessment was carried out and a number of mitigation measures are proposed and detailed within the Energy Assessment.

#### Detailed Proposals

- 7.244. In terms of Phase A, the Detailed Proposals, plots H1-3 and F, will connect to the existing energy centre delivered as part of the earlier phases of the Extant Permission. The energy centre has spare capacity to accommodate these buildings and was built with the intention to serve the entirety of the development granted permission under the Extant Permission (all six phases). Buildings I and J will be provided with their own air source heat pumps (ASHP's) and water-source heat pumps (WSHP's) and will be independent from the wider energy strategy.
- 7.245. The residential element of the detailed part of the application achieves an overall on-site reduction of 28% in regulated carbon dioxide emissions over Part L 2021. It is not possible

to meet the London Plan target of 35% due to the carbon content of heat delivered to Blocks F & H by the existing heat network. In accordance with GLA Energy Assessment Guidance 2022 Blocks F and H must prioritise a connection to the existing heat network which is currently fed from gas fired CHP and boilers. The heat network operator EON has provided a decarbonisation plan to the GLA which will see the carbon content of heat delivered by the existing network lowered considerably over the forthcoming years.

- 7.246. Energy demand in the residential areas has been significantly reduced, exceeding the GLA target of 10%, achieving a reduction of 15% in regulated carbon emissions over Part L 2021 at the 'Be Lean' stage of the hierarchy, through passive design and energy efficiency measures alone.
- 7.247. The non-residential element of the detailed part of the application achieves an overall reduction of 30% in regulated carbon dioxide emissions over Part L 2021. The non-residential elements of the detailed part of the application are primarily located within Blocks F and H, and as with the residential above, it is not possible to meet the London Plan target of 35% due to the carbon content of heat delivered by the existing heat network.
- 7.248. Energy demand in the non-residential areas has been significantly reduced, exceeding the GLA target of 15%, achieving a reduction of 25% in regulated carbon emissions over Part L 2021 at the 'Be Lean' stage of the hierarchy, through passive design and energy efficiency measures alone.
- 7.249. Overall, the Detailed Proposals achieves an on-site reduction of 28% in regulated carbon dioxide emissions over Part L (2021). The remaining unregulated energy and carbon dioxide emissions will be off-set through a cash in lieu contribution of £542,455 (£95/Tonne for a period of 30 years) to LBTH, to be ring fenced to secure delivery of carbon dioxide savings elsewhere.

#### Outline Proposals

- 7.250. The existing site heat network serving the original masterplan does not have capacity to serve the whole of the new Masterplan. Investigations have confirmed that there are no other district heating networks in the vicinity of this site and none planned for the near

future. It is therefore proposed to provide a new site heat network serving the heat demand of the outline part of the application (Phases B, C and D).

- 7.251. EON have identified potential sources of waste heat from data centres to the south of the outline part of the application, and are currently developing plans for a low temperature network that could potentially serve the outline part of the application in the future, and also be used to de-carbonise the existing heat network serving the original masterplan area. It is therefore proposed that the site heat network serving the outline part of the application will be a low temperature network compatible with the future network being developed by EON.
- 7.252. As EON's plans are at an early stage, the assessment undertaken within the 'Energy Assessment Report' prepared by Meinhardt, have been based on the primary network for the outline part of the application being fed from central air-to-water heat pumps which will generate low temperature heat at around 20-30°C for distribution around the development. When available, waste heat from the EON district network could directly serve the primary network to further de-carbonise the network.
- 7.253. Each block will be provided with its own water-to-water heat pumps and thermal store which is used to raise the temperature to around 55°C for distribution within the block. Heat interface units will be provided per dwelling, providing instantaneous heating and hot water.
- 7.254. The residential element of the outline part of the application is expected to significantly exceed the London Plan minimum target of 35% reduction against Part L 2021, achieving an overall on-site reduction of approximately 74% in regulated carbon dioxide emissions.
- 7.255. Energy demand in the residential areas will be significantly reduced, expected to exceed the GLA target of 10%, achieving a reduction of around 21% in regulated carbon emissions over Part L 2021 at the 'Be Lean' stage of the hierarchy, through passive design and energy efficiency measures alone.
- 7.256. The non-residential element of the outline part of the application is expected to exceed the London Plan minimum target of 35%, achieving an overall on-site reduction of around 37% in regulated carbon dioxide emissions over Part L 2021.

- 7.257. Energy demand in the non-residential areas will be significantly reduced, expected to meet the GLA target, achieving a reduction of around 15% in regulated carbon emissions over Part L 2021 at the 'Be Lean' stage of the hierarchy, through passive design and energy efficiency measures alone.
- 7.258. The outline part of the application as a whole is expected to achieve an onsite reduction of 73% in regulated carbon dioxide emissions over Part L 2021. The remaining unregulated energy and carbon dioxide emissions will be off-set through a cash in lieu contribution of £878,350 (£95/Tonne for a period of 30 years) to LBTH, to be ring fenced to secure delivery of carbon dioxide savings elsewhere.

### Sustainability

- 7.259. The Sustainability Assessment prepared by Greengage sets out how the Proposed Development optimises sustainability through the following measures:
- Commitment to building design in accordance with the principles of the energy hierarchy, using fabric efficiency measures and low carbon and renewable technologies;
  - A Whole Life Carbon Assessment has been carried out to compare the Proposed Development against an industry baseline. Embodied carbon will be reduced through the reduction in use of materials and through the procurement of low carbon building materials;
  - Incorporation of water efficiency measures in design to reduce potable water consumption;
  - Incorporation of sustainable transport measures, such as cycle storage spaces and facilities to ensure building users can make use of the existing transport network;
  - Undertaking a circular economy statement and implementing waste hierarchy and responsible sourcing principles in the design, specification and construction process for the Proposed Development;
  - Incorporation of SuDS measures to reduce surface water run-off to as close to Greenfield run-off rates as feasible under the site restrictions;

- Commitment to ensuring all forms of pollution are minimised in design and construction, in particular acoustics and air quality;
- Commitment to positively enhancing the Site’s biodiversity through the incorporation ecological enhancement measures; and,
- Maximising the wellbeing for users of the Proposed Development through the undertaking of thermal and daylight modelling.

7.260. In summary, the Proposed Development accords with the NPPF, London Plan Policies SI2, SI3, SI4, SI7 and LBTH Local Plan Policy S.SG2, D.SG4, S.DH1 and D.ES7.

### **Transport**

7.261. This Section should be read in conjunction with Volume 1, Chapter 7, Traffic and Transport, prepared by Velocity of the Environmental Statement and the Transport Assessment prepared by Velocity, which includes the Framework Travel Plan, Delivery and Servicing Plan and the Outline Parking Design and Management Plan for the Proposed Development. The Transport Assessment should be referred to for full details on transport; a summary is provided below.

### Policy Context

7.262. Chapter 9 of the NPPF highlights the need to promote sustainable transport. In line with this, the proposed development is designed to promote the use of sustainable transport modes.

7.263. Paragraph 111 of the NPPF states that “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

7.264. London Plan Policy T4, requires development proposals to integrate into current and planned transport access, capacity and connectivity. The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

- 7.265. London Plan Policy T5, Cycle Parking, states that development proposals to help to remove barriers to cycling by securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.
- 7.266. London Plan Policy T6, Car Parking, requires development proposals as a starting point to be car free.
- 7.267. London Plan Policy T2 advocates for the Mayor’s Healthy Streets Approach to be applied to all types of land uses. Developments will be required to:
- *“Demonstrate how they will deliver improvements that support the ten healthy Streets Indicators in line with Transport for London guidance”;*
  - *“Reduce the dominance of vehicles on London’s streets whether stationary or moving”;* and
  - *“Be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport”.*
- 7.268. The Mayor’s Transport Strategy (March 2018) places emphasis on walking, cycling and healthy streets. The key target is for 80% of Londoners’ trips to be on foot, by cycle or public transport by 2040. The strategy states the future of London’s transport system depends on a modal shift to increased cycling and walking. This can be achieved by improving street environments to make walking and cycling the most attractive modes for short journeys. Walking and cycling are also more space efficient modes than the car, providing a long-term solution to London’s congestion problems. The process for improving London’s streets is the ‘Healthy Streets’ approach which contains ten indicators, all of which can be attributed to benefiting the walking and cycling environment.
- 7.269. LBTH Local Plan Policy D.TR1 states development must support and safeguard land for transport and freight infrastructure enhancements to meet the demands arising from future growth, including improvement to capacity, connectivity, quality and interchanges across the network.
- 7.270. LBTH Local Plan Policy D.TR2 requires development to submit a Transport Assessment and to mitigate any adverse impacts as part of the development proposals.

- 7.271. LBTH Local Plan Policy D.TR3 sets out the borough’s parking standards and development should prioritise sustainable approaches.
- 7.272. LBTH Local Plan Policy DTR4 requires development to manage the deliveries of goods and services within the Site and during construction.
- 7.273. The LBTH Local Plan sets out a vision and a list of objectives for carrying out their vision for the Lower Lea Valley in which the Site is included. A key objective is noted as being to “Improve strategic connections to overcome the physical barriers to movement created by the A12, A13 and the waterways” and “Improve local connections by creating a street pattern that increases permeability for ease of pedestrian and cyclist movement.”
- 7.274. The LBTH’s draft Leaside Area Action Plan, allocates the Site for redevelopment and notes:  
*“A key potential site for improved connectivity is through the provision of a new crossing of the A12 at the top of Abbott Road that can provide the opportunity for onward connections to Chrisp Street and Langdon Park DLR station. This could be through an at-grade crossing or the repurposing of the existing vehicle subway underneath the A12 for the exclusive use of pedestrians. In all cases, it should include a reclamation of road space to provide attractive public realm and linkages to the open space of Jolly’s Green on the west side of the A12. Discussions with Transport for London will be vital to securing this improvement.”*

#### Assessment of the Proposed Development

- 7.275. This section should be read in conjunction with the Transport Assessment prepared by Velocity in support of the Hybrid Application.

#### *Impacts of the Proposed Development on Public Transport*

- 7.276. The Site is well-located in respect to public transport, with a manual PTAL rating range between 3 and 4 which indicates a moderate to good level of access to public transport.
- 7.277. The Site has easy access to frequent bus services, with the 309 bus service which routes through the Site and has five services per hour. A further three bus services (108, 115 and D8) can be accessed from the Site within a 10 minute walk.

- 7.278. The Site has easy access to London Underground and Overground Services. Langdon Park Station is located approximately 640m from the west of the Site and East India Station located approximately 650m from the south of the Site are both served by London Underground (Docklands Light Railway services DLR)) and Bromley-by-Bow Station served by London Underground (Hammersmith & City Line) is located approximately 950m from the north of the Site. The 309 bus route connects the Site with Canning Town Station, served by both the DLR and the Jubilee Line.
- 7.279. The impact on the public transport network has been assessed using TfL Rail plan data and NUMBAT line loading data for the DLR and Jubilee Line. The impact is shown to be negligible, with spare capacity still available. A gateline assessment for Canning Town Station has also been undertaken, which shows no additional gates would be required at Canning Town to accommodate additional demand generated by the Proposed Development.
- 7.280. A bus impact assessment has also been undertaken to quantify the effects of the Proposed Development on the public transport network. The modelling showed that the Proposed Development would add 50 passengers onto the westbound 309 services in the morning peak hour.

*Formation of a new pedestrian and cycling route under the A12*

- 7.281. The Local Plan notes that it is critical for new development to be supported by necessary infrastructure and states 'connectivity will be enhanced with new/improved connections across the River Lea and A12 creating a network of walking and cycling routes.' It also states that development should enhance east-west movements across the A12. It is also noted that a key priority for the area is the improvement of the public realm and connectivity to reduce the severance caused by the A12, A13 and River Lea, and to increase accessibility within the area to better integrate communities. It also states development along the A12 and A13 should achieve a joined-up street network and connect to the surrounding area's key destinations. The testing of the deliverability of additional crossings over the A12 is encouraged.
- 7.282. The Draft Leaside Area Action Plan notes within the draft Site Allocation for the Site states it is "A key potential site for improved connectivity is through the provision of a new

crossing of the A12 at the top of Abbott Road that can provide the opportunity for onward connections to Chrisp Street and Langdon Park DLR station. This could be through an at-grade crossing or the repurposing of the existing vehicle subway underneath the A12 for the exclusive use of pedestrians.”

- 7.283. In response to the policy aspirations of LBTH, the Proposed Development proposes transformational change to comprehensively resolve the barriers to healthy and sustainable travel that the community faces. Ways to address these existing problems have been explored in detail and a number of options were explored and ruled out, notably an at-grade crossing.
- 7.284. This extensive work and consultation with key stakeholders has resulted in the proposal to re-purpose and re-grade the lightly used Abbott Road vehicular underpass for use by pedestrians and cyclists to cross the A12. The Proposed Development would close the underpass to vehicles and make it an attractive walking and cycling connection that is integrated into new public realm. The left-in, left-out Abbott Road and A12 junction would be relocated to the north by extending Abbott Road along its historic alignment. This would allow the removal of the existing vehicle dominated environment on Abbott Road to be replaced by a new public realm and green space, which is proposed to be named Highland Place.
- 7.285. This new active travel connection would link the car-free public realm together and re-connect the communities on either side of the A12. A direct connection into Jolly’s Green will be provided, linking Aberfeldy and those areas to the East of the A12 with areas through the West, with new and improved routes provided through the existing green space. A stairway and re-graded ramp will connect the underpass to the western side of the A12 and repurpose the existing slip road onto the A12 as a new pedestrian and cycle only route. This improvement will not just be for residents and workers at the Proposed Development but a facility that will help achieve a positive mode shift for the existing and emerging local communities as developments come forward in the area.

#### *Impacts of the Development on the Highway Network*

- 7.286. The trip generation assessment contained shows that the Proposed Development is not expected to have any significant impact on the highway network in terms of additional

trips generated by the proposals. However, due to the closure of the underpass and provision of a new junction with on- and off slips to the A12 and a bus gate, some re-routing of local trips is expected.

- 7.287. In order to remove vehicular traffic from the Abbott Road underpass, comprehensive traffic modelling has been agreed with TfL. Strategic highway modelling indicates that the underpass can be closed to traffic without significant adverse impacts, and in some parts of the network, benefits are realised. For instance, left turns from the A12 into Zetland Street are currently not permitted but can be accommodated in future. A local level modelling exercise has commenced and will be completed in the post- application period ahead of planning determination.

#### *Pedestrian and Cycle Network*

- 7.288. A key benefit of the Proposed Development is that it will significantly increase the pedestrian and cycling permeability through the Site. Currently, the Site is highly impermeable due to the severance caused by the A12, A13 and Abbott Road which broadly bound the Site on three sides, creating an unpleasant urban environment for pedestrians and cyclists.
- 7.289. The Proposed Development will prioritise pedestrians and cyclists through the public realm and will create new pedestrian and cycle routes and links to the surrounding streets, thereby improving connectivity and opening up the Site to integrate successfully with the wider area.
- 7.290. The Proposed Development will create a comprehensive network of pedestrian and cycle routes that will enable the Proposed Development to promote the Healthy Streets philosophy by providing high quality car free alternative walking and cycling routes.
- 7.291. The Proposed Development also proposes a number of new routes for pedestrians and cyclists within the Site which will connect into existing routes in the surrounding area. In particular, the new pedestrian and cycle only route under the A12, discussed above and the pedestrian subway at Dee Street which will undergo significant improvement as part of the proposals.

7.292. There will be a substantial number of cycle parking spaces provided, in line with the standards set out in the London Plan and the London Cycle Design Standards.

*Parking Provision*

7.293. An Outline Parking Design and Management Plan is submitted in support of the Hybrid Application. It provides a summary of the proposed parking provision and the strategy for its operation. The provision of car parking in the Proposed Development will be reviewed as the Proposed Development evolves and the requirement for spaces is confirmed as set out below.

7.294. There are 149 existing private car parking spaces and 92 public Controlled Parking Zone existing car parking spaces that would be directly affected by the Proposed Development.

7.295. The development is proposed to be car-lite progressing to car-free. For new residents and staff, only Blue Badge parking spaces for all land uses will be provided.

7.296. The Resident Offer which formed the basis of the estate regeneration ballot was predicated on the principle that existing Poplar HARCA parking permits are re-provided.

7.297. Returning residents will be permitted to apply for a parking permit where they have an existing right to park. It is understood that approximately 70 returning residents have such rights and in order to protect local parking amenities, new residents would be prohibited from obtaining on-street parking permits. As residents inevitably move out of the development, car ownership will reduce as new residents would not be able to apply for a parking permit. It is proposed that the space that is made available could be turned into additional public realm improvements, cycle parking for residents, additional parking for the mobility impaired, additional car club provision or other uses that benefit the community.

7.298. At this stage, the number of these returning residents is expected to be around 70. However, this figure cannot be fixed at this stage due to uncertainty generated by the project programme and potential changes to residential tenants. For robustness and in order to provide certainty, it is proposed that the number of standard permit parking spaces will not exceed 80 car parking spaces.

7.299. 3% Blue Badge parking is proposed, together with one Blue Badge space associated with the proposed commercial uses, equating to 50 Blue Badge spaces across the Masterplan.

7.300. A total of four car club spaces are proposed to be provided.

7.301. The Detailed Proposals will deliver the following:

- 17 permit spaces;
- 7 blue badge spaces; and
- 2 car club space.

#### Cycle Parking

7.302. Cycle parking for both the Outline and Detailed Proposals will be provided in line with the London Plan standards.

7.303. The Detailed Proposals will deliver 12 long-stay cycle spaces and 68 short-stay cycle spaces provided for the non-residential uses and 485 long-stay and 17 short-stay cycle spaces for the residential floorspace.

7.304. The Applicant and design team have worked with Cycling Score and received guidance to ensure the parking facilities to be provided will be of a high standard and user friendly.

#### Travel Plan

7.305. The submitted Framework Travel Plan provides a framework for delivering the vision for sustainable travel in and around the Site and identifies the potential measures that may be introduced at the Site to promote alternative means of travel other than by private car such as walking, cycling and public transport.

7.306. Detailed travel plans, would be secured by condition for the Detailed Proposals and subsequent phases with the purpose of identifying appropriate mode share targets, the key measures that will be implemented to achieve these targets, and establish the mechanisms to manage the Travel Plans and monitor their effectiveness for influencing travel choices.

#### Servicing and Deliveries

- 7.307. A Delivery and Servicing Management Plan forms an appendix of the Transport Assessment and sets out objectives and measures for how the impact of servicing activities within the Site will be minimised.
- 7.308. It is anticipated that on average, 219 deliveries per day are expected (187 for residents, 24 for retail and nine for workspaces).

#### Waste

- 7.309. A Waste Management Strategy has been submitted in support of the Hybrid Application which confirms the overall impact of waste generation through the recycling of materials from the operational phase of the Proposed Development meets the requirements of relevant waste policy and follows applicable guidance.
- 7.310. In line with above, the Proposed Development will therefore comply with London Plan policies T2, T4 and T5, LBTH Local Plan policies D.TR1, D.TR2, D.TR3 and D.TR4 in respect of the Proposed Development's impact on the public transport network and highways, its contribution to the local pedestrian and cycle network, its provision of car and cycle parking, its strategy for encouraging sustainable travel modes and its strategy for managing servicing and deliveries and should therefore be considered acceptable in this respect.

#### **ENVIRONMENTAL IMPACTS**

- 7.311. This Hybrid Application is supported by an Environmental Statement ('ES') which assesses the potential environmental impacts associated with the Proposed Development.

#### **Air Quality**

- 7.312. This section should be read in conjunction with Volume 1, Chapter 8, Air Quality, prepared by Entran, of the Environmental Statement.

#### Policy Context

- 7.313. Paragraph 181 of the NPPF requires planning policies and decisions to improve air quality or mitigate impacts so far as possible and consider all relevant limit values or national objectives for pollutants.

- 7.314. Policy SI1 of the London Plan seeks to improve air quality and for proposed development to be air quality neutral. Masterplans and development briefs for largescale development proposals subject to an Environmental Impact Assessment should consider how local air quality can be improved across the area of the proposal as part of an air quality positive approach.
- 7.315. Part 9 of Design Policy D3 requires proposals to help prevent or mitigate the impacts of poor air quality.
- 7.316. Part D of Policy E7 relates to mixed use and residential development on industrial sites, requiring particular consideration to be had with regards to air quality including dust, odour, emissions and potential contamination.
- 7.317. The LBTH's Local Plan Policy D.ES2 relates to Air Quality and requires development to meet or exceed the 'air quality neutral' standard.

#### Assessment of the Proposed Development

- 7.318. The Air Quality Chapter within the Environmental Statement sets out the assessments undertaken in relation to air quality and the Proposed Development.
- 7.319. An assessment of the potential impacts during the construction phase has been carried out. This has shown that during this phase of the proposed development releases of dust and PM10 are likely to occur during site activities. Through good site practice and the implementation of suitable mitigation measures, the impact of dust and PM10 releases may be effectively mitigated and the resultant impacts are considered to be negligible.
- 7.320. Dispersion modelling using ADMS-Roads has been carried out to assess the impact of the construction and operational phases of the proposed development on local air quality. Construction traffic and the operational development are predicted to result in a negligible impact on local air quality at existing receptors within the vicinity of the Site. Future occupants of the proposed development would not be exposed to pollutant concentrations above the relevant objective levels, therefore the impact of the proposed development with regards new exposure to air quality is considered to be negligible. Pollutant concentrations at the façades of the proposed buildings will also decrease with height as a result of increased dispersion and dilution with separation distance from road

traffic sources. Nonetheless, the apartments will be mechanically ventilated to ensure that there is no new exposure to poor air quality. The proposed development is also predicted to be air quality neutral.

- 7.321. The Proposed Development therefore complies with London Plan Policy SI1 and LBTH Local Plan Policy D.ES2.

### **Daylight, Sunlight and Overshadowing**

- 7.322. This Section should be read in conjunction with the Daylight, Sunlight and Overshadowing Chapter of the Environmental Statement prepared by GIA, the Internal Daylight, Sunlight and Overshadowing Report, prepared by GIA and the Daylight and Sunlight Assessment for the Detailed Proposals, prepared by GIA. Since the October 2021 Planning Statement, the revised BRE Guidelines have been published which introduce new methods for the assessment of internal daylight and sunlight within new buildings. All internal daylight and sunlight assessments have been updated to align with the new BRE Guidelines 2022 methodologies.

### Policy Context

- 7.323. The NPPF makes clear that daylight and sunlight standards should be applied flexibly to optimise the land use of Sites for securing housing delivery. Paragraph 123 states that when considers housing schemes, local planning authorities should refuse applications which they consider fail to make efficient use of land, considering the policies in the NPPF. Paragraph 123 further states that authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a Site, subject to the resulting scheme providing acceptable living standards.
- 7.324. Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites and provides the design criteria against which development should be considered. Policy D6 (Part D) states that development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Policy D9 relates

to tall buildings and provides various criteria against which they should be considered, including their environmental impact in terms of aspects such as daylight to open spaces.

- 7.325. At a local level, Policy D.DH8 of the LBTH Local Plan requires adequate levels of daylight and sunlight for new residential developments, including amenity spaces. Moreover, it states that development should not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development and not resulting in an unacceptable level of overshadowing to surrounding open space and private outdoor space.
- 7.326. In addition, LBTH'S High Density Living SPD encourages applicants to have regard for the design guidelines set out within it in order to improve both the internal and external daylight and sunlight performance of development.

#### Assessment of the Proposed Development

##### *Daylight*

- 7.327. Daylight is the general amount of light (direct and indirect) which enters a room during the daytime. To identify potential daylight effects to the existing surrounding properties, 42 existing surrounding properties have been assessed which covers 2,699 windows serving 1,470 habitable rooms.
- 7.328. For daylight, a number of properties would experience negligible to minor adverse effects which are not significant. Six properties, including the St Nicholas Church and Culloden Primary School, will experience a minor (not significant) to moderate adverse (significant) effect. Five properties will experience moderate to major adverse effects (significant). Atelier Court and Leven Road Phase Three will experience a major adverse (significant) effect.

##### *Sunlight*

- 7.329. To identify potential sunlight effects, 42 neighbouring properties were assessed. Of the 42 existing buildings assessed, 33 properties will experience negligible or minor adverse (not significant) effects. Aberfeldy Estate Phase One Block C and St Nicholas Church minor (not significant) to moderate adverse (significant) effects. Lansbury Gardens 2-12 and Sherman House will experience moderate adverse effects (significant). Leven Road Phase

Three, Loren Apartments and 199-225 Abbott Road will experience moderate to major adverse effects (significant) and Atelier Court will experience a major adverse effect (significant).

7.330. It is important to note that many of the windows that record moderate or major (significant effects) percentage changes in daylight and/or sunlight fall into one or more of the following categories:

- are located in rooms or properties with design or orientation features which limit daylight and sunlight amenity ingress;
- they currently have low levels of light and are thus susceptible to large percentage alterations;
- they serve less sensitive spaces such as bedrooms; and/or
- they serve rooms that benefit from other mitigating windows which should ensure good levels of daylight amenity are maintained or experience a negligible alteration.

7.331. The development of tall buildings (such as that proposed here) often result in incidences of adverse effects of daylight and sunlight amenity to some properties, which are often unavoidable. In addition, contextual factors such as the orientation and proximity of neighbouring properties indicate that some significant impacts are to be expected from a redevelopment of the site.

#### *Solar Glare*

7.332. The solar glare assessment considers the potential occurrence, proximity and duration of solar reflections from the Proposed Development owing to its size and large areas of glazed façade at nearby road traffic junctions. A total of 14 sensitive viewpoints surrounding the Site were assessed for the potential adverse solar reflection to occur, including views from the A12, Dee Street, Zetland Street, Aberfeldy Street and Blair Street. The assessment concluded that the effect of the Proposed Development on solar glare to all viewpoints will be negligible to minor adverse and not significant.

#### *Overshadowing*

7.333. All outdoor spaces within the Outline Proposals have been tested. The ground floor public realm would see very good levels of sunlight, with all areas far exceeding BRE's recommendation and being well sunlit throughout the year. The four proposed courtyards would fall short of the recommendation on 21st March. This is a typical occurrence in courtyard shaped blocks which are enclosed from all sides. The vast majority of these areas would see in excess of three hours of sunlight in June. The blocks where the courtyards are located are also provided with rooftop amenity spaces, all of which far exceed the recommendation and will be excellently sunlit throughout the year. One terrace at podium level for block B3 and all rooftop terraces would far exceed BRE's recommendation and will also be excellently sunlit throughout the year.

#### *Internal Daylight and Sunlight*

7.334. In regards to Phase A, the Detailed Proposals, 681 (78.9%) out of all 863 habitable rooms meet or exceed the recommended levels of spatial Daylight Autonomy (sDA) within the UK National Annex. This figure considers the higher recommendation of 200 lux for combined Living/Kitchen/Dining spaces and studios. In addition, a further 67 (7.7%) rooms would only fall slightly short of recommendation and so a total of 748 (86.7%) rooms are considered to offer good daylight levels in the context of this urban location.

7.335. In terms of sunlight, 223 (80.5%) out of all 277 proposed dwellings meet the recommendation. The occurrence of sunlight levels lower than recommendation in a few units is typical of an urban environment, especially for rooms on the lowest floor which are provided with balconies.

7.336. With regard to overshadowing, all but one of the proposed open spaces within Phase A far exceed the recommendation by BRE, providing excellent sunlight amenity. Braithwaite Park and Leven Road Green far exceed BRE's recommendation and would be well sunlit throughout the year. The only area falling short of recommendation is the rooftop terrace of Block H3, which however sees good levels of sunlight throughout all summer months and can still be considered well sunlit.

7.337. Given the nature of the Site and its urban location there will inevitably be impacts to adjacent properties, however these impacts should be viewed in the wider planning benefits of the Proposed Development taking into account:

- The Site's designation as an Opportunity Area and Housing Zone
- The significant placemaking and amenity benefits the Proposed Development will bring to its neighbours than the Site currently offers.

7.338. When the impacts are viewed in these terms, the reductions in daylight and sunlight do not represent unacceptable harm and therefore accord with Policies D3, D6 and D9 of the London Plan 2021 and Policy DH8 of The Tower Hamlets Local Plan.

### **Flooding and Sustainable Urban Drainage**

7.339. This section should be read in conjunction with Chapter 12 of the Environmental Assessment, Water Resources, Flood Risk and Drainage prepared by Meinhardt and the Flood Risk Assessment prepared by Parmabrook which forms an appendix of the Environmental Statement.

#### Policy Context

7.340. Chapter 14 of the NPPF requires development to take into account the long-term implications of flood risk and directs development away from areas at highest risk.

7.341. Policy SI13 of the London Plan relates to the need to consider flood risk at all stages in the planning process and seeks the appropriate mitigation of surface water run-off through sustainable drainage systems in line with the GLA drainage hierarchy.

7.342. LBTH Local Plan Policy D.ES4 requires developments to enable effective flood risk management.

7.343. LBTH Local Plan Policy D.ES5 requires developments to reduce the risk of surface water flooding.

#### Assessment of the Proposed Development

7.344. The Site is located in Flood Zone 2/3(b) (High Risk). However, the Site is located within an area that is protected from flooding by the River Thames Tidal Defences and the Thames Barrier.

7.345. As part of the Proposed Development, a Drainage Strategy would be implemented. This would reduce the rate of surface water runoff discharged into the public drainage

network through the appropriate use of sustainable drainage measures. This would result in a moderate beneficial (significant) effect on flood risk to residents within the Proposed Development and in the surrounding area.

- 7.346. It is considered that the Proposed Development satisfies the requirements of the National Planning Policy Framework, London Plan Policy SI13 and LBTH Local Plan policies D.ES4 and D.ES5.

### **Noise and Vibration**

- 7.347. This section should be read in conjunction with Volume 1, Chapter 10, Noise and Vibration, prepared by Entran of the Environmental Statement.

### Policy Context

- 7.348. Paragraph 185 of the NPPF requires development to mitigate and reduce the potential adverse impacts resulting from noise from the new development and rise to any significant adverse impacts on health and quality of life.
- 7.349. Policy SD13 of the London Plan relates to the 'Agent of Change' which places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Part D also outlines that development proposals should manage noise and other potential nuisances by ensuring good design and exploring mitigation measures.
- 7.350. Policy D14 relates to noise and requires development to avoid significant adverse noise impacts on health and quality of life.
- 7.351. LBTH Local Plan Policy D.ES9 requires development to consider noise impacts of the new development.

### Assessment of the Proposed Development Proposals

- 7.352. The Noise and Vibration Assessment has considered the different stages of the construction programme, to identify the potential for effects at sensitive receptors in close proximity to the works. The assessment of noise and vibration effects from the demolition and construction activities at residential properties immediately adjacent to works conclude that, with mitigation measures in place, the demolition and construction

activities will result in short term minor to major adverse effects (significant) on noise and vibration levels.

- 7.353. To control the impact of noise during all phases of the construction of the Proposed Development, contractors will ensure that construction works are carried out in accordance with best practicable means to ensure that noise and vibration levels are kept as low as practicably possible, and that the local residents are kept up to date with the planned works.
- 7.354. The significant adverse effects experienced during the demolition works will be temporary in nature and will cease with the completion of the Proposed Development.
- 7.355. In terms of the completed development, the review of operational traffic flow data for the roads surrounding the Proposed Development has determined that the changes in noise due to operational road traffic on the Proposed Development will be negligible, with a major beneficial effect at two locations on Abbott Road due to a decrease in traffic as a result of the public realm and road improvements introduced by the Proposed Development.
- 7.356. The new homes provided in the Proposed Development will incorporate measures such as glazing and ventilation to ensure that the required internal noise levels can be met.
- 7.357. It can therefore be concluded that the Proposed Development would not cause unacceptable noise disturbance and should be considered acceptable in the context of London Plan Policy SD13, D14 and LBTH Local Plan Policy D.ES9.

### **Socio-Economics**

- 7.358. This section should be read in conjunction with Volume 1, Chapter 6, Socio- Economics, prepared by Hatch of the Environmental Statement and the Economic Benefits Statement prepared by Hatch, and associated Statements of Conformity.

### Policy Context

- 7.359. Chapter 6 of the NPPF 'Building a strong, competitive economy' outlines that planning policies should "set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth" (Paragraph 82a).

7.360. Chapter 8 of the NPPF outlines how planning policy “should aim to achieve healthy, inclusive and safe places”. Much of this guidance is relevant to socio-economics, including the need for local authorities to:

- *“Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services”* (Paragraph 93a); and
- *“Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services”* (Paragraph 93e).

#### Assessment of the Proposed Development Proposals

7.361. The Socio-Economics Assessment has focussed on key social and economic considerations, including the creation of jobs, and new homes and the demand of the new population on community facilities such as schools and health centres/GPs.

7.362. In terms of the demolition and construction stage, existing residents on the Site will be offered the opportunity to be re-housed, in line with the decant strategy for the Proposed Development. The temporary loss of housing as a result of the demolition works (prior to the new buildings being complete, providing new and additional housing) results in an effect deemed as not significant. In addition, there are some existing shops with the Site and the completed Proposed Development will provide the opportunity for taking up leases within the new facilities provided within the Proposed Development. The effect of the loss of the existing retail space is considered to be negligible and not significant.

7.363. The construction phase of the Proposed Development is likely to generate approximately 651 full time equivalent jobs over the anticipated 11 years and 11 months demolition and construction programme. These jobs will likely be taken up by a range of professions and construction workers from across London and is considered to be a minor beneficial effect and not significant.

7.364. The Proposed Development, once completed, will provide up to 1,565 residential units, retail, workspace, food and drink uses and public realm works. The delivery of high-quality residential units along with new public realm and landscaping will lead to improvements to the living environment of the local area. This provision of new housing is considered to

have a major beneficial effect to the local area and a moderate beneficial effect to the London Borough of Tower Hamlets, both of which are considered to be significant, and the effect on deprivation levels within the Local area is considered to be moderate beneficial and significant.

- 7.365. The Proposed Development's residents will generate an increase in the demand for existing health facilities (such as GP services), open space and play space within the surrounding area. Sufficient open space and play space will be provided on-site and the demand for GP services would in part be met by the new health facility that was completed in Phase 3b of the Extant Permission. Any requirement for further financial contributions required by the Council towards developing social infrastructure will need to take account of the over-provision of the health facilities in the Extant Permission.
- 7.366. It is also anticipated that the Proposed Development will create additional demand for local school places across all levels of education. There will be a sufficient number of secondary school spaces within the borough's existing schools to absorb the additional demand. The demand for primary school places will be managed by financial contributions that will be made towards developing social infrastructure secured in suitably worded planning obligations. The effect upon primary and secondary schools is therefore not significant.
- 7.367. Once completed, the Proposed Development will provide up to 5,360m<sup>2</sup> (GEA) of non-residential floorspace. It is estimated that the non-residential uses have the potential to support between 253 – 281 full time equivalent jobs. In terms of additionality, taking account of the existing 46 - 63 jobs on the Site and anticipated displacement, the net additional full time equivalent jobs is anticipated to be 127 – 165 jobs. The on-site employment is assessed to be minor beneficial across the Local Impact Area, but not significant.
- 7.368. The Proposed Development is in accordance with Chapters 6 and 8 of the NPPF.

### **Health Impact**

- 7.369. This section should be read in conjunction with the Health Impact Assessment (HIA), prepared by Hatch, and associated Statement of Conformity prepared by Trium.

## Policy Context

7.370. Chapter 8 of the NPPF outlines how planning policy “*should aim to achieve healthy, inclusive and safe places*”. Much of this guidance is relevant to socio-economics, including the need for local authorities to:

- “*Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services*” (Paragraph 93a); and
- “*Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services*” (Paragraph 93e).

7.371. Policy GG3 of the London Plan looks to improve Londoner’s health and reduce health inequality. Part D encourages boroughs to assess the potential impacts of the proposals on the mental and physical health and wellbeing of communities through the use of Health Impact Assessments (HIA).

## Assessment of the Proposed Development Proposals

7.372. As such, the Health Impact Assessment is submitted alongside the Hybrid Application in line with the requirements of London Plan Policy GG3.

7.373. This concludes that the Proposed Development would have the beneficial effects on population health due to the following factors:

- **Housing Quality and Design:** the Proposed Development will provide up to 1,565 high quality new homes of varying size and tenure contributing to London Borough of Tower Hamlets’ annual housing target as well as helping to meet local demand for family housing and affordable housing, encouraging a vibrant resident community. Residents will benefit from functional, comfortable and energy efficient living including accessible units.
- **Access to Open Space and Nature:** the Proposed Development includes communal outdoor amenity space including new public open space and will provide a number of improvements to existing open space amenities and linkages between public realm and open space thereby encouraging physical activity and helping to maintain or improve mental well-being.

- **Crime Reduction and Community Safety:** The Proposed Development promotes active and multi-use of public spaces enabling possibilities for community interaction and avoiding social exclusion. Community engagement has taken place which help foster a sense of ownership and empowerment.
- **Access to Work and Training:** the Proposed Development will provide workspace and retail uses generating up to approximately 167 to 217 FTE jobs providing opportunities for employment, including for local residents. In addition, during the demolition and construction phase, temporary employment opportunities will be generated.
- **Social Cohesion:** The Proposed Development connects well to the wider area. The creation of new routes going north-south and west-east through the Proposed Development will improve connections both within the Site and to / from the surrounding areas. In addition, the provision of open space and children play areas, as well as a new High Street and Town Square will create spaces in which the local community can interact.

7.374. **Pedestrian and Cycling Activity:** The Proposed Development has strong public transport links and prioritises pedestrian and cycling modes of travel, both in terms of accessing the Site and within the Site itself thereby encouraging and promoting active travel and exercise.

7.375. **Best use of existing land:** The Site meets the principle of paragraph 11 of the NPPF by reusing land that has previously been developed for a mix of uses and will enhance the amenity value of the Site for occupiers and the local community.

7.376. The Proposed Development is in accordance with the NPPF, Chapter 8 and London Plan Policy GG3.

### **Trees and Ecology**

7.377. An Arboricultural Report is submitted in support of the application. This identifies which of the existing trees within the Site will be retained, and which of those existing trees will be removed in order to facilitate the Proposed Development.

## Policy Context

- 7.378. Chapter 15 of the NPPF looks to conserve and enhance the natural environment, minimising impacts on and providing net gains for biodiversity. This is supported by the Draft Environmental Bill which seeks to make it mandatory for developers to submit a Biodiversity Net Gain Plan for planning evidencing a 10% gain in biodiversity. It should be noted that the accompanying Biodiversity Impact Assessment shows a Biodiversity Net Gain across the whole masterplan of 30.47%.
- 7.379. The MHCLG National Design Guide (2021) supports rich and varied biodiversity and encourages nature and trees in public open spaces.
- 7.380. The London Plan Policy G5 requires developments to contribute to the greening of London and sets a target Urban Greening Factor (UGF) score of 0.3 for predominantly commercial developments and 0.4 for predominantly residential developments.
- 7.381. Part D of Policy G6 encourages developments to manage impacts on biodiversity and aim to secure net biodiversity gain.
- 7.382. Policy G7 seeks to retain existing trees wherever possible and encourages the planting of additional trees in new developments.
- 7.383. LBTH Local Plan Policy S.ES1 sets out how proposals should protect and enhance the environment and protect and enhance biodiversity.
- 7.384. LBTH Local Plan Policy D.ES3 notes measures that developments should take to protect and enhance biodiversity, protect and increase the provision of trees.

## Assessment of the Proposed Development Proposals

### *Ecology*

- 7.385. The Preliminary Ecological Assessment and the subsequent Addendum relating to Jolly's Green confirmed these conclusions which identified only common and widespread urban habitats of limited ecological value on the Site. The nearest statutory/non-statutory designated site is the River Lea SINC, 70m from the Site. The Site has potential to support the following notable and/or protected species:

- Low potential to support roosting bats;
- Moderate potential to support nesting birds;
- Confirmed presence of invasive/non-native species; and
- Low potential to support foraging and commuting bats.

7.386. Key mitigation, compensation and enhancement actions are set out within the Preliminary Ecological Assessment and Addendum.

7.387. The BREEAM Ecology Assessment sets out that the proposals are likely to achieve:

- Two credits for Identifying and Understanding the Risk and Opportunities for the Project;
- Three credits for Managing Negative Impacts on Ecology;
- One-four credits for Ecological Change and Enhancement; and
- Two credits for Long-Term Ecology Management and Maintenance.
- The Bat Survey sets out bat mitigation actions and requirements.

7.388. The Urban Greening Factor score resulting from the Proposed Development has been calculated at 0.4. The proposals will therefore meet the requirements of London Plan Policy G5 and the associated Urban Greening Factor LPG (February 2023). As a result of the landscape changes since submission the Biodiversity Net Gain across the Masterplan has increased from 21.11% to 30.47%, significantly in excess of the required 10%.

7.389. Urban greening will be further enhanced through proposed works to Millenium Green, to be secured as part a S106 Agreement, but not included in this calculation.

#### *Trees*

7.390. The submitted Arboricultural Statement and Tree Survey sets out an overview of the individual trees, tree groups and hedges that require removal to allow the Proposed Development to proceed, noting that the Site is not impacted by any Tree Preservation Orders or Conservation Area restrictions.

7.391. The submitted Arboricultural Report also provides an assessment in relation to Jolly's Green. This assesses the impact on existing trees in order to facilitate the connection of the Proposed Development into Jolly's Green. This specifies the removal of 40 individual

trees and one group, and concludes that new tree planting is considered to mitigate this loss.

- 7.392. The Applicant and their design team will seek the retention of as many high-quality trees as possible as the detailed design comes forward, in particular trees (T33, T34 and T35).
- 7.393. The Proposed Development will deliver a comprehensive landscaping strategy in line with the Design Code and as demonstrated within the '*Design and Access Statement: The Masterplan*' and associated Addendum, and the '*Design and Access Statement: Detailed Proposals*' and associated Addendum.
- 7.394. The Proposed Development is therefore in accordance with the NPPF, the London Plan policies G5, G6 and G7 and LBTH Local Plan policies S.ES1 and D.ES3.

#### **Wind**

- 7.395. This section should be read in conjunction with Volume 1, Chapter 13, Wind Microclimate, prepared by RWDI of the Environmental Statement.

#### Policy Context

- 7.396. London Plan Policy D8, Part J, requires new public realm proposals to ensure that appropriate microclimate considerations including wind.
- 7.397. Tall Building Policy D9 requires consideration to be had to environmental impact including wind.
- 7.398. LBTH Local Plan Policy S.DH1 requires microclimate such as wind is taken into consideration when designing new developments and no unacceptable harmful impacts arise from the design.

#### Assessment of the Proposed Development

- 7.399. The assessment concludes that mitigation measures will be required to make the Proposed Development acceptable. For the Outline Proposals, these measures will be considered during the detailed design and wind tunnel testing at the associated Reserved Matters Applications. For the Detailed Proposals, these are set out in full within Chapter 17, Mitigation and Monitoring, of the Environmental Statement.

7.400. With these mitigation measures in place, the Proposed Development will ensure a safe environment is provided on all detailed buildings in accordance with London Plan Policy D8 and D9, and LBTH Local Plan Policy S.DH1.

## **8. PHASING & IMPLEMENTATION**

- 8.1. The preparation of this Hybrid Application has included careful consideration of the way in which the Proposed Development would be implemented and delivered.
- 8.2. Implementation and delivery of the Proposed Development is expected to be controlled through a comprehensive set of planning conditions and, where appropriate, Section 106 planning obligations.

### **Planning Obligations**

- 8.3. The Applicant will enter into planning obligations which meet the requirements of 122 of the CIL Regulations 2010 (as amended). Regulation 122(2) requires planning obligations to be necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind.
- 8.4. The Applicant will work with the GLA, TfL and LBTH (as may be applicable) post-submission to agree the most appropriate form and wording of the Heads of Terms for inclusion in the Section 106 Agreement. It is anticipated that discussions relating to the obligations and the Section 106 Agreement will continue throughout the determination of the Hybrid Application.
- 8.5. The Section 106 Agreement will ensure certain trigger points (usually linked to practical completion, commencement and/or occupation of development) cannot be undertaken until a specified obligation has been delivered.
- 8.6. These will relate to securing effective measures to ensure the Proposed Development is acceptable and delivers on its ambitions.
- 8.7. Further detail on the anticipated Section 106 Heads of Terms is set out below.

### **Phasing**

- 8.8. The plan titled 'Indicative Construction Phasing', ref: '3663 - LB - ZZ - 00 - DR - A – 000011' shows the anticipated demolition and construction programme for the Proposed Development.

- 8.9. Phase A is assumed to commence in May 2025, however this is not definitive and is dependent on completion of the section 106 agreement and discharge of relevant planning conditions.
- 8.10. The Proposed Development will be split into a number of construction phases, built out over a period of 10 years. The anticipated phases are shown in the plan titled 'Indicative Construction Phasing', ref: '3663 - LB - ZZ - 00 - DR - A - 000011' and are summarised below:
- Phase A – Plots H1-2, H3, F, I, J and the improvements to Leven Road Open Space and Braithwaite Park (the Detailed Proposals)
  - Phase B – Plots A1-2, B1-2, B3, B4, B5, improvements to Abbott Road to a healthy street and formation of new pedestrian route through the conversion of the existing vehicular underpass to connect into Jolly's Green and related improvement works
  - Phase C – Plots C1-4, E1-3 and the improvement to the Dee Street pedestrian underpass
  - Phase D – Plots D1-4

### **Implementation**

- 8.11. The Proposed Development comprised within the Outline Proposals will be subject to the submission of reserved matters details for approval which will be required to be in accordance with the Design Code, Development Specification and Parameter Plans.
- 8.12. It is assumed that additional information will be required at the appropriate time in respect of the various phases of the Proposed Development, in particular, where the Environmental Statement identifies mitigation measures to ameliorate the effects of the Proposed Development. Where appropriate, the requirement to provide mitigation measures will be secured through planning conditions or section 106 planning obligations. The scope and scale of the conditions and legal agreement(s) formed part of the application discussions and will continue to be discussed during the determination of the Hybrid Application.

- 8.13. Implementation of the Proposed Development will also be subject to other approvals as necessary, such as Section 278 Highways Agreement, traffic regulation orders and associated consents.

#### **Reserved Matters Applications**

- 8.14. The subsequent reserved matter applications that will be submitted in relation to the outline phases (B-D). They will accord with the parameter plans and the detailed design will be in accordance with the Design Code and the Development Specification.
- 8.15. Submitted alongside each reserved matters application will be the relevant supporting documents and the detailed drawings submitted for approval.

### **9. PLANNING OBLIGATIONS & SECTION 106**

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

- 9.1 The Community Infrastructure Levy Regulations came into force in 2010. Within Greater London the Regulations permit the Mayor of London and the London Boroughs to levy a standard charge on new development to fund identified infrastructure projects.
- 9.2 There are two Community Infrastructure Levy (CIL) regimes which apply to the proposed development on the Site, Mayoral CIL2 adopted by the Mayor of London, and Borough CIL adopted by LBTH.

#### **Planning Obligations**

- 9.3 Section 106 of the Town and Country Planning Act 1990 allows the entering into of an obligation, by agreement or unilaterally, between the local planning authority and any person interested in the land for the purposes of:
- a) restricting the development or use of the land in any specified way;
  - b) requiring specified operations or activities to be carried out in, on, under or over the land;
  - c) requiring the land to be used in any specified way; or
  - d) requiring a sum or sums to be paid to the local planning authority (or, in a case where section 2E of the 1990 Act applies, to the Greater London Authority) on a specified date or dates or periodically.

9.4 Regulation 122 of the Community Infrastructure Levy Regulations (2010) states that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

9.5 Paragraph 54 of the NPPF states that 'Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 56 reinforces the requirement that planning obligations meet the tests set out in Regulation 122 of the CIL Regulations.

9.6 The LBTH Planning Obligations SPD (2021) has been considered as part of this application and will be used in considering financial contributions to LBTH. Further discussions are to be held with LBTH Officers during the determination of the planning application to agree the contributions to be made.

#### Extant Permission

9.7 The Extant Permission's Section 106 Agreement has also been considered as part of the draft heads of terms for a Section 106 legal agreement. Certain site-specific obligations are proposed to be carried over into the section 106 legal agreement linked to the Proposed Development as detailed in the draft set of heads of terms in the table below.

9.8 Furthermore, the Extant Permission delivered on a number of commitments that were designed to mitigate the impact of the Extant Permission as a whole. Phases 4, 5 and 6 were never built out and this land now forms part of the Proposed Development. This should be considered when the section 106 legal agreement Heads of Terms are negotiated and specifically when considering the amount of financial contributions. The Extant Permission has delivered on the following:

- A new larger modern Health Centre for the GP Practice currently located at 2a Etrick Street to relocate to;

- A new larger Community Centre with improved facilities to replace the Aberfeldy Neighbourhood Centre which exists on Aberfeldy Street;
- A new Linear Park, East India Green; and
- Other placemaking benefits such as high-quality public realm, play space and new retail floorspace which will form part of the high street.

Draft Heads of Terms

9.9 Set out in the table overleaf, on a subject to contract basis, is a draft set of heads of terms for a section 106 legal agreement.

Potential Planning Obligation	Summary of Policy Requirement	Provision from the Proposed Development	Mechanism
<b>Housing</b>			
<b>Affordable Housing</b>	<p>London Plan Policy H8 relates to estate regeneration and requires Estate regeneration developments to at a minimum re-provide the existing social rent homes and the uplift in affordable housing should be based on a Financial Viability Assessment.</p> <p>LBTH Policy D.H2 Part 5 requires estate regeneration development to increase the number of affordable homes.</p>	<p>The Proposed Development will target a minimum of 38.8% affordable housing overall (on a habitable room basis).</p> <p>This amounts to all existing social rent homes being re-provided and a significant uplift in the number of affordable homes.</p>	On-site: the provision of affordable housing on-site.

<b>Child Play Space</b>	LBTH's Planning Obligations SPD (2021) states a minimum of 10sqm of play space per child is required.	The Proposed Development will provide the playspace requirements that arise from the development.	On-site provision
<b>Wheelchair Accessible Housing</b>	<p>Schemes are required to provide a minimum of 10% wheelchair accessible housing.</p> <p>Any shortfall in the required provision of onsite wheelchair housing in exceptional circumstances only will be charged at a retrofitting of an existing home (indicative cost: £31,740).</p>	The Applicant will target the provision of 10% of the housing units across the Site to be wheelchair adaptable in accordance with the Council's Planning Obligations SPD (2021). Where 10% of the housing units provided are not wheelchair adaptable an appropriate payment in lieu will be made towards off-site provision.	Where possible the provision of wheelchair housing on-site and if a shortfall were to arise then a financial contribution would be paid to make up that shortfall
<b>Employment</b>			
<b>Local Employment: Construction Phase</b>	Planning Obligations SPD requires a minimum of 20%* of the total jobs created by the construction phases.	Details to be agreed.	Will be secured through the S106 Agreement
<b>Local Employment: End User Phase</b>	a minimum of 20%* of the total jobs created by the end-user phases of new developments for local residents.	Details to be agreed.	Will be secured through the S106 Agreement

<p><b>Local Enterprise</b></p>	<p>Planning Obligations SPD requires a minimum 20% of the total value of contracts, which procure goods and services during the construction phase of the development, to be fulfilled using firms located within the borough.</p>	<p>Details to be agreed.</p>	<p>Will be secured through the S106 Agreement</p>
<p><b>Skills and Training Contribution: Construction Phase</b></p>	<p>The Planning Obligations SPD requires a financial contribution of £4 x sqm of the total new development floorspace (GIA)</p>	<p>Details to be agreed</p>	<p>Will be secured through the S106 Agreement</p>
<p><b>Skills and Training Contribution: End User Phase</b></p>	<p>The Planning Obligations SPD requires a financial contribution of:</p> <p>[Employee yield of the development] x [20% (Aspirational local labour target)] x [Current cost of training and support (£2,040 per person)] = contribution required</p>	<p>Details to be agreed.</p>	<p>Will be secured through the S106 Agreement</p>

<p><b>Apprenticeships: Construction Phase</b></p>	<p>The Planning Obligations SPD requires:</p> <p>For the construction phase, one apprenticeship should be secured for a minimum of the equivalent of one year (52 weeks) (minimum Level 2) or until completion of their apprenticeship standard qualification, per £5 million of built cost.</p>	<p>Details to be agreed.</p>	<p>Will be secured through the S106 Agreement</p>
<p><b>Apprenticeships: End User Phase</b></p>	<p>The Planning Obligations SPD requires:</p> <p>Apprenticeship requirements to be based on the employee yield and will be secured through the legal agreement.</p>	<p>Details to be agreed.</p>	<p>Will be secured through the S106 Agreement</p>

<p><b>Local Procurement</b></p>	<p>Planning Obligations SPD seeks to <i>“secure a minimum 20% of the total value of contracts, which procure goods and services during the construction phase of the development, to be fulfilled using firms located within the borough. This will be subject to competition rules. The developer will be expected to work with the Council and other organisations it may choose to nominate, in order to maximise the opportunities for local firms to win contracts through established procurement procedures.”</i></p>	<p>Details to be agreed.</p>	<p>Will be secured through the S106 Agreement</p>
<p><b>Affordable workspace</b></p>	<p>Planning Obligations SPD requires 10% of new employment floorspace to be affordable workspace.</p>	<p>10% provision and final management provisions and discounts to be agreed.</p>	<p>On-site provision.</p>

Other			
<b>Carbon Offset</b>	<p>Mitigation will be sought where schemes do not meet the overall carbon dioxide reduction requirements identified in LBTH's Planning Obligations SPD (2021).</p> <p>[Carbon Gap (Tonnes of CO2)] x [Price of Carbon (£)] x [30 (Years)] = Contribution required</p>	<p>Strategy to reduce carbon emissions within the Proposed Development will be secured.</p> <p>A carbon off-set payment will be secured against the remaining unregulated carbon dioxide emissions.</p>	Will be secured through the S106 Agreement
<b>Flood Risk</b>	<p>LBTH's Planning Obligations SPD (2021) requires development to demonstrate that it will reduce the risk of fluvial, tidal and surface water flooding and manage residual risks through appropriate flood risk measures.</p>	Site-specific measures.	Will be secured through the S106 Agreement or planning conditions

<p style="text-align: center;"><b>Site Specific Transport Measures</b></p>	<p>LBTH’s Planning Obligations SPD (2021) notes that larger developments may need to directly contribute to wider transport improvements and highway improvements to make the development acceptable.</p>	<p>Site-specific transport and highway improvements are likely to include:</p> <ul style="list-style-type: none"> <li>• Buses: Routes and frequency enhancements and the provision of bus stops (on-site only);</li> <li>• Formation of new pedestrian route through the conversion of the existing vehicular underpass;</li> <li>• Wayfinding;</li> <li>• Pedestrian connectivity;</li> <li>• Off-site highway works;</li> <li>• Sustainable Travel Fund.</li> </ul> <p>Non-financial planning obligations are likely to include:</p> <ul style="list-style-type: none"> <li>• Requirement for section 278 agreement for highway works;</li> <li>• Travel Plan;</li> <li>• Construction Logistics Plan;</li> </ul>	<p>A combination of on-site provision and financial contributions. To be secured by planning conditions or S106 Agreement as appropriate.</p>
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		<ul style="list-style-type: none"> <li>• Delivery and Servicing Plan;</li> <li>• Car club initiatives;</li> <li>• Electric vehicle charging;</li> <li>• Car Parking Management Plan.</li> </ul>	
<b>Public Realm Measures</b>	<p>The Planning Obligations SPD notes that Public Realm measures may include:</p> <ul style="list-style-type: none"> <li>• Footway and carriageway resurfacing</li> <li>• Removal of redundant crossovers</li> <li>• Creation of new crossovers or access points</li> <li>• New pedestrian crossings</li> <li>• Planting of new street trees and other greening and public realm improvement initiatives</li> <li>• Signage/wayfinding for the green grid</li> </ul>	<p>The Proposed Development will provide:</p> <ul style="list-style-type: none"> <li>• A new Town Square; and</li> <li>• New streets and spaces (with hard and soft landscaping).</li> <li>• Other site-specific requirements to be agreed.</li> </ul>	<p>In-kind provision via substantial cost of all public realm works including provision of new streets and Town Square.</p>

<p><b>Open space</b></p>	<p>Site specific obligation</p>	<p>The Proposed Development will provide:</p> <ul style="list-style-type: none"> <li>• Enhancements to Braithwaite Park;</li> <li>• Enhancements to Leven Road Open Space;</li> <li>• Enhancements to Joly’s Green;</li> <li>• A new public Park, Highland Place; and</li> <li>• Enhancements to Millennium Green – further details provided below.</li> </ul>	<p>On-site provision for Braithwaite Park, Leven Road, Jolly’s Green and Highland Place. To be secured by planning conditions or section 106 obligations as appropriate.</p> <p>Enhancements to Millennium Green discussed below. Secured by way of section 106 planning obligation</p>
<p><b>Millennium Green</b></p>	<p>Site specific obligation</p>	<p>Millennium Green is not included within the red line. The proposed works will be secured by way of the S106 Agreement, with LBTH maintaining full control over the scope and delivery, and with the proposed works forming a clear part of the benefits package. We would</p>	

suggest the following clauses should be included within the S106 Agreement to provide the certainty required:

- the S106 Agreement would confirm the area in question (Millennium Green), and include a plan that clearly depicts the space;
- the S106 would set out an indicative scope of works that should be delivered – and would attach the illustrative plan for Millennium Green to make this clear;
- there would be a requirement on the Applicant to agree the full scope of works and specification of those works (i.e. final design of space, type of species, type of furniture, specification of any hard landscaping, specification of any play equipment etc)

		<p>with the Council in writing prior to a certain point – for instance prior to commencement of Phase B;</p> <ul style="list-style-type: none"> <li>• there would be a requirement on the Applicant to deliver the works as agreed with the Council by way of the clause suggested above prior to a certain point, subject to it obtaining all necessary consents – for instance prior to occupation of the first residential unit within Phase B.</li> </ul>	
<b>Faith Centre</b>	Site specific obligation	Obligation to re-deliver the faith centre would be transposed to the new section 106 agreement with appropriate modification / regularisation made to the section 106 for the Extant Permission.	On-site provision
<b>Temporary marketing suite</b>	Site specific obligation	The Section 106 agreement should secure the conversion	On-site provision

		of the temporary marketing suite (317 sqm GEA) within Phase A to retail (Use Class E) once the sale of the final private residential home has completed.	
<b>Monitoring</b>			
<b>Monitoring payments</b>	<p>Monitoring fee for non-financial contributions is £1,000 per head of term.</p> <p>Monitoring fee for financial contributions is 5% of the first £100,000 of contribution, 3% of the part of the contribution between £100,000 - £1 million, 1% of the part of the contribution over £1 million – 1%.</p>	Monitoring fee will be secured.	Will be secured via the S106 obligation.

Table 18: Draft Heads of Terms

## 10. BENEFITS OF THE PROPOSED DEVELOPMENT

10.1. This Section of the Statement summarises the key planning benefits as well as the wider benefits that the Proposed Development will deliver.

10.2. The Proposed Development will realise the regeneration of the Site and secure growth on a strategic scale. The Proposed Development will bring about a range of social, economic and environmental benefits and will fulfil the potential of the Site as an Opportunity Area, Housing Zone and Neighbourhood Centre. Moreover, the Proposed Development will create a new destination to live, work and visit.

10.3. The Emerging Masterplan delivers considerable social, economic and environmental regeneration benefits. This can be summarised but not limited to as follows:

- **Substantial new homes:** up to approximately 1,565 new homes of different sizes and tenures, helping to create a mixed and balanced community at Aberfeldy Village, including new affordable homes. The large quantum of new homes will contribute significantly to LBTH's and London's housing need requirements.
- **Affordable housing delivery:** including the re-provision of existing affordable homes with new and higher quality homes and an additional uplift in affordable homes. The replacement of existing affordable homes with better quality affordable homes that consider the specific needs of existing residents will immeasurably improve the quality of life of those residents.
- **A clear and transparent approach to affordable housing delivery:** to work together with LBTH to ensure the maximum viable amount of affordable housing the scheme can support will be delivered.
- **The optimisation of site potential and density:** of a highly sustainable and accessible Site which benefits from a central location, within an opportunity area, and will optimise the potential of the Site to deliver new homes, jobs and shops in line with policy objectives.

- **Creating a vibrant, diverse and inclusive place:** the Proposed Development is mixed-use; including employment and retail uses and will secure regeneration benefits for all and not just the new residents.
- **Commitment to the continued implementation of a meanwhile use strategy:** to benefit existing residents and tenants throughout the determination and construction phase. This will build on the work already carried out to date including:
  - The Start Here programme which supports existing businesses on the high street in business planning to adapt their offer enabling them to better respond to changing customer needs.
  - It has also introduced new and innovative businesses into vacant retail units. Providing them with individually tailored business support to ensure that they stay, creating employment opportunities and diversifying the high street's offer.
  - A programme of engagement and outreach activities re-connecting local people with their high street has been carried out.
  - The visual appeal of the shops through artwork to the facades has been carried out to boost the area's cultural capital. This has been well received.

The above work will be expanded upon and carried out in partnership with the Aberfeldy Big Local throughout the determination and construction period.

- **Delivery of an enhanced Neighbourhood Town Centre:** the provision of active ground floor uses, of the type of retail desired by local residents as informed by the public consultation, with an aim to retain viable local businesses and to let to independents.
- **Delivery of a new employment district:** resulting in the creation of new jobs and opportunities for local residents to access employment.

- The provision of employment floorspace to support significant jobs across a range of sectors and occupational levels.
  - Of this floorspace, 10% will be affordable workspace to support growth amongst small and start-up businesses and build on the success already delivered through Poplar Works.
- **Social value:** resident support, training and empowerment through the engagement process, including a ground-breaking focus on local young people and their needs through a youth engagement process – Culloden and Langdon Park Schools.
  - **Delivery of new permanent jobs:** the provision of between approximately 253 and 281 gross direct (on-site) full-time jobs once the Proposed Development is completed and fully occupied.
  - **Ensuring access to employment opportunities during the construction phase:** the Proposed Development will deliver bespoke strategies and initiatives to secure a range of quality employment and training opportunities to be secured through the s.106 agreement. The Proposed Development would generate a demand for a number of construction workers per annum over the expected timescale of works (11 years and 11 months).
  - **Environmental improvements:** Delivery of a high-quality development which better responds to the Site’s environmental context, in particular in terms of noise and air quality.
  - **Creating a vibrant, diverse and inclusive place:** The Site’s increased density will create a vibrancy and an increase in footfall to sustain the town centre uses proposed (with the benefit of creating vibrancy throughout the week/weekend).
  - **Securing high quality design:** The Applicant is committed to delivering high quality design. The Design Code and Parameter Plans will secure high-quality design of the proposed buildings and landscape. The Illustrative Masterplan demonstrates a clear intent to deliver an exemplary, high-quality development with a unique sense

of place and character and this commitment to architectural and landscape design quality is demonstrated in the detailed Phase A application.

- **Improving the setting of St Nicholas and All Hallows Church:** a non-designated heritage asset, through the creation of a new Town Square.
- **Encouraging healthy and active lifestyles:** the network and hierarchy of streets and spaces seek to encourage walking and cycling and the diverse mix of public spaces and activities will create a stimulating place to encourage participation and foster enjoyment.
- **Child friendly design:** has been central to the design process and in consultation with local schools. The masterplan has been designed to make it safer for children to walk and cycle to school.
- **Delivery of a new faith centre:** as part of the new civic hub at the Town Square and will be tied to the section 106 agreement.
- **Provision of resident facilities:** and inviting lobby spaces providing active ground floor uses.
- **A masterplan creating clear, well overlooked, legible routes, connecting new and existing green space:** to dramatically improve current significant community safety issues, for all ages across the neighbourhood.
- **The overall quantum of publicly accessible open space will significantly increase and be improved as part of a wider play space strategy, including:**
  - New high-quality open spaces delivered as part of the landscaping strategy and this includes:
    - a) Highland Place: a new park created at the entrance of the pedestrianised underpass that will link through to the western side of the A12 and will act as an extension to the three existing green spaces along Abbott Road.

- b) The Town Square: a new public square in front of All Hallows Church.
- c) Community Lane incorporating playable landscaping.
- d) 'Nairn Square' a local square that provides a variety of different areas for social opportunities, and for families and neighbours to gather and play and the adjoining 'Nairn Park' offering doorstep play and spaces to grow food close to the home;
- e) Improvements and links will be made to the existing green spaces including Leven Road Open Space, Braithwaite Park and Jolly's Green to interconnect them and in consultation (being led by the Aberfeldy Big Local) with the local community; and
- f) The provision of additional children's play facilities.

- **Significantly upgraded public realm, including:**

- A new Town Square (All Hallows Square);
- Provision of high-quality routes, linking the west of the borough to the Site and to areas to the east including the riverside park on the former Leven Road gas works site;
- Streetscape enhancements; and
- Landscape improvements.

- **Significant improvements to the A12 edge:** and interface across the full length of the Site, with new landscape and Poplar Works buildings, creating a new, characterful pedestrian north/south route, away from the busy A12.

- **The re-purposing of the Abbot Road vehicular underpass:** for pedestrian and cycle use to provide a strong connection across the A12, which is currently segregating the Site and the other developments coming forward along Poplar riverside from the rest of Poplar. As part of the proposals, a direct connection into Jolly's Green

will be formed, providing additional wider benefits to both the current and future residents of Aberfeldy, but also those of Poplar and the wider area. The proposed underpass will provide a safe and attractive route to the western side of the A12, with the introduction of high quality pedestrian and cycling routes to the north, and the provision of new and improved routes across Jolly's Green to Crisp Street Market and other areas to the West. This will deliver transformative car-free public realm and is a once in a generation opportunity to address the severance caused by the A12.

- **Significant improvement to the existing pedestrian underpass:** at the end of Dee Street to improve access, safety and security.
- **Improvements to the highway network and sustainable transport initiatives including:**
  - The reconfiguration of Abbot Road and healthy street interventions;
  - Other mitigation measures which will create a safer neighbourhood and better connections, prioritising pedestrians and cyclists;
  - The provision of a car club facility; and
  - Reduced parking provision which will result in less stress on the surrounding road network.
- **Enhancing the biodiversity value of the Site and the wider area:** the Proposed Development will bring about a range of ecological improvements on-site and off-site including:
  - A net gain in biodiversity across the Site;
  - The provision of extensive wildlife friendly landscaping with value for ecology;
  - Meeting the GLA UGF score requirement of 0.4;
  - Provision of living roofs designed to mimic brownfield site habitats; and

- Bird and nest boxes will be integrated into new buildings. These boxes will target local BAP species including bats (pipistrelle), black redstart, swift and house sparrow.

- **Delivery of flood risk mitigation measures:** in an area with the potential for flooding.

10.4. The above is notwithstanding the benefits already delivered under phases 1 to 3 of the extant planning permission including:

- New homes (719 private, 157 affordable rent and 25 shared ownership);
- New retail space;
- New health centre;
- Community centre;
- Delivery of new open space in the form of a new linear park;
- Delivery of play space of which there has been an over provision (a total of 1,068sqm of playspace provided above the policy requirements for phases 1-3); and
- Energy Centre.

10.5. It is estimated that the Proposed Development on completion will also generate tangible, wider benefits as follows:

- **CIL payments:** to the Mayor of London and the London Borough of Tower Hamlets (LBTH) subject to the final mix of land uses coming forward.
- **S.106 payments:** for significant local infrastructure through an agreed s.106 agreement.
- **Fiscal Benefits:** Generation of spin off benefits to local businesses through the local supply chain and employee expenditure (induced and indirect impacts).

- **Local economic benefits:**

- An increase in local spending as a result of both employee spending and household spending in the local area;
- An increase in the contribution of the area to the local economy in the form of increased levels of Gross Value Added (GVA); and
- Wider economic benefits including attracting additional footfall, improving the public realm and increasing connectivity all of which will benefit local businesses.

10.6. The joint venture partnership between EcoWorld and Poplar HARCA (which make up the Aberfeldy New LLP), already have a strong delivery track record as a successful partnership as demonstrated by phases 1 to 3 of the Extant Permission.

10.7. In addition to the public benefits set out above, the Proposed Development will also derive value from the unique partnership that Poplar HARCA has with LBTH and the place it holds at the centre of this community. Poplar HARCA's historic commitment to regeneration and community and its almost exclusively Borough centric geographical focus allows it to offer a much wider package of benefits than those delivered by the development itself.

- a) All of Poplar HARCA's capital resources are invested exclusively in LBTH and they have a demonstrable track record of community service and community facility delivery, in addition to the affordable housing provision that is their core business. Such facilities include a wide range of educational, health, faith and neighbourhood centre accommodation along with the delivery of, or support for, the community services run from those facilities, with many being achieved in partnership with LBTH and a multitude of other partners.
- b) Poplar HARCA, in partnership with LBTH and other stakeholders, has also played a significant role in leveraging external funding that has led directly to improvements that have benefitted the wider LBTH community examples

include the pedestrian crossings at Nutmeg Lane on the A13 and at Lochnagar Street on the A12, and at the DLR station at Langdon Park.

- c) Services provision includes “best in class” Housing management, ASB management, Safeguarding, Estate Management and Repairs programmes that consistently result in overall resident satisfaction ratings of 80% or more.
- d) As a regeneration partner, Poplar HARCA is uniquely placed to deliver real and lasting change for not only its residents but also for the wider community in the areas within which it operates, through its long-term commitment to, and investment in, the people who make up those communities.

10.8. To conclude, there is an exciting opportunity for the Proposed Development to transform Aberfeldy and secure growth on a strategic scale. The Proposed Development will bring about a range of social, economic and environmental benefits and will fulfil the potential of the Site to create a new destination to live, work and visit.

## **11. CONCLUSIONS**

- 11.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 (PCPA 2004), requires proposals to be determined in accordance with the Development Plan unless other materials considerations indicate otherwise.
- 11.2. The Planning Statement assesses the Proposed Development against the Development Plan and other relevant national, regional and local planning policy.
- 11.3. The Proposed Development accords with planning policy which endorses the principle of the Site being developed for high density, mixed-use, town centre and residential development. Planning permission should therefore be granted pursuant to the requirements of section 38(6) of the TCPA 2004.
- 11.4. The Proposed Development comprises the comprehensive redevelopment of the Site. The Proposed Development will provide new retail and workspace floorspace along with residential dwellings and the pedestrianisation of the A12 Abbott Road vehicular underpass to create a new east to west route, with direct connections into and through Jolly's Green. The Proposed Development will also provide significant, high quality public realm, including a new Town Square, a new High Street and a public park, and will deliver significant improvements to the existing green spaces provided at Jolly's Green, Leven Road open space, Braithwaite Park and Millennium Green, including new landscaping works, playable landscape and dedicated playspace.
- 11.5. The Proposed Development meets the aspirations of the Opportunity Area and will contribute significantly to achieving LBTH's and the GLA's housing and employment targets. The Proposed Development will bring about comprehensive social, physical, economic and environmental regeneration of an important Site.
- 11.6. It has been demonstrated that the Proposed Development is not only in accordance with the prevailing planning policy framework but also represents an appropriate, high quality, sustainable development that is encouraged by such policies. The Proposed Development will result in a significant and beneficial change to Poplar Riverside and London. For the reasons outlined in this Statement, we invite the Mayor of London to support the application.



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**Appendix A – Applicant Response to Reasons for Refusal**

## Aberfeldy Village Masterplan - Applicant Response to Reasons for Refusal

### Background

On 23 February 2023 the London Borough of Tower Hamlets (LBTH) Strategic Development Committee (SDC) resolved to refuse the Hybrid Planning Application for the estate regeneration of the Aberfeldy Estate (LPA Ref. PA/21/02377/A1), against the recommendation of officers. Consideration was given by the Council as to the reasons for refusal and a draft Decision Notice was subsequently issued to the Greater London Authority (GLA) as part of the Stage 2 process.

The draft Decision Notice lists seven (7) reasons for refusal. This note has been prepared by DP9 Ltd on behalf of the Applicant, Aberfeldy New Village LLP, for the purposes of providing the Applicant's response to each of the reasons for refusal.

The Applicant is in the process of engaging with officers of the GLA in relation to various matters associated with the application and it is intended that this document can be amended throughout this process, as required, to address any specific matters which may arise through condition discussion of the relevant issues.

### Response to Reasons for Refusal

*Reason 1: The proposed repurposing of the Abbott Road vehicular underpass does not adequately address deficiencies in the provision of strategic infrastructure to support the inclusion of tall buildings within the masterplan outside of a Tall Building Zone and as such is contrary to Policy D.DH6 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*

Policy D.DH6 (Part 3) of the London Borough of Tower Hamlets (LBTH) Local Plan 2020 provides the criteria to be addressed in order for tall buildings to be considered acceptable outside of designated tall building zones. The policy states that tall buildings in these locations must address the criteria set out in Part 1, which provides the design criteria for all tall building development, and additionally demonstrate how they will:

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

The reason for refusal refers only to deficiencies in the provision of strategic infrastructure (Part b). The proposals are therefore taken to have sufficiently demonstrated that the remaining criteria set out above are addressed in this instance.

The supporting text to Policy D.DH6 (Para 8.75) provides various examples of strategic infrastructure which may be relevant to such proposals, including public open space and transport infrastructure.

It is important to note that Aberfeldy Village sits within the Poplar Riverside Opportunity Area (OA), for which the London Plan directs the provision of new and improved walking, cycling and public transport networks with a keen desire to promote permeability in development proposals. Further,

the London Plan states that the Poplar Riverside OA has the potential for “improved connectivity in a part of the borough with significant infrastructure challenges”, improvements that will help the area evolve away from being one which is characterised by significant deprivation.

The applicant has worked closely with officers at the Council, TfL and the GLA throughout the application process to present a scheme that delivers much needed infrastructure in the local area, including most notably the delivery of sustainable transport improvements, including the proposed A12 underpass, to address the severance and isolation of the Aberfeldy Estate. This delivery is in line with the intended outcomes of the East Meets West Pathway Project, which is being led by the Borough in partnership with the London Borough of Newham and looks to deliver key infrastructure and pathways that will help connect the Boroughs. The proposed underpass forms a key part of the strategy to address the existing severance and has been accepted by Officers as being an important piece of strategic infrastructure, sufficient to justify the proposed tall buildings in this location, within their report to the LBTH SDC.

### Aberfeldy Severance

The Site is surrounded by the A12, A13 and River Lea, resulting in the “Aberfeldy Island” being severed from its surroundings, with the A12 in particular causing a significant barrier to east-west movement. This can often hinder walking and cycling and separates many of the key development areas from the existing community, local centres, and transport hubs. The masterplan provides the only opportunity to address the severance caused by the A12 within this part of the Borough, through the transformation of the vehicular underpass to a new pedestrian and cycle route.

This key strategic route would benefit the whole of the Poplar Riverside and the many developments coming forward along the River Lea, notably Ailsa Wharf (c. 915 new homes), the former Poplar Bus Depot (c. 530 new homes) and the former Leven Road Gasworks (c. 2,800 new homes) development sites.

Issues around accessibility and concerns about personal safety makes using the existing A12 crossing points unattractive to local residents. For example, surveys of pupils at Culloden Primary School indicate that whilst 59% of pupils would like to cycle to school, only 1% of them currently do so and that although approximately 75% of pupils live within 1km of the school, 21% travel by car. The condition and quality of the existing pedestrian and cycle facilities across the A12 are therefore limiting walking and cycling activity and it is evident that significantly more primary and secondary school pupils would walk and cycle to school if the crossing facilities were safe and more attractive.

A Technical Note was prepared by Velocity in January 2021 and submitted with the planning application, which provided a study of the A12 crossings at the Site, including an overview of the previous studies undertaken by LBTH and Transport for London (TfL) over the past 15 years, and identified the future demand for crossing movement. These previous studies confirmed the need for crossing improvements at the A12 and investigate a range of potential options.

During the development of the masterplan, all of the previously identified options to solve the A12 severance issue were assessed. In total there were 12 potential solutions assessed, including an at-grade option. For reasons including compliance with highway design standards, pedestrian capacity and road safety, and effects on traffic along the A12, it was concluded that the underpass is the only viable solution to address the identified severance of the Aberfeldy Island. This is addressed in detail within the Technical Note.

Upon concluding that the underpass is the optimal solution in this instance, the Applicant has undertaken and provided extensive traffic modelling assessments, which revealed limited impacts on the highway network and has been subsequently reviewed and accepted by officers at TfL and LBTH Highways, who have both supported the proposal to repurpose the underpass and provide associated improvements to the A12/ Zetland Street junction.

Associated with the repurposing the Abbott Road vehicular underpass for pedestrian and cyclists, the masterplan also provides for additional connecting infrastructure in the form of a new bus gate at the junction of Abbott Road with the A12 to allow buses to join the A12, as well as improvements to the Dee Street pedestrian underpass.

Overall, it is considered that the focus on sustainable transport within the Masterplan will play an important role in contributing to wider health and environmental objectives to reduce congestion and emissions within the area, and will help to improve air quality and public health.

#### Draft Leaside Area Action Plan (AAP)

The Draft Leaside Area Action Plan (AAP) sets out a strategy for growth and regeneration in the Leaside area from now until 2031. Regulation 18 consultation was undertaken in relation to the emerging AAP in November 2021. It is accepted that the early stage of the emerging AAP is such that it would be afforded only limited weight in planning decision making, but it is in any case relevant to note. The Site is located within the centre of the area covered by the AAP and is identified as Site LS-A in the document. The emerging allocation includes a requirement for connectivity improvements to be delivered by the regeneration, including (emphasis added):

*“A key potential site for improved connectivity is through the provision of a new crossing of the A12 at the top of Abbott Road that can provide the opportunity for onward connections to Jolly’s Green, Chrisp Street Market and Langdon Park DLR station. The form of this crossing will be dependent upon further feasibility work and detailed modelling and the agreement of Transport for London, **but could include the repurposing of the existing vehicle subway underneath the A12 for the exclusive use of pedestrians, or an at-grade crossing. In all cases, it should include a reclamation of road space to provide attractive public realm and linkages to the open space of Jolly’s Green on the west side of the A12.** Discussions with Transport for London will be vital to securing this improvement.”*

The AAP notes that barriers to movement such as the A12 and A13 make getting to the local public transport stations difficult and time-consuming. There is limited availability of crossings to overcome these barriers. The AAP sets out the approach to improving connectivity and car dependence. The AAP’s policies set out a vision for the area, which will see a significant reduction in cars travelling through residential parts of Leaside and a corresponding increase in the availability and safety of walking and cycling routes through the area.

#### Future Demand and Need for Infrastructure

Most of the existing demand for crossing the A12 is from residents living in the Site's immediate vicinity, with wider east-west through movement being restricted by the River Lea. The London Boroughs of Tower Hamlets and Newham are working in partnership with developers to introduce new pedestrian and cycle bridge links over the River Lea. These include the Lochnagar Bridge, Poplar Reach Bridge and Mayer Parry Wharf Bridge. The new bridge connections will look to cater for the additional demand for movement through the Site and is part of a strategic network providing connections in the Lower Lea Valley.

Future additional demand for pedestrian/cycle movement will be generated by committed and emerging development. Within the Aberfeldy Island area alone, a number of schemes have planning approval which will deliver over 4,000 new dwellings, and the draft AAP identifies three development sites (excluding the proposed development) with the potential to deliver around 1,850 more dwellings. Car parking provisions at these developments are very restricted (some are car-free), and therefore people will primarily travel on foot, bicycle and public transport. Travel demand will increase significantly, and current connections are not anticipated to be able to effectively or safely provide suitable routes.

Walking and cycling demand generated through redevelopment proposals across the wider Aberfeldy Island were assessed in preparing the masterplan, with an estimated demand for up to 1,200 walking and cycling movements across the A12 estimated in the morning peak hour in the vicinity of Abbott Road. This would be anticipated to increase even further once the three new bridges across the River Lea have been delivered, enhancing connections with the neighbouring London Borough of Newham.

### Proposed Underpass

The proposed underpass to be delivered by the masterplan a key piece of strategic infrastructure, pivotal to ongoing regeneration of the Aberfeldy Island, as well as Poplar and the wider Lower Lea Valley. The underpass provides the opportunity to influence how this growing local population travels, by providing supporting infrastructure which maximises active travel and helps to reduce unsustainable travel and congestion affecting the public transport network. To help deliver strategic development in a sustainable way, improved walking and cycle connectivity across the A12 is necessary.

The repurposing of the underpass will improve connections from the surrounding residential areas to the new services and amenities provided within the Aberfeldy Village Phases 1-3 and connections to Aberfeldy Street will be strengthened. Routes to other local centres, including Chrisp Street Market and All Saints local centre would also be improved through reduced A12 severance, and improved legibility offered by tall buildings at this important nodal point along the new east-west connection. Local primary and secondary schools would benefit from improved, more attractive connections, with students, teachers and parents able to travel to and from schools more safely.

The Proposed Development would additionally create new and enhanced public open space and the proposed underpass will improve access and connections between these spaces, including Jolly's Green, Millennium Green, Leven Road Open Space and Braithwaite Park, alongside the proposed Highland Place. This would create a green grid promoting and aiding accessibility to these spaces and encouraging active lifestyles.

In summary, the repurposing of the underpass will deliver a transformational improvement and will solve the east-west severance issue that has blighted the lives of Aberfeldy residents for years. The proposal is in line with the targets set out in the Council's Leaside AAP document and the Mayor's priorities, which include Good Growth, improved air quality, ensuring the safety and security of London as well as a priority for making transport more affordable, better and greener. The proposals, which have been supported by officers at LBTH and by TfL, will reduce traffic flows along Abbott Road and reduce congestion on the A12, to the benefit of Tower Hamlets residents well beyond the extent of the Site.

## Open Space and Other Strategic Infrastructure

Whilst the proposed underpass is a unique aspect of the proposed masterplan and an important piece of strategic infrastructure, sufficient in its own right to justify the proposed tall buildings, it is also important to highlight various other pieces of strategic infrastructure being delivered by the proposals.

Along with the delivery of approximately 440 new affordable homes, including a large proportion of affordable family homes for which there is the greatest need, the proposed Masterplan has looked to address the need for suitable infrastructure within the area and as a result includes the following:

- Significant improvements to the existing pedestrian underpass at the end of Dee Street;
- An enhanced Neighbourhood Town Centre;
- A new employment district with circa 2,600sq.m of new workspace, including low cost and 10% affordable workspace;
- A new Town Square;
- A new faith centre (subject of a separate planning application, but facilitated by the proposed Masterplan)
- Substantial new dedicated play space (5,459sq.m) & playable landscape (4,663sq.m);
- New high-quality open spaces, including Highland Place, All Hallows Square, Community Lane, Nairn Square & Nairn Park (3,572sq.m);
- An upgrade to the existing areas of open space within the Masterplan, including Braithwaite Park, Leven Road Open Space and Jolly's Green, as well as commitments to deliver improvements within the S106 to Millennium Green (5,983sq.m); and
- Additional upgraded public realm, including the provision of high quality routes, streetscape enhancements, landscape improvements.

## Conclusion

Overall, Officers considered within the committee report that the principle of the tall buildings outside of a Tall Building Zone has been justified against the criteria set out in Part 3 of Policy D.DH6, highlighting that that the repurposed underpass and the significant east-west connectivity improvements that it will bring, along with the new public open space at Highland Place, are strategic infrastructure critical to the masterplan. Officers accepted that there is a clear relationship between the cluster of the tallest buildings within the masterplan, Highland Place and the underpass and that there is a logic to 'marking' Highland Place and the underpass connection with this cluster.

*Reason 2: The proposed development would provide an affordable housing offer of 38.8% of which only 23.5% would be uplift provision. Notwithstanding the viability of the scheme the weight afforded to this does not outweigh the identified harm associated with the development which include the deficiencies in the provision of strategic infrastructure, the density and overdevelopment of the scheme, traffic related impacts and the absence of sufficient children's play space and public open space provision. The proposed development therefore does not maximise the opportunity address the acute need for affordable housing in the Borough and to deliver mixed and inclusive communities, and notwithstanding the regeneration proposed by the development, the affordable housing provision is considered contrary to Policies DF1 and H4 of the London Plan 2021 and Policies S.H1 and D.H2 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*

The Applicant does not accept the assertion that there are harms associated with the development, such as deficiencies in the provision of strategic infrastructure, the density and overdevelopment of the scheme, traffic related impacts, or the absence of sufficient children's play space and public open space provision. Justification for this position has been provided within this note against each of these

respective aspects. As such, the response to this reason responds directly to the matter of affordable housing and the weight to be given to its provision in considering the planning balance.

With regards to the policies identified in this reason for refusal, Policy DF1 of the London Plan (2021) relates to planning obligations and states that proposals should provide the infrastructure and meet the other relevant policy requirements necessary to ensure that they are sustainable, and that decision-makers should firstly apply priority to affordable housing and necessary public transport improvements. Policy H4 relates to the delivery of affordable housing and sets out the Mayor's strategic target for 50 per cent of all new homes delivered across London to be genuinely affordable. At the local level, Policy S.H1 of the LBTH Local Plan (2020) relates to housing need and sets out that LBTH will secure the delivery of at least 3,931 new homes per year through the plan period, with a focus on opportunity areas and site allocations, and ensuring that housing estate regeneration schemes deliver homes which meet housing need and provide improved social facilities and environmental amenity. The policy also sets an overall target for 50% of all new homes to be affordable.

In addition to the above, Policy H8 of the London Plan (2021) is of relevance, which states that loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. It goes further to say that development proposals that include the demolition and replacement of affordable housing are required to follow the Viability Tested Route and should seek to provide an uplift in affordable housing in addition to the replacement affordable housing floorspace. This requirement for a Financial Viability Assessment is repeated at Local Planning level within Policy D.SG5 of the LBTH Local Plan (2020), moreover Policy D.H2 states the requirement for estate regeneration schemes to provide an uplift in the number of affordable homes. In accordance with this requirement, a Financial Viability Assessment has been submitted as part of the planning application and has been robustly reviewed by the LBTH Viability Team and the GLA.

The committee report confirms that the scheme is providing above the maximum reasonable amount of affordable housing. There are numerous complexities and costs associated with delivering estate regeneration, with the following aspects being key considerations:

- The development proposals are for the provision of circa 1,500 homes with other land uses such as retail and workspace as well as new infrastructure and public realm, over a circa 12 year development programme. The site currently consist of existing retail units as well as 252 social rent homes and 78 leaseholder homes.
- Site assembly in preparation for transformation of Aberfeldy Estate is time consuming and expensive and policy requires a 'fair deal' for social tenants and other leaseholders and freeholders. At Aberfeldy Estate, there are currently 78 residential leaseholders, whose properties need to be acquired ideally through negotiated agreement. Leaseholders will need to be compensated on a market value basis, plus a compensation in accordance with legislation and '*Better Homes of Local People: The Mayor's Good Practice Guide to Estate Regeneration*', to secure vacant possession. In addition to this, there are also existing retail units which need to be acquired. Whilst it is envisaged that an agreement will be reached with the owners of the existing leasehold properties, if this is not the case, that CPO will need to be used to achieve vacant possession. Without gaining vacant possession, the development proposals cannot come forward. This adds another layer of complexity and risk to the project compared with 'standard' residential development.

- A key public benefit of the development would be re-purposing the A12 underpass for pedestrians and cyclists with improved connections at Jolly's Green. This involves the acquisition of third party land and is subject to further detailed design.
- The development programme is circa 12 years and is therefore like to be bought forward over a number of property cycles. The developer return should account for the risk of bringing forward the development over a 12 year period. Agent forecasts are predicting suppressed price growth as a result of increase in finance costs, which further adds to the risk profile of the development. An example being Savills predicting values to reduce 7 per cent in 2023, zero growth in 2024 followed by estimated growth of 3.5 per cent 2025, 6 per cent 2026 and 4 per cent 2027. This results in 5-year growth of 6.1 per cent.
- Build cost inflation continues to create headwinds in the property sector, whilst there are signs that cost inflation is starting to stabilise, cost of works for facades, M&E etc. is forecasted to continue to rise. Since the planning application process started, build costs have increased by circa 12 per cent according to BCIS All-in TPI.
- Interest rates have risen significantly over the past 18 months, with the Bank of England raising the base rate from 0.1 per cent (October 21 – date of FVA) to 4.25 per cent. This is an increase of 415 BPS which has resulted in the cost of development finance increasing. With inflation still over 10 per cent, significantly above the Bank of England target of 2 per cent, it is estimated that there will be future rate rises. In addition to this, the relationship between interest and income, and between loan amount and asset value, have come under scrutiny by lenders. The Loan to Value ratios for new loans have reduced further to maintain adequate interest cover for lenders, resulting in the total cost of debt rising significantly.
- Regulation requirements continue to evolve, most recently the proposed requirement to introduce a second stair in buildings exceeding 30m in height. The planning application was amended to include second stairs in Phase A pre-committee. Whilst an allowance has been made for stairs, it has not been made for cores and the outcome of the Government consultant is unknown. This adds to the risk profile of the development and the viability challenges of the scheme.
- The GLA SPG states that stock market trends may also provide an indication of perceived-market wide risk. Large housebuilders listed on the stock exchange have seen their share price more than halve over the past 2 years, an indication of the headwinds the industry continue to face.

As an estate regeneration scheme, the applicant has put forward a masterplan which seeks to better provide for the needs of the community by increasing the number of affordable homes, going beyond a like-for-like replacement and providing full rights of return to social tenants in line with the *'Mayor's Good Practice Guidance to Estate Regeneration'*. It should be noted that by doing so, the Applicant is also in line with the requirements of estate regeneration schemes, as set out within Policy D.H2 of the Local Plan.

Residents will be able to enjoy the new and improved community areas within the masterplan, as well as the improvement to the quality of housing and amenity offerings, with the Applicant also ensuring that existing residents will be able to return to benefit from the improvements to the area. The replacement of existing affordable homes with better quality affordable homes that consider the specific needs of existing residents will immeasurably improve the quality of life of those residents with all social rented habitable rooms being re-provided and a proposed tenure split being heavily weighted in favour of affordable rent (a 89:11 ratio between affordable rent and intermediate on a habitable room basis), which is significantly higher than the 70:30 ratio as sought within Policy D.H2 of the Tower Hamlets Local Plan. Further, 58% of the affordable rent tenure have been designed as

family homes in order to help meet the local housing need demand, which far exceeds the policy requirement for 45%, also set out in Policy D.H2, and has been confirmed by LBTH Officers within the committee report to exceed Local Plan policies and make a significant contribution to meeting housing need in the area.

It should also be noted that the ballot offer put to residents also promised that Poplar HARCA tenants who move to another Poplar HARCA home would get a new tenancy with the same rights and obligations as their current tenancy, ensuring that no one is left behind due to these proposals.

The proposed Masterplan goes further than just re-providing the existing affordable homes, it provides an uplift of 120 Social Rent homes (640 habitable rooms), 79 Intermediate homes (189 habitable rooms), and 1,036 private homes (2,406 habitable rooms), providing a significant level of new housing in a sustainable area, with the high degree of focus on family sized homes.

Whilst the harm resulting from the proposals is disputed, it is nevertheless the case that the weight to be given to the proposed affordable housing provision should be significant, particularly in light of the various complexities associated with estate regeneration as set out above.

***Reason 3:** The proposed repurposing of the Abbott Road vehicular underpass and closure of the underpass to motor vehicles will displace traffic to local roads within the Aberfeldy Estate and its surrounds and detrimentally impact on the flow of traffic on the local highway network, contrary to Policy D.TR2 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits.*

Policy D.TR2 of the LBTH Local Plan (2020) relates to impacts on the transport network and states that development that will have an adverse impact to traffic congestion on the highway network and/or the operation of public transport (including crowding levels) will be required to contribute and deliver appropriate transport infrastructure and/or effective mitigation measures.

The planning application seeks to improve local transport around the Aberfeldy Estate through a comprehensive transformation of the Estate which promotes 'Healthy Streets' principles, whilst minimising traffic delays, promoting walking, cycling and public transport use and targeting the issue of 'rat-running'. The proposals include the repurposing of the existing vehicular underpass to allow for connections for pedestrians and cyclists connecting to Jolly's Green to improve east-west connections and, as a result, an alternative solution for vehicular access to the A12 is proposed with a new junction at Abbott Road.

The proposals represent an overall positive improvement in bus and other vehicle journey times and can demonstrate examples of where reductions in journey times are predicted, such as:

- Predictions of buses that travel northbound and southbound along the A12 between Blackwall Tunnel Approach and Bromley-by-Bow achieving a reduction in travel time predicted of up to 249.8 seconds.
- A decrease in the average delay per vehicle by 40% in the AM peak period and 27% in the PM peak period with total travel time decreased by 21% in the AM peak period and 8% in the PM peak period, and average speeds increased by 44% and 21% for the AM and PM peak periods, respectively.

This modelling has been undertaken as part of the application process and has been reviewed by both LBTH and TfL. It shows that there will be some additional delays introduced in certain areas, notably for vehicles joining the A12 from Lochnagar Street and for bus route 309 from the Canning Town flyover to Zetland Street in both directions (20.7 seconds and 63.2 seconds), it is, however, not considered that this delay outweighs the positives the scheme delivers in terms of transport

improvements, particularly when accounting for the proposed mitigation measures which have been agreed by TfL.

The issue of ‘rat-running’ (motorised vehicles taking shortcuts through the Site) has been identified as a key problem to tackle as part of the proposed development and, as a result, the proposals have looked to deliver significant on-site public realm improvements in line with the Healthy Streets approach which prioritises walking and cycling over motorised transport and it is predicted that the issue of rat-running will be reduced in scale.

Notwithstanding the overall benefits to the traffic network associated with this planning application, it should be noted that any potential delays have been minimised, for example through the provision of a bus priority junction onto the A12. Importantly, Policy D.TR2 relates to congestion. The proposals will not result in congestion, with delays being associated instead with the need for vehicles to take a longer route due to the prioritisation of pedestrians and cyclists throughout the Masterplan. Moreover, the changes are necessary in order to provide for the repurposing of the underpass and the associated benefits that come with this.

Improvements to the transport network have been well considered as part of the design development process and a detailed appraisal of the approaches that could address the issue of A12 severance has been undertaken. It is again noted that for the various reasons outlined within the Technical Note, prepared by Velocity and previously referred to above, the repurposing of the underpass was considered the most appropriate solution with minimal delay, whilst helping to address the isolation that is felt by the Aberfeldy Estate. The principle of this approach has been the focus of extensive discussions with LBTH Transport and Highway Officers, and TfL, both of whom have provided their support for the proposals and is in line with London Plan Policies T1 and T4, which look to ensure that developments effectively and strategically design for transport and ensure that any impacts on London’s transport networks and supporting infrastructure are mitigated.

Officers have agreed within the committee report that there are no objections to the assessments provided and it is not considered that the proposals will detrimentally impact on the local highway network and, especially given the Applicant’s contribution of £400,000 sought by TfL for bus priority measures, as this would provide for the mitigation sought by Policy D.TR2.

***Reason 4: The proposed development by virtue of its excessive height, scale and massing will result in an overly dense and overbearing form of development that results in unacceptable loss of daylight and sunlight to neighbouring residential buildings at Atelier Court and Leven Road Phase Three. The proposed development therefore fails to respect local distinctiveness and demonstrates symptoms of overdevelopment and excessive density resulting in detrimental impact to the living standards and amenities enjoyed by existing neighbouring residential occupiers, contrary to Policies D3, D6 and D9 of the London Plan 2021 and Policy DH8 of The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020) and the Tower Hamlets High Density Living SPD (December 2020).***

Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites and provides the design criteria against which development should be considered. Policy D6 (Part D) states that development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space. Policy D9 relates to tall buildings and provides various criteria against which they should be considered, including their environmental impact in terms of aspects such as daylight to open spaces. At the local level, Policy D.DH8 of the LBTH Local Plan states that development is required

to protect, and where possible enhance, the amenity of new and existing buildings and their occupants, as well as surrounding public realm.

The Masterplan was designed in close conversation with LBTH through an extensive pre-application process and seeks to preserve the amenity of neighbouring residents, including with respect to daylight and sunlight impacts. Considerations towards daylight / sunlight were extensively assessed through the determination of the application, with a number of meetings held between the Applicant's daylight and sunlight consultant and the Council's external reviewer.

As noted within the LBTH committee report, strategic developments of this nature, particularly those in Opportunity Areas, are expected to come forward with an appropriate level of density in order to boost the supply of housing and accelerate growth and Officers acknowledge that BRE Guidelines should be applied sensitively to consider local context, individual circumstances, and the need to optimise housing capacity in accordance with policies set out in the London Plan. This consideration is in line with the NPPF which states that when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site.

There have been two examples at Atelier Court and Leven Road Phase Three, in which there would be an impact to a degree that would be Major Adverse (in terms of daylight to both receptors) and Major and Moderate to Major Adverse (in terms of sunlight to each receptor respectively). As a result of the proposals, 29 homes in Atelier Court will have over a 40% reduction (with 52% of the affected windows being to bedrooms) and 12 homes in Leven Road Phase 3 (with 66% of the affected windows being to bedrooms), however, the applicant and Officers considered that these impacts are acceptable for the following reasons:

- The impacts on the receptors at Atelier Court and Leven Road Phase 3 are considered necessary in order to deliver the Masterplan and the numerous public benefits that are associated with it.
- In the case of Atelier Court, reductions in daylight and sunlight to these receptors have been made worse due to the design of the receptor building. The impacts for the windows beneath a balcony are exacerbated, and thus lower VSC levels are retained
- A tighter form of density is somewhat expected within such a strategic urban developments.
- The daylight and sunlight impacts are comparable to those associated with the recently consented Leven Road Bus Depot scheme.
- Mid-teens VSC levels (as recommended by GLA and PINS) are retained on the facades of Atelier Court and Leven Road Phase 3 when removing balconies.

Officers concluded within the committee report that daylight and sunlight impacts caused by the development would be weighed against the wider regeneration and place-making benefits of the proposal, which will provide a much improved setting for neighbouring buildings and in some cases improve the outlook by increasing distance separations, compared with the existing layout and, on balance, Officers find the scheme to be acceptable.

It is noted within the committee report of the neighbouring Bus Depot scheme (LPA Ref: PA/19/02148/A1) that the design of Atelier Court is not optimised with respect to receiving daylight, stating that:

*"The design of Atelier Court itself has features which limit the amount of daylight that the existing properties receive. Semi-recessed balconies and fixed screens adjoin single aspect*

*rooms within the building. The ground floor units would also be affected by either the building overhang or balcony above.”*

On balance, the wider enhancements to the public realm and overall living standards were considered to outweigh the harm. A similar conclusion as was drawn in relation to the subject application.

The applicant previously undertook an exercise to assess the reduction in building massing which would be required to avoid any Major Adverse impacts to these receptors. This exercise confirmed that substantial changes to the masterplan would be necessitated which would ultimately render the scheme unviable.

Consideration was then given to how the amenity impact on these neighbouring properties could be mitigated, whilst enabling a viable scheme to come forward. It is relevant to note that the existing outlook for a number of the effected units is currently compromised, due to the enclosure caused by existing buildings and their outlook being across a surface level car park. The removal of the previously proposed Block A3 and replacement with an area of open space (Nairn Park) significantly improves the outlook for these units and results in a far greater building separation than under the existing scenario. Whilst the removal of Block A3 did not significantly alter the overall daylight outcomes for these units, the proposals now present benefits in terms of enhanced outlook and visual privacy, to mitigate the loss of daylight.

*Reason 5: The proposed development fails to provide sufficient new public open space in an Area of Deficiency of Access to Nature to support the density, scale and magnitude of development proposed thus resulting in an unsustainable form of development that does not adequately address the needs of existing and future residents, contrary to Policies, G1 and G4 of the London Plan 2021, Policies S.OWS1, D.OWS3 and S.SG1 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020), the Tower Hamlets High Density Living SPD (December 2020) and the National Planning Policy Framework (2021).*

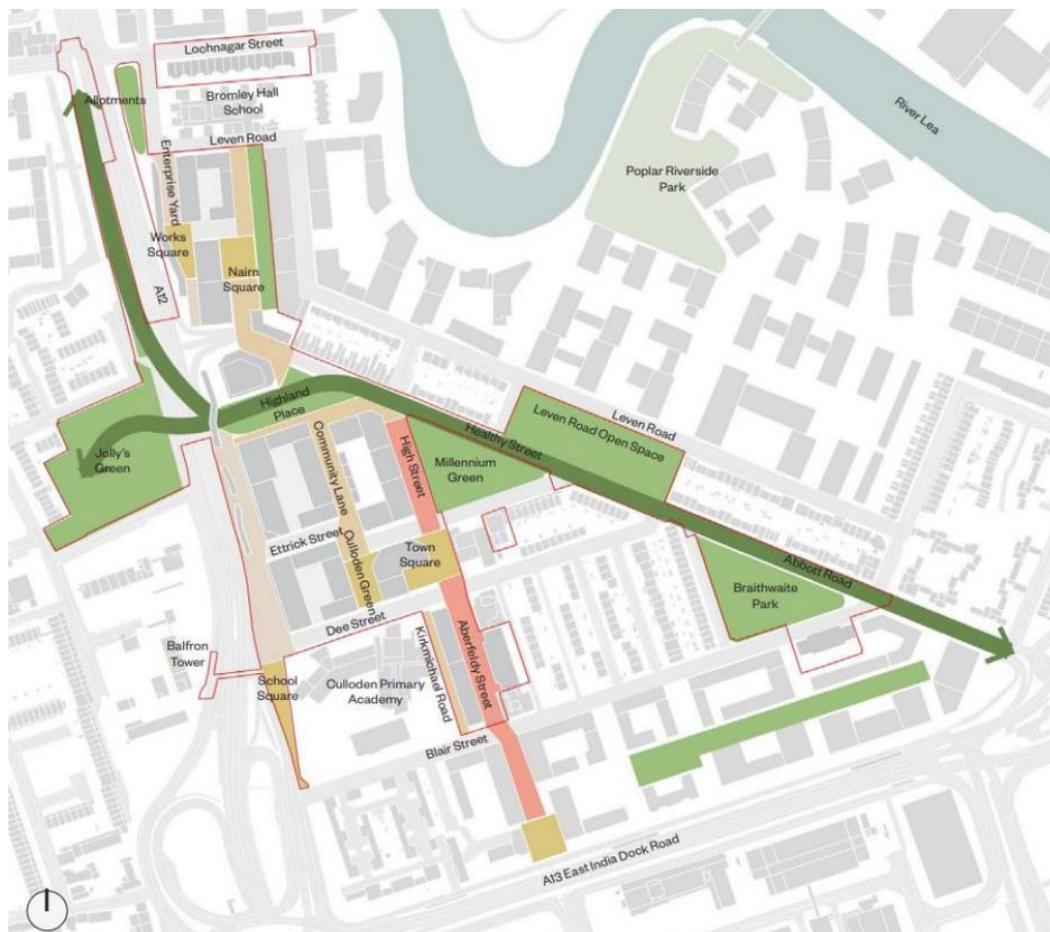
The applicant has sought to maximise the provision of new and improved open space throughout the masterplan with a clear focus on delivering a network of publicly accessible open spaces in the form of a green grid/thread promoting and aiding accessibility to these spaces and encouraging active lifestyles, in line with Policies S.OWS1 & D.OWS3 of the Tower Hamlets Local Plan and Policy G4 of the London Plan.

Approximately 3,573sq.m of new public open space is proposed across the masterplan, comprising Highland Place, the new Town Square, Culloden Green, Nairn Street (Nairn Park) and a transformed area of allotments directly west of Plot J. The largest areas of new public open space would be the Town Square, providing 1,043sqm of public open space as well as Highland Place which is proposed to provide 1,171sqm of new public open space. A brief description of each of these new open spaces is shown below:

- The ‘Town Square’: A flexible, multifunctional public space intended to perform a civic and social function for the wider neighbourhood offering opportunities for a diverse range of community events including markets, music, theatre, games, exhibitions and community gatherings.
- The ‘Allotments’: A transformed area of public realm offering community gardens for all residents.
- Highland Place: A new public space forming the heart of the masterplan which activates the underpass, including playable landscape, exercise, social terraces, cycle hub and a café.

- Culloden Green: A key local square/green at the heart of Community Lane, that connects Culloden School, Dee Street, Ettrick St, individual entrances to blocks and the lobby entrance to Plot F. This has been designed to be child-centric, with playable landscape at its heart.

All of these areas, including the existing areas to be upgraded and the previous delivery within Phases 1-3 of the original Masterplan are shown in Figure 1 below:



**Figure 1: Existing and Proposed Open Space**

Officers have agreed within the committee report that the landscaping and public realm strategy is considered to be of exemplary design, and is one that would improve connectivity and permeability in the area and demonstrate very good placemaking principles, offering greater opportunities for recreation and play than that which currently exists within the wider estate.

In line with Policy G1 of the London Plan which looks to ensure that existing open spaces are enhanced, and alongside the delivery of new public open space, approximately 5,984sq.m of existing poor-quality and underutilised open space is proposed to be upgraded through the proposals at Braithwaite Park, Leven Road Open Space and Jolly's Green, with additional commitments to also deliver improvements to Millennium Green (to be secured through the Section 106 agreement). These improvements to the existing open space are proposed in collaboration with the local community who promoted the upgrading of these spaces and helped to form the design brief for the masterplan. As detailed within the Design and Access Statement for the detailed element of the masterplan, consultation with the local community in late summer/autumn of 2020 included a focus on the problem of anti-social behaviour and the need to improve maintenance in general, alongside a more diverse ambition and preferred use for the spaces that would make each open space distinct but complementary.

Consultation included extensive engagement with Aberfeldy's young population at primary and secondary school age in which numerous discussions were held for the purpose of creating a manifesto which specifies a number of desires that the children want their new neighbourhood to achieve, acting as a goal for the client and design team to work towards. There has been significant levels of support from the local children within Aberfeldy for improved connectivity of open space and an improvement of the existing open spaces, as detailed within Statement of Community Involvement (Part 2) provided as part of the planning application.

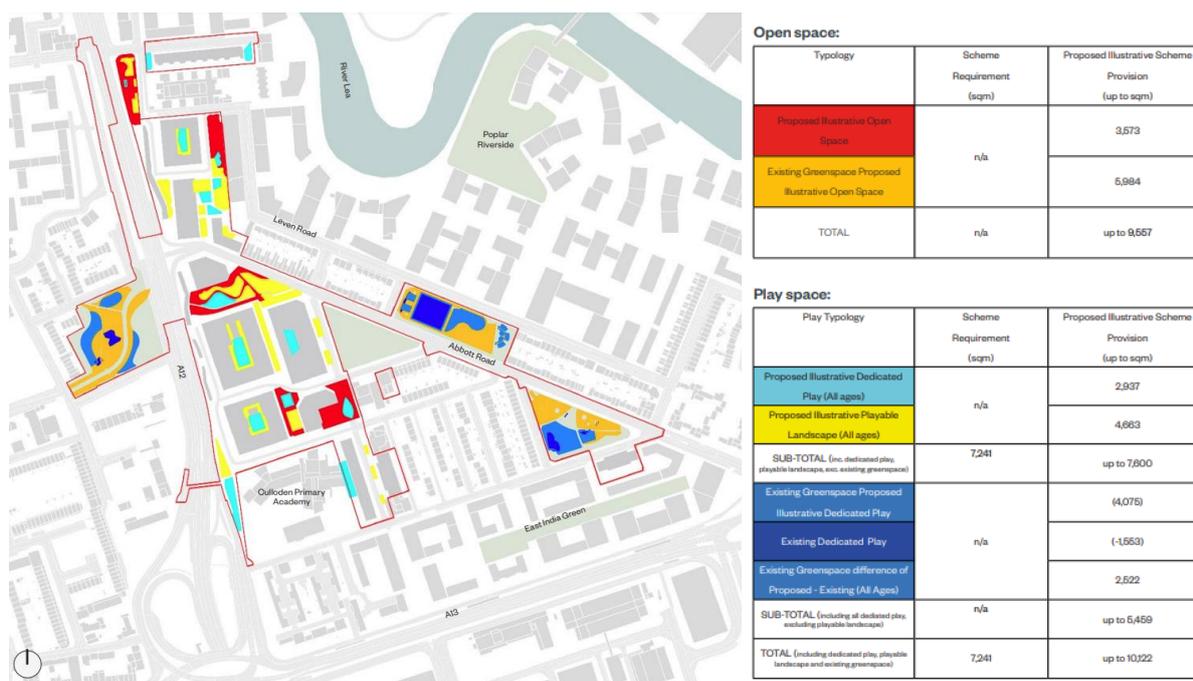
Public realm is a key component of the proposed development and is at the heart of the place-making principles that have guided the design. In addition to the new public open spaces and improvements to existing public open space, the applicant has carefully considered the green network and hierarchy of spaces to help form the character and identity of the development, in association with wider changes to the Site's permeability and connections to the surrounding street network.

*Reason 6: The proposed development fails to provide sufficient dedicated children's play provision to support the density, scale and magnitude of development proposed thus resulting in an unsustainable form of development that does not adequately address the needs of existing and future residents, contrary to Policy S4 of the London Plan 2021 and Policy D.H3 of the Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020).*

Children and youth engagement has formed a key part of the applicant's consultation strategy and has been detailed in the Statement of Community Involvement (Part 2) which accompanies the planning application. As is discussed in the response to the perceived lack of open space reason for refusal, extensive consultation with the youth population of Aberfeldy was undertaken in order to inform the masterplan and a manifesto was created which acted as a set of goals for the client and design team to work to fulfil. This engagement identified a need for dedicated play, however there was also a strong focus on the need for playable landscape, as well as the need to provide for well-lit, safer routes within the masterplan. The design team has responded to this engagement and has sought to design a scheme that fits the requirements of the local community,

In accordance with the *GLA: Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)*, playspace must be provided for in a range of typologies addressing the needs of children of different ages at a ratio of 10sqm per child. When meeting the LBTH quantities, play should be delivered only on the ground floor and podium levels and follow the guidance in the LBTH High Density Living SPD.

The policy requirement, based on the illustrative masterplan, is for 7,241sqm of play space. The illustrative masterplan provides 2,937sq.m of dedicated play and 4,663sq.m of playable landscape – totalling 7,600sq.m, excluding the 2,522sq.m of illustrative new dedicated play space to be provided within the three existing green spaces located within the red-line boundary at Jolly's Green, Leven Road Open Space & Braithwaite Park, in which a significant investment will be made in new, additional, dedicated play. If these were to be included in the calculation, the masterplan will be delivering a combined total of up to 5,459sq.m of dedicated play and up to 4,663sq.m of playable landscape, significantly above the requirement in policy. Furthermore, it should be noted that there was an overprovision of 1,068sq.m of play space against the policy requirements for Phases 1-3 of the extant permission. The applicant has considered how best to provide for temporary play during the construction of the masterplan and has identified an area of temporary provision amounting to 324sq.m to be delivered as part of Phase A. The location of these areas of play across the masterplan is shown in Figure 2 overleaf:



**Figure 2: Proposed Play Space Provision**

In totality therefore, the quantum of proposed play space within the masterplan significantly over-provides against the requirements set out within planning policy and has been designed with a high focus on playable landscapes which has been heavily informed through the applicant’s engagement with the local youth community and has been a critical element within the design of the masterplan. This engagement, and the subsequent manifesto that was produced during the sessions held with the local youth community which highlighted the need for playable landscapes across the masterplan helped to inform this design, the design team strongly believe that a combination of both informal playable space AND equipped play space is required to deliver exemplary placemaking, most notably across a large scheme and within the practicalities of ,high density living. The illustrative on-site play strategy consists of a mixture of outdoor play spaces with dedicated and playable components woven incidentally throughout the public realm. Officers have agreed within the committee report that this would provide stimulating environments weaved into areas accessible by all members of the community and, as such, agreed that on balance the play strategy proposed was acceptable. It should therefore be considered that the Masterplan does provide for sufficient child play provision and responds directly to the desires of the local community, as has been identified through consultation with local young people.

**Reason 7:** *In the absence of a legal agreement to secure policy compliant financial and non-financial contributions including for affordable housing, employment, skills, training and enterprise, transport matters, public realm improvements including contributions towards, bus priority measures, active travel zone, and carbon offsetting contribution, the development fails to mitigate its impact on local services, amenities, infrastructure and environment. This is contrary to the requirement of policy DF1 of the London Plan, policy D.SG5 of the Tower Hamlets Local Plan 2031, and Planning Obligations Supplementary Planning Document (2021).*

The applicant engaged in detailed discussion with LBTH and their external legal advisors in relation to the preparation of the S106 legal agreement, which was substantially drafted in advance of the LBTH SDC meeting.

A number of S106 obligations which were considered necessary by LBTH were agreed by the applicant and the details of these are set out within the committee report.

The applicant is currently in discussions with the GLA Legal Team and is continuing to progress the S106 agreement, with a view to this being substantially completed at the time of a hearing.

***End.***



ABERFELDY VILLAGE MASTERPLAN