

Aberfeldy Estate

In the London Borough of Tower Hamlets

Planning Application reference: PA/21/02377

Planning Application

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

The proposal

The outline scheme comprises the demolition of all existing structures and redevelopment to include buildings up to 100 metres in height (illustratively 28 storeys) and up to 140,591 (GEA) of comprising a maximum of 134,276 sq.m. of residential uses (up to 1,565 homes residential units); retail use, workspaces; car and cycle parking; a new pedestrian route through the repurposing of the Abbott Road vehicular underpass for pedestrians/cyclists; landscaping, open spaces, public realm, access, infrastructure and highways works. The detailed scheme comprises the construction of buildings 5-11 storeys in height to provide 277 residential units, retail uses and a temporary marketing suite, access, car and cycle parking, landscaping, public realm, and improvements to Braithwaite Park and Leven Road Open Space. This application is accompanied by an Environmental Impact Assessment.

The applicant

The applicant is **Aberfeldy New Village LLP (joint venture between EcoWorld London and Poplar HARCA)**. The masterplan architects are **Levitt Bernstein. Morris + Company** are Phase A architects.

Recommendation

The Deputy Mayor for Planning, Regeneration and Skills, acting as Local Planning Authority for the purpose of determining this application;

- i. grants conditional planning permission in respect of application 21/02193/FULL for the reasons set out in the approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Head of Development Management to issue the planning permission and attach, add, delete or vary, the final detailed wording of the conditions and informatives as required with any material changes being referred

back to the Deputy Mayor, and authority to negotiate, agree the final wording, and sign and execute, and complete the section 106 legal agreement;

- iii. delegates authority to the Head of Development Management to agree any variations to the proposed heads of terms for the section 106 legal agreement;
- iv. delegates authority to the Head of Development Management to refer it back to the Mayor, if by 16th June 2023 the section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by Tower Hamlets Council; and
- vi. notes that Tower Hamlets Council will be responsible for the enforcement of the conditions attached to the permission.

Drawing numbers and documents

DRAWINGS - OUTLINE PROPOSALS [FOR APPROVAL]		
Drawing number	Drawing Name	Revision number
3663 - LB - ZZ - 00 - DR - A - 000012	Threads of the Masterplan	New Drawing
3663 - LB - ZZ - 01 - SK - A - SK00188	Potential Winter Garden Locations	2
3663 - LB - ZZ - 00 - DR - A - 000020	Parameter Plan - Extent of Outline and Detailed Proposals	3
3663 - LB - ZZ - 00 - DR - A - 000021	Parameter Plan - Building Plots	3
3663 - LB - ZZ - 00 - DR - A - 000022	Parameter Plan - Proposed Site Levels - Lower Ground Floor	3
3663 - LB - ZZ - B1 - DR - A - 000023	Parameter Plan - Proposed Site Levels - Basement Level	3
3663 - LB - ZZ - 00 - DR - A - 000024	Parameter Plan - Principal Public Realm Areas	3
3663 - LB - ZZ - 00 - DR - A - 000025	Parameter Plan - Access and Circulation	3
3663 - LB - ZZ - B1 - DR - A - 000026	Parameter Plan - Land Use Basement	3
3663 - LB - ZZ - 00 - DR - A - 000027	Parameter Plan - Land Use Lower Ground Floor	3
3663 - LB - ZZ - UG - DR - A - 000028	Parameter Plan - Land Use Upper Ground Floor	3
3663 - LB - ZZ - 01 - DR - A - 000029	Parameter Plan - Land Use First Floor	3
3663 - LB - ZZ - ZZ - DR - A - 000030	Parameter Plan - Land Use Upper Floors	3

3663 - LB - ZZ - ZZ - DR - A - 000031	Parameter Plan - Building Heights	3
3663 - LB - ZZ - XX - DS - A - 000040	Parameter Sections - 01	3
3663 - LB - ZZ - XX - DS - A - 000041	Parameter Sections - 02	3
OUTLINE PROPOSALS DRAWINGS [FOR INFORMATION]		
3663 - LB - ZZ - 00 - DR - A - 000001	Site Location Plan	1
3664 - LB - ZZ - 00 - DR - A - 000002	Existing Site Plan	1
3665 - LB - ZZ - ZZ - DR - A - 000003	Existing Buildings Plan	1
3666 - LB - ZZ - 00 - DR - A - 000004	Existing Site Levels	1
3667 - LB - ZZ - XX - DS - A - 000005	Existing Site Sections	1
3663 - LB - ZZ - 00 - DR - A - 000010	Demolition Plan	2
3663 - LB - ZZ - 00 - DR - A - 000011	Indicative Construction Phasing	3
OUTLINE PROPOSALS DRAWINGS - THE ILLUSTRATIVE MASTERPLAN [FOR INFORMATION]		
3663 - LB - ZZ - B1 - DR - A - 000200	Illustrative Scheme - Basement Plan	4
3664 - LB - ZZ - 00 - DR - A - 000201	Illustrative Scheme - Lower Ground Floor Plan	4
3665 - LB - ZZ - UG - DR - A - 000202	Illustrative Scheme - Upper Ground Floor Plan	4
3666 - LB - ZZ - 01 - DR - A - 000203	Illustrative Scheme - First Floor	4
3667 - LB - ZZ - XX - DR - A - 000204	Illustrative Scheme - Typical Intermediate Floor Plan	4
3668 - LB - ZZ - XX - DR - A - 000205	Illustrative Scheme - Typical Upper Floor Plan	4
3669 - LB - ZZ - XX - DR - A - 000206	Illustrative Scheme - Roof Plan	4
3663 - LB - ZZ - XX - DS - A - 001000	Illustrative Scheme - Sections 01	3
3663 - LB - ZZ - XX - DS - A - 001001	Illustrative Scheme - Sections 02	3
3663 - LB - ZZ - XX - DS - A - 001002	Illustrative Scheme - Sections 03	2
3663 - LB - ZZ - XX - DE - A - 001005	Illustrative Scheme - Elevations 01	3
3663 - LB - ZZ - XX - DE - A - 001006	Illustrative Scheme - Elevations 02	2
3663 - LB - ZZ - XX - DE - A - 001007	Illustrative Scheme - Elevations 03	2
DRAWINGS - OUTLINE PROPOSALS THE ILLUSTRATIVE MASTERPLAN (LANDSCAPING) [FOR INFORMATION]		

AVL-LDA-SBX-XX-XX-DR-L-0010	Urban Greening Factor Illustrative Plan	P04
AVL-LDA-SBX-XX-XX-DR-L-0001	Masterplan General Arrangement - Ground Floor	P04
AVL-LDA-SBX-XX-XX-DR-L-0002	Masterplan General Arrangement - Podiums	P04
AVL-LDA-SBX-XX-XX DR-L-0003	Masterplan General Arrangement - Roofs	P04
AVL-LDA-SBX-XX-XX-DR-L-0004	Illustrative Colour Masterplan	P04
AVL-LDA-SBX-XX-XX-DR-L-0006	Illustrative Colour Masterplan for Support (Committed Works)	P02
DETAILED PROPOSALS DRAWINGS [FOR APPROVAL]		
A303 MCO BF 00 DR A 06110	PLOT F - PROPOSED GROUND FLOOR PLAN	P05
A303 MCO BF 01 DR A 06111	PLOT F - PROPOSED FIRST FLOOR PLAN	P06
A303 MCO BF 02 DR A 06112	PLOT F - PROPOSED SECOND FLOOR PLAN	P06
A303 MCO BF 07 DR A 06117	PLOT F - PROPOSED SEVENTH FLOOR PLAN	P06
A303 MCO BF 08 DR A 06118	PLOT F - PROPOSED EIGHTH FLOOR PLAN	P06
A303 MCO BF R1 DR A 06122	PLOT F - PROPOSED ROOF PLAN	P03
A303 MCO BH 00 DR A 06130	PLOT H - PROPOSED GROUND FLOOR PLAN	P07
A303 MCO BH 01 DR A 06131	PLOT H - PROPOSED FIRST FLOOR PLAN	P06
A303 MCO BH 02 DR A 06132	PLOT H - PROPOSED SECOND FLOOR PLAN	P05
A303 MCO BH 03 DR A 06133	PLOT H - PROPOSED THIRD FLOOR PLAN	P05
A303 MCO BH 04 DR A 06134	PLOT H - PROPOSED FOURTH FLOOR PLAN	P05
A303 MCO BH 05 DR A 06135	PLOT H - PROPOSED FIFTH FLOOR PLAN	P05
A303 MCO BH R1 DR A 06138	PLOT H - PROPOSED ROOF PLAN	P05
A303 MCO Bi 00 DR A 06150	PLOT i - PROPOSED GROUND FLOOR PLAN	P05
A303 MCO Bi 01 DR A 06151	PLOT i - PROPOSED FIRST FLOOR PLAN	P05
A303 MCO Bi 02 DR A 06152	PLOT i - PROPOSED SECOND FLOOR PLAN	P05
A303 MCO Bi 06 DR A 06156	PLOT i - PROPOSED SIXTH FLOOR PLAN	P06

A303 MCO Bi 07 DR A 06157	PLOT i - PROPOSED SEVENTH FLOOR PLAN	P06
A303 MCO Bi 08 DR A 06158	PLOT i - PROPOSED EIGHTH FLOOR PLAN	P05
A303 MCO Bi R1 DR A 06161	PLOT i - PROPOSED ROOF PLAN	P03
A303 MCO BJ 00 DR A 06170	PLOT J - PROPOSED GROUND FLOOR PLAN	P03
A303 MCO BJ 01 DR A 06171	PLOT J - PROPOSED FIRST FLOOR PLAN	P03
A303 MCO BJ 02 DR A 06172	PLOT J - PROPOSED SECOND FLOOR PLAN	P04
A303 MCO BJ 03 DR A 06173	PLOT J - PROPOSED THIRD FLOOR PLAN	P04
A303 MCO BJ 04 DR A 06174	PLOT J - PROPOSED FOURTH FLOOR PLAN	P04
A303 MCO BJ 05 DR A 06175	PLOT J - PROPOSED FIFTH FLOOR PLAN	P04
A303 MCO BJ R1 DR A 06176	PLOT J - PROPOSED ROOF PLAN	P03
A303 MCO BF ZZ DR A 06210	BF - PROPOSED NORTH ELEVATION	P03
A303 MCO BF ZZ DR A 06211	BF - PROPOSED EAST ELEVATION	P03
A303 MCO BF ZZ DR A 06212	BF - PROPOSED SOUTH ELEVATION	P03
A303 MCO BF ZZ DR A 06213	BF - PROPOSED WEST ELEVATION	P03
A303 MCO BF ZZ DR A 06214	BF - PROPOSED NORTH EAST / NORTH WEST ELEVATION	P04
A303 MCO BH ZZ DR A 06230	BH1/2 - PROPOSED NORTH / SOUTH ELEVATION	P03
A303 MCO BH ZZ DR A 06231	BH1/2 - PROPOSED EAST ELEVATION	P03
A303 MCO BH ZZ DR A 06232	BH1/2 - PROPOSED WEST ELEVATION	P05
A303 MCO BH ZZ DR A 06240	BH3 - PROPOSED NORTH / SOUTH ELEVATION	P03
A303 MCO BH ZZ DR A 06241	BH3 - PROPOSED EAST ELEVATION	P03
A303 MCO BH ZZ DR A 06242	BH3 - PROPOSED WEST ELEVATION	P03
A303 MCO Bi ZZ DR A 06250	Bi - PROPOSED NORTH ELEVATION	P03
A303 MCO Bi ZZ DR A 06251	Bi - PROPOSED EAST / WEST ELEVATION	P03
A303 MCO Bi ZZ DR A 06252	Bi - PROPOSED SOUTH ELEVATION	P03

A303 MCO BJ ZZ DR A 06270	BJ - PROPOSED NORTH / SOUTH ELEVATION	P03
A303 MCO BJ ZZ DR A 06271	BJ - PROPOSED EAST / WEST ELEVATION	P03
A303 MCO BF ZZ DR A 06310	BF - PROPOSED SECTION AA	P03
A303 MCO BF ZZ DR A 06311	BF - PROPOSED SECTION BB	P03
A303 MCO BF ZZ DR A 06312	BF - PROPOSED SECTION CC	P03
A303 MCO BH ZZ DR A 06330	BH - PROPOSED SECTION AA	P03
A303 MCO BH ZZ DR A 06331	BH - PROPOSED SECTION BB	P03
A303 MCO BH ZZ DR A 06332	BH - PROPOSED SECTION CC	P03
A303 MCO Bi ZZ DR A 06350	Bi - PROPOSED SECTION AA	P03
A303 MCO Bi ZZ DR A 06351	Bi - PROPOSED SECTION BB	P04
A303 MCO BJ ZZ DR A 06370	BJ - PROPOSED SECTION AA / BB / CC / DD	P03
A303 MCO BF ZZ DR A 06410	PLOT F - PROPOSED MA UNIT LAYOUTS	P06
A303 MCO BF ZZ DR A 06412	PLOT F - PROPOSED MA UNIT LAYOUTS	P06
A303 MCO BH ZZ DR A 06430	PLOT H1/H2 - PROPOSED SR UNIT LAYOUTS	P05
A303 MCO BH ZZ DR A 06431	PLOT H1/H2 - PROPOSED SR UNIT LAYOUTS	P05
A303 MCO BH ZZ DR A 06440	PLOT H3 - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO BH ZZ DR A 06441	PLOT H3 - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO BH ZZ DR A 06442	PLOT H3 - PROPOSED MA UNIT LAYOUTS	P03
A303 MCO Bi ZZ DR A 06450	PLOT i - PROPOSED SO UNIT LAYOUTS	P03
A303 MCO Bi ZZ DR A 06452	PLOT i - PROPOSED MA UNIT LAYOUTS	P03
A303 MCO BJ ZZ DR A 06473	PLOT J - PROPOSED SR UNIT LAYOUTS	P03
A303 MCO BJ ZZ DR A 06474	PLOT J - PROPOSED SR UNIT LAYOUTS	P03
AVL-LDA-SBX-XX-XXDR-L-0208	Phase A - Temporary Play Space GA – For Support	1
AVL-LDA-SBX-XX-XX-DR-L-0209	Phase A - Plot H1 & 2 - Bin Display on Collection Days Diagram	1

AVL-LDA-SBX-XX-XX-DR-L-0210	Phase A - Plot F - Church Access	1
DETAILED PROPOSALS LANDSCAPING DRAWINGS [FOR APPROVAL]		
AVL-LDA-SBX-XX-XX-DR-L-0200	Phase A - Public Realm and Landscape Detail Plan 01 - Plot J	2
AVL-LDA-SBX-XX-XX-DR-L-0201	Phase A - Public Realm and Landscape Detail Plan 02 - Town Square	2
AVL-LDA-SBX-XX-XXDR-L-0202	Phase A - Public Realm and Landscape Detail Plan 03 - Plot H	2
AVL-LDA-SBX-XX-XX-DR-L-0203	Phase A - Public Realm and Landscape Detail Plan 04 - Plot I	2
AVL-LDA-SBX-XX-XX-DR-L-0204	Phase A - Public Realm and Landscape Detail Plan 05 - Leven Road Open Space	2
AVL-LDA-SBX-XX-XX-DR-L-0205	Phase A - Public Realm and Landscape Detail Plan 06 - Braithwaite Park	2
AVL-LDA-SBX-XX-XX-DR-L-0206	Phase A - Roof Terraces GA 01 - Plot F and H3	2
AVL-LDA-SBX-XX-XX-DR-L-0207	Phase A - Roof Terraces GA 02 - Plot I	2
AVL-LDA-SBX-XX-XX-DR-L-0300	Phase A - Sections 01 - Town Square	2
AVL-LDA-SBX-XX-XX-DR-L-0301	Phase A - Sections 02 - The High Street & Kirkmichael Road	2
AVL-LDA-SBX-XX-XX-DR-L-0304	Phase A - Sections 06 - Allotment Gardens	2
AVL-LDA-SBX-XX-XX-DR-L-0305	Phase A - Sections 07 - Roof Terraces	2
AVL-LDA-SBX-XX-XX-DR-L-0306	Phase A - Sections 08 - Block I	2
DETAILED PROPOSALS DRAWINGS [FOR INFORMATION]		
A303 MCO BF 00 DR 05110	PLOT F - EXISTING GROUND FLOOR PLAN	P02
A303 MCO BF ZZ DR 05111	PLOT F AND CLINIC - EXISTING GROUND FLOOR PLAN	P02
A303 MCO BH 00 DR 05130	PLOT H - EXISTING GROUND FLOOR PLAN	P02
A303 MCO Bi 00 DR 05150	PLOT I - EXISTING GROUND FLOOR PLAN	P02
A303 MCO BJ 00 DR 05170	PLOT J - EXISTING GROUND FLOOR PLAN	P02
A303 MCO BF ZZ DR 05210	PLOT F - EXISTING ELEVATIONS 1	P02
A303 MCO BF ZZ DR 05211	PLOT F - EXISTING ELEVATIONS 2	P02

A303 MCO BF ZZ DR 05212	PLOT F AND CLINIC - EXISTING ELEVATIONS	P02
A303 MCO BH ZZ DR 05230	PLOT H - EXISTING ELEVATIONS 1	P02
A303 MCO BH ZZ DR 05231	PLOT H - EXISTING ELEVATIONS 2	P02
A303 MCO Bi ZZ DR 05250	PLOT I - EXISTING ELEVATIONS	P02
A303 MCO BJ ZZ DR 05270	PLOT J - EXISTING ELEVATIONS	P02
A303 MCO BF ZZ DR 05310	PLOT F - EXISTING SECTIONS	P02
A303 MCO BH ZZ DR 05330	PLOT H - EXISTING SECTIONS	P02
A303 MCO Bi ZZ DR 05350	PLOT I - EXISTING SECTIONS	P02
A303 MCO BJ ZZ DR 05370	PLOT J - EXISTING SECTIONS	P02
AVL-LDA-SBX-XX-XX-DR-L-0100	Phase A - Retained/ Removed Trees 01	P03
AVL-LDA-SBX-XX-XX-DR-L-0101	Phase A - Retained/ Removed Trees 02	P03
AVL-LDA-SBX-XX-XX-DR-L-0102	Phase A - Retained/ Removed Trees 03	P03
AVL-LDA-SBX-XX-XX-DR-L-0103	Phase A - Retained/ Removed Trees 04	P03

DOCUMENTS - OUTLINE PROPOSALS [FOR APPROVAL]	
Development Specification Revision I (November 2023)	prepared by DP9
Design Code Revision D (November 2023)	prepared by Levitt Bernstein
DOCUMENTS SUBMITTED IN SUPPORT OF THE DEVELOPMENT	
Supporting Document	Author
Cover letter (November 2023)	DP9
Application form (November 2023)	DP9
Ownership Certificate (October 2022)	DP9
CIL Additional Information Form: Outline Proposals B-D (October 2023)	
Planning Statement inc. Draft s.106 Heads of Terms - Revision O (November 2023)	DP9
Affordable Housing Statement (November 2023)	DS2
Financial Viability Assessment (October 2021)	DS2
Affordable Housing Viability Updated Appraisal Letter (November 2023)	DS2

Design and Access Statement: The Masterplan - Revision B (August 2022)	Levitt Bernstein and LDA Design (with Inclusive Design chapter prepared by Lord Consultants)
Design and Access Statement: The Masterplan Addendum – Revision E (November 2023)	Levitt Bernstein and LDA Design
Existing buildings plan/context plans	Levitt Bernstein as listed in the drawing section below
Illustrative Landscaping Plans	LDA Design as listed in the drawing section below
Decant Strategy – Revision C (November 2023)	Poplar HARCA
Retail Impact Assessment (August 2022) + Statement of Conformity (November 2023)	AND
Commercial Strategy (August 2022) + Statement of Conformity (November 2023)	AND
Construction Environmental Management Plan Revision A (April 2022) + Statement of Conformity (November 2023)	Blue Sky Buildings
Waste Management Strategy - Version 2.1 (January 2023) + Statement of Conformity (November 2023)	Velocity
Outline Site Waste Management Plan – Version 1.0 (September 2022) + Statement of Conformity (November 2023)	Velocity
Statement of Community Involvement (August 2022) + Addendum (November 2023)	Lowick
Statement of Community Involvement Part 2: Children and Youth Engagement (October 2021)	ZCD Architects
Energy Assessment – P8 - (November 2023)	Meinhardt
Overheating Assessment is included as an appendix	
Drainage Strategy Report (October 2022) + Statement of Conformity (November 2023)	Meinhardt
Sustainability Statement– November 2023)	Greengage
Equalities Impact Assessment (January 2023) + Statement of Conformity (October 2023)	Greenage
Tree Survey and Arboricultural Impact Assessment (October 2021)	Arbeco
Arboricultural Addendum (April 2022)	Tim Moya Associates

Arboricultural Addendum (October 2022)	Tim Moya Associates
Arboricultural Report - CAVAT Assessment (December 2022)	Tim Moya Associates
Circular Economy Statement (December 2023)	Greengage
Whole life-cycle Carbon Assessment with accompanying spreadsheet - (November 2023)	Greengage
Preliminary Ecological Appraisal (October 2021) + Addendum (November 2023)	Greengage
Ecology Addendum Letter (November 2023)	
Urban Greening Factor Assessment (October 2021) + Addendum (November 2023)	Greengage
A Habitat Regulations Assessment Screening letter (August 2022) + Addendum (November 2023)	Greengage
BREEAM Ecology Assessment (April 2022)	Greengage
Biodiversity Impact Assessment (October 2021) + Addendum (November 2023)	Greengage
Bat Survey Report (August 2022) + Addendum (November 2023)	Greengage
Flood Risk Assessment and included as part of the Environmental Statement as an appendix (November 2023)	Parmabrook
Fire Statement: Outline Proposals and form (November 2023)	Elementa
Utilities and Foul Sewage Assessment (October 2022)	Meinhardt
Aviation Safeguarding Assessment (November 2023)	KL Grant Consulting
Tall Buildings Statement Revision C (November 2023)	Levitt Bernstein and DP9
Transport Assessment with appendices: Framework Travel Plan, Delivery and Servicing Plan and Outline Parking Design and Management Plan (April 2022) + Statement of Conformity (November 2023)	Velocity
Internal Daylight, Sunlight and Overshadowing Report Revision D (November 2023)	GIA
Documents submitted in support of the Detailed Proposals	
Design and Access Statement: Detailed Proposals - Revision B (October 2022)	Morris and Co and LDA Design (with Inclusive Design chapter prepared by Lord Consultants)
Design and Access Statement: Detailed Proposals Addendum Revision Revision B (November 2023)	Morris and Co and LDA Design
Existing and proposed drawings as detailed in the drawings section below.	Morris and Company

Lighting Impact Assessment Revision P3 (August 2022)	Equation Lighting Design Limited
CIL Additional Information Form: Detailed Phase A Proposals (October 2023)	N/A
Fire Statement: Detailed Proposals and form (November 2023) Blocks F, H & I - Stage 3 Fire Strategy	Elementa
Updated Document - (November 2023) Block J - Stage 3 Fire Strategy	
Pre-Demolition Audit (v1.0 September 2022) + Statement of Conformity (November 2023)	Velocity
EIA submitted in support of the Development	
Volume 1	
Chapter 1: Introduction	Trium
Chapter 2: EIA Methodology	Trium
Chapter 3: Reasonable Alternatives and Design Evolution	Trium
Chapter 4: The Proposed Development	Trium
Chapter 5: Demolition and Construction	Blue Sky Buildings
Chapter 6: Socio-Economics	Hatch
Chapter 7: Traffic and Transport	Velocity
Chapter 8: Air Quality	Entran
Chapter 9: Climate Change	Greengage
Chapter 10: Noise and Vibration	Entran
Chapter 11: Water Resources, Flood Risk and Drainage	Meinhardt
Chapter 12: Archaeology	TVAS
Chapter 13: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare	GIA
Chapter 14: Wind Microclimate	RWDI
Chapter 15: Effect Interactions	Trium
Chapter 16: Likely Significant Effects and Conclusions	Trium
Chapter 17: Mitigation and Monitoring	Trium
Chapter 18: Glossary and Abbreviations	Trium
Volume 2	
Part 1: Townscape and Visual Impact Assessment	Peter Stewart
Part 2: Built Heritage Assessment	KM Heritage
Volume 3	
Appendix to Chapter 1: Introduction Annex 1: EIA Wayfinding Annex 2: Statement of Competence	Trium
Appendix to Chapter 2: EIA Methodology Annex 1: EIA Scoping Report Annex 2: EIA Scoping Opinion	Trium

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

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

Introduction

1. Having assumed authority to determine this planning application, this report sets out the matters that the Deputy Mayor for Planning, Regeneration and Skills must consider in determining whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2. The Deputy Mayor for Planning, Regeneration and Skills, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Tower Hamlets Council's Planning Strategic Development Committee report (and update report) dated 23 February 2023, the draft decision notice setting out the reasons for refusal and all consultation responses and representations made on the case both to Tower Hamlets Council and the GLA. The below reasons set out, in summary, why this application is acceptable in planning policy terms:
 - a. The application proposes the comprehensive estate regeneration of this part of the Aberfeldy Estate involving the demolition of 330 existing dwellings comprising of 252 existing Social Rent tenants and 78 Leaseholder/Freeholder properties.

- b. The proposed development would ensure a quantitative increase in the level of social rented accommodation in terms of floorspace, units and habitable rooms, and would accord with the Mayor's key principles for estate regeneration schemes. Suitable planning obligations and conditions will be required to secure the uplift in affordable housing in addition to the replacement affordable housing.
- c. A residents' ballot carried out in September 2020 resulted in a 91 per cent turnout and 93 per cent of residents voted in support of the regeneration of the estate. The ballot, alongside direct engagement and consultation events, demonstrates general accord with the principles set out in the Mayor's Good Practice Guide to Estate Regeneration
- d. The site is identified within the Poplar Riverside Opportunity Area as a 'Strategic Area for Regeneration', which the London Plan identifies as having the potential to promote inclusive growth that increases opportunity for all Londoners. The London Plan identifies the Poplar Riverside Opportunity Area as having an indicative employment capacity for 3,000 new jobs and the potential for 9,000 new homes and improved connectivity in a part of the borough with significant infrastructure challenges. The provision of new and reprovided housing will contribute to the broader regeneration of this Opportunity Area.
- e. The application proposes up to 1,565 homes new homes, including 451 affordable homes (including 252 reprovided social rent homes), based on the maximum parameters indicative housing mix. The provision of up to 1,565 residential units equates to 4.51% of the borough's 10-year London Plan target of 34,730 net housing completions, or 45% of the annualised housing target. Furthermore, the provision of 451 affordable homes (indicative), would contribute towards the Mayor's strategic target of 43,500 affordable homes per year. The proposed development would be equivalent to 1.04% of London's annual affordable housing need, which is not considered to be an insignificant amount on a single site.
- f. The nature and scale of the proposal, including its potential contribution to the delivery of housing and affordable housing at a borough and London-wide level is such that it is a development which would have an important and significant impact on the implementation of the London Plan in terms of provision of new homes and affordable homes.
- g. The affordable housing provision within the scheme is 38.8% by habitable room (equating to approximately 28.8% by unit), with a tenure split of 89.2% Social Rent and 10.8% intermediate housing. While the split does not align with local policy, noting the pressing need for Social Rent homes in this Borough and in London, the Council's Committee Report stated that the split is supported by the Tower Hamlets Affordable Housing Team.

- h. A Financial Viability Appraisal submitted with the application demonstrates that overall, 38.8% would be the maximum reasonable amount of affordable housing that could be provided. Early, mid and late-stage viability review mechanisms have been secured within a Section 106 agreement. The overall proposed affordable housing offer is considered to accord with the National Planning Policy Framework (NPPF); London Plan Policies H4, H5, H6, H8 and the Mayor's Affordable Housing and Viability SPG.
- i. The scheme also includes retail, food and drink uses (Class E) and workspace, including the replacement of the Aberfeldy Street Neighbourhood Centre. A temporary marketing suite is also proposed within Phase A, to be converted to a retail unit after the final sale of the last residential unit. A total of 10% of the workspace is proposed as affordable workspace, which will be secured through the S106 agreement. A business relocation strategy for existing businesses will also be secured through the S106 agreement.
- j. While the site does not fall within a Conservation Area nor does it include any listed buildings, the proposed development causes harm to the significance of designated heritage assets through harmful impacts to their settings resulting in some conflict with Policies HC1 of the London Plan and Tower Hamlets Local Plan S.DH3. Great weight has been attributed to this harm. GLA officers consider this impact to be less than substantial harm (in a range from very low to low to middle) under NPPF paragraph 205. However, the public benefits delivered by the scheme would clearly and convincingly outweigh the identified heritage harm. The development also causes harm to the setting of a non-designated heritage asset and NPPF paragraph 209 is therefore engaged.
- k. The proposals comprise a number of tall buildings with the tallest building reaching 100 metres AOD and 28-storeys in height. The site lies outside of an area identified as suitable for a tall building by the Local Plan, however the visual, functional, environmental and cumulative impacts of the proposed tall buildings has been acceptably addressed. Taking into account other material considerations, including the significant contribution to housing delivery proposed as part as the proposals, as well as the delivery of strategic infrastructure improvements by repurposing the Abbott Road vehicular underpass for pedestrians and cyclists and improving east-west connections, GLA Officers consider the provision of tall buildings as part of the proposals acceptable on balance.
- l. The scheme would deliver high-quality architecture, public realm and landscaping and biodiversity net gain which is supported and welcomed by Officers. The scheme would also deliver an onsite reduction in carbon dioxide with the remainder to zero carbon to be offset through financial contributions as detailed in this report.

- m. The development would meet relevant standards for internal floorspace, and policy compliant levels of wheelchair accessible or adaptable housing designed to Part M4(3) standards equating to 10% and the remaining 90% of units will be designed to Part M4(2) standards are recommended to be secured in line with requirements set out in the Development Plan.
- n. The development will provide 3,573sq.m. of new public open space and relies on improving existing areas of public open space namely; Jolly's Green, Leven Road Open Space and Braithwaite Park, to meet the needs of the increased residential density. Having regard to the quality of the proposed new space and improvements proposed to existing areas of public open space and the placemaking principles proposed for the new public open space areas, this would not be a sustainable reason for refusal.
- o. The scheme does not provide a policy compliant level of children's play space; proposing only 2,937sq.m. of dedicated play across all ages against a policy target of 7,710sq.m. However, the scheme proposes a combination of dedicated play and playable landscape which in total would equate to 7,600sq.m. Whilst the provision of dedicated play space falls significantly short, the combined strategy of dedicated play and playable landscape overall would provide stimulating environments weaved into areas accessible by all members of the community.
- p. The package of transport proposals has been robustly tested and could deliver transformational improvements that overcomes a long-standing problem of severance on this part of the A12. The repurposing of the Abbott Road underpass to create a pedestrian / cycle link has also been acknowledged by the Council as strategic infrastructure that is critical to the delivery of the masterplan. Overall, the transport impacts of the proposed development would be supported by necessary mitigation measures as set out above secured in the S106 Agreement and planning conditions, which are considered to be in general accordance with Policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and the transport policies of the London Plan.
- q. The Environmental Statement (ES) provides an assessment of the likely significant effects of the proposal on the environment during the construction and operational phases. The ES and the supporting documents highlighted above comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. The supporting documents appropriately respond to and address Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature, some adverse environmental impacts are likely and, where appropriate, mitigation has been proposed and secured to address adverse impacts. Specifically, the height, scale and massing of some of the buildings proposed within the outline phases (Phase B) of the development will result in material reductions to daylight and sunlight received to neighbouring buildings. Revisions were received by Tower

Hamlets Council during the processing of the application that removed a block to improve outlook and the immediate environment adjacent to the affected properties. There remain, however, daylight and sunlight impacts arising to a number of nearby properties, including those at Atelier Court and Leven Road Phase 3. It is recognised that the only means of addressing daylight and sunlight impacts identified would be to consider an alternative development proposal; one which would require the density of the development to be substantially reduced. As such, in taking all of the above into account in the round and the wider regeneration benefits of the proposal, including the provision of housing and affordable housing, on balance, GLA Officers accept the reductions in daylight and sunlight resulting from this development and consider that the development proposal as a whole to be acceptable.

- r. The submitted Environmental Statement (ES) was reviewed by Tower Council Officers in conjunction with their appointed consulted Temple, who found the submitted ES to be adequate. Since the scheme has been called in, a “environmental statement of conformity” has been submitted to the GLA, alongside the proposed revisions. This has been reviewed by Arup, which has been appointed by GLA Officers, who have confirmed that it is appropriate for the changes to be accompanied by an environmental compliance statement, and that the overall conclusions of the report and the proposed amendments will not materially alter the conclusions of the previously submitted ES, which remain valid for the purposes of decision-making.
- s. There are aspects of the proposals that would not comply with detailed policies in the development plan. However, taken as a whole and giving weight to the considerable benefits arising from a comprehensive approach to regeneration of the estate, housing and affordable housing delivery, improvements to connectivity and place-making, GLA Officers recommend that planning permission should be granted subject to conditions, planning obligations and any direction by the Mayor of London.
- t. Appropriate, relevant, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental impacts are mitigated, in line with London Plan Policies DF1 and T9.
- u. The application has been assessed against the Development Plan comprising of the Council’s adopted policies contained within the London Borough of Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (January 2020) and the London Plan 2021, the National Planning Policy Framework and all other relevant material considerations. It is GLA Officers view that the proposals accord with the development plan, read as a whole. It is the view of GLA officers, applying section 38(6) of the 2004 Act, that material considerations, when taken together, do not justify a departure from the plan but rather confirm that the proposals should be granted planning permission.

S106 legal agreement

3. The following heads of terms have been agreed as a basis for the planning obligations to be contained within the section 106 legal agreement:

Land ownership/assembly

4. To enter into a confirmatory deed as and when developer acquires additional land within the planning redline boundary.

Affordable housing

General

5. On-site provision of a minimum of 38.8% (by habitable room) of the residential units as affordable housing, at a tenure split of 89.2% low- cost rented (of which 59.2% will be social rented) to 10.8% intermediate and in a specified unit mix. This requirement will apply on a rolling basis, i.e. at the completion of each Phase and across the development.
6. On-site provision of a minimum of 49% (by habitable room) of residential units in Phase A as affordable housing, at a tenure split of 92.2% low-cost rented to 7.8% intermediate and at a specified unit mix. However, if the Block J land has not been acquired before submission of the first reserved matters approval, an alternative strategy may be submitted which, if approved, would allow the requirement to be staggered with 38.8% (by habitable room) of residential units in Phase A to be provided as affordable housing and the balance needed to meet the 49% requirement being provided in Phase B. The balance must be provided before commencement of Phase C and must be in the same size mix as the units proposed in Block J.
7. A minimum of 85 residential units (376 habitable rooms) in Phase A will be provided as social rented housing.
8. A minimum of 252 residential units (880 habitable rooms) in the development will be provided as social rented housing.
9. Additional affordable housing units above the minimum will be required if additional grant funding (additional to what is assumed in the application-stage viability assessment) is obtained and/or if there is surplus following a viability review, up to a cap – see below.
10. Not more than 50% of the open market housing units in each Phase will be occupied until all of the affordable housing units in that Phase have been completed and are ready for occupation.
11. Not more than 85% of the open market housing units in each Phase will be occupied until the next Phase has commenced.
12. The agreement will include definitions and details of the relevant affordable housing products in accordance with the Mayor's policy and guidance.

13. The intermediate units will be marketed exclusively within Tower Hamlets for the first three months.

Returning tenants

14. Every social rented housing unit must first be offered to a returning tenant and must not be let to anyone else for at least three months from the date of the offer. This applies until all returning tenants have been rehoused or have declined to be rehoused (excluding any returning tenant who has not responded to an offer). Where relevant, the offer must be made not later than three months before the relevant returning tenant's existing unit is demolished. A returning tenant is an individual or individuals who in the period between 23 September 2020 (being the date of the developer's Landlord Offer) and the commencement of the development had a tenancy of a social rented dwelling on the site that is to be demolished as part of or in connection with the development.
15. Social rented housing units for returning tenants are let on terms no less advantageous to the tenants, including initial rent, rent increases and security of tenure and that accord with the landlord offer in the estate regeneration ballot.
16. The Council will have full nomination rights in respect of all social rented housing units earmarked for returning tenants but not taken up by a returning tenant.

Affordability of London Shared Ownership units

17. London Shared Ownership units that exceed an open market value of £600,000 (or any future replacement figure published by the GLA) when they are ready for occupation must be provided at a reduced rent of no more 2.25% of the outstanding equity of the unit. If these units remain unlet following nine months of marketing they shall instead be provided as let as London Living Rent units. This shall apply up to a maximum of 25% of the London Shared Ownership units in each phase.

London Living Rent renewal of tenancies and acquisition

18. London Living Rent unit tenants will have a right to acquire their units as London Shared Ownership units within the first 10 years of their tenancies.

Post-application grant funding

19. If grant funding is secured post-application, an affordable housing scheme relating to the units to be provided using that grant must be submitted to the Council. Those units will be subject to the affordable housing obligations in the agreement.

Service charges and amenities

20. Fair and reasonable service charges and no more than the actual cost of services provided.

21. The developer must have due regard to service charge affordability in progressing design and management strategies for the affordable housing units.
22. The developer must consult with at least one affordable housing provider before commencing detailed design work on the development to ensure that planning maintenance costs to be charged as service charges are given significant weight.
23. The maximum initial amount of service charges for the affordable housing units must be submitted to and approved in writing by the Council.
24. An amenities strategy must be submitted before occupation of any residential units. Occupiers of affordable housing units must have the same full and unrestricted access to amenities as occupiers of market housing units at no additional charge, save for pay-to-use amenities. Pay-to-use amenities must be justified and, if permitted, must be available to affordable housing occupiers at a reasonable charge that is not more than the proportional actual cost of providing the amenities.
25. Compliance with the Mayor of London's Service Charges Charter.

Viability reviews

26. Reviews will be carried out on a whole-scheme basis with profit and benchmark land value to be fixed at 11% on GDV (excluding grant funding) and £2.76 million respectively. The benchmark land value will be phased in the appraisal according to the assumed development programme. Other assumptions including eligible and ineligible costs to be set out in the agreement.
27. Any land brought in will be valued on the basis of existing use value, not price paid.
28. Where any component of the scheme is delivered as build-to-rent, actual GDV for this component of the scheme will equate to the total consideration relating to the unit(s)/block(s) disposed, i.e. any land receipt plus any additional amount included in a development agreement or similar. Any receipt(s) for units sold as build-to-rent will not have separate purchaser's costs applied to them and should be timed in the appraisals submitted as part of the viability reviews in line with when the actual amounts were received.
29. All inputs will be supported by evidence which will be provided on an open book basis and made publicly accessible unless a full justification is submitted to and accepted by the GLA and the Council.
30. Early-stage review: to be carried out if substantial implementation is not achieved within two years of grant of planning permission. Substantial implementation is the completion of the superstructure including the ground floor slab for two blocks within Phase A and the letting of a construction contract for the delivery of Phase A (other than Block J). 100% of surplus to be used for additional on-site affordable housing.

31. First mid-stage review: no reserved matters application relating to any residential units will be submitted until the review has concluded. Development viability information must not be submitted before occupation of more than 90% of the residential units in Phase A. 100% of surplus to be used for additional on-site affordable housing.
32. Second mid-stage review: not more than 75% of the open market housing units will be occupied until the review has concluded. Development viability information must not be submitted before occupation of more than 65% of the residential units. 100% of surplus to be used for additional on-site affordable housing.
33. Late-stage review: not more than 95% of the residential units will be occupied until the review has concluded. Development viability information must not be submitted before occupation of more than 85% of the residential units. 60% of surplus to be paid as an off-site affordable housing contribution.
34. Affordable housing requirement is capped at the 252 units to be provided as re-provision of the existing social rent units plus 50% of the uplift in habitable rooms provided on-site.
35. Monitoring of affordable housing and outcomes of viability reviews to the Planning London Datahub.

Employment, skills and training

36. £610,244 contribution towards construction-phase employment and skills training, to be paid in four instalments of £152,561 before commencement of each of Phases A, B, C and D.
37. £116,668.81 contribution towards end-phase employment and skills training to be paid in four instalments (£29,167.81 for Phase A and £29,167 for all other Phases) before occupation of Phases A, B, C and D.
38. Compliance with a local employment and equal opportunities statement and reasonable endeavours to procure that contractors comply with the statement.
39. Use of reasonable endeavours to ensure that:
 - 20% of construction phase goods, services and workforce are supplied by local people and businesses; and
 - 20% of the end-user phase workforce are local people.
40. Use of reasonable endeavours to employ 91 construction-phase apprentices and 1 end-use-phase apprentice.

Affordable workspace, retail and business relocation

41. 10% of all Class E(c) and Class E(g) floorspace to be provided as affordable workspace for at least 15 years with rents at a 25% discount. This will be controlled by:
- submission of affordable workspace details prior to commencement of Phase A and with the reserved matters applications for Phases containing Class E(c) and Class E(g) floorspace; and
 - restrictions on occupation of any commercial unit or (where there are no commercial units) 40% of the residential units in a Phase until the affordable workspace in that Phase is practically complete and fitted out.
42. Provisions relating to the marketing of the affordable workspace, monitoring reports and payment of an affordable workspace contribution where it has not been possible to agree terms for the provision of affordable workspace.
43. A requirement to practically complete all retail units in a phase before occupation of that phase to ensure that the retail floorspace is delivered at appropriate stages of the development.
44. Submission, approval and compliance with a business relocation strategy setting out how existing businesses will be supported with relocation to new premises in the Development, including relocation advisory support and discounted rent when the units are first let.
45. Submission, approval and compliance with a meanwhile strategy setting out how the developer will support businesses with temporary relocation to meanwhile units in the Development, including discounted rent.
46. Requirement to convert the temporary marketing suite into a retail unit prior to occupation of the final residential unit.

Energy

47. £542,455 contribution towards carbon offsetting for Phase A to be paid before commencement of Phase A. Compliance with the submitted energy strategy.
48. Carbon offsetting contribution for subsequent Phases to be calculated as part of each reserved matters determination and paid prior to commencement of the reserved matters area. The developer must submit a new energy strategy with its calculation of the contribution with each reserved matters application.
49. Submission of a district heating network feasibility study in relation to a future connection to nearby district heating networks prior to commencement. Connection to the district heating network prior to occupation of the relevant phase where shown to be feasible.
50. The GLA's standard wording for 'Be Seen' energy monitoring will be used which provides, in summary:

- a requirement to provide updated 'as-built' design estimates of the 'Be Seen' energy performance indicators for each reportable unit and confirm that monitoring devices have been installed, before occupation of each building;
- after the first year of occupation or following the defects liability period, if later, and for the subsequent 4 years, a requirement to submit to the GLA annual in-use energy performance data for each reportable unit; and
- if the annual data shows that 'as-built' estimates have not been met, a requirement to investigate and identify causes of underperformance and mitigation measures and then to submit and, when approved, implement an action plan.

Transportation and highway works

Bus contribution

51. £400,000 contribution towards bus priority measures within Tower Hamlets, payable prior to occupation of Phase B.

Car free development

52. Prohibition on residents and/or commercial occupiers applying for parking permits unless they are blue badge holders and except for returning residents and residents applying under the Tower Hamlets Permit Transfer Scheme.

53. Contribution of £106 within two months of commencement towards updating the Council's data base on car permit restrictions.

Highway works

54. Highway works package for each of Phases A, B, C and D. Highway works for each Phase to be delivered prior to specified triggers within each Phase.

55. Requirement to enter into highways agreements and submit funding evidence and highway works specification to the Council for highway works associated with Phase A, B, C and D before commencement of the relevant highway works.

56. Submission of applications for stopping up orders associated with a Phase prior to commencement of that Phase. Developer to meet all costs associated with the stopping up orders.

57. Developer to be responsible for submitting applications for traffic orders associated with the highway works for a Phase. Payment of a £4,125 contribution towards Tower Hamlets' traffic order costs prior to occupation of the relevant Phase.

58. Before commencement of the highway works for a Phase, the Developer must obtain all necessary consents for any interface works required for those highway works.

Cycle hire docking station

59. Payment of TfL's costs of relocating the existing cycle hire docking station on Aberfeldy Street.
60. Where the replacement cycle hire docking station is not on the public highway, grant TfL a lease of the land for the replacement cycle hire docking station at peppercorn rent.

TfL obligations

61. Restriction on any construction that causes damage or interferes with the tram ducts.
62. Requirement to enter into a highways agreement and works agreement with TfL in relation to the Phase B TfL highway works prior to commencement of Phase B.
63. TfL to confirm that the detailed design of Phase C does not affect TfL assets before submission of reserved matters for Phase C. Where Phase C will affect TfL assets, an asset protection agreement and outline method statement must be agreed.
64. TfL to confirm that the detailed design of the Brunswick Road subway works does not affect TfL assets before submission of reserved matters for Phase C. Where the works will relate to TfL's highway assets, the Developer must enter into a TfL works agreement with TfL. Where the Brunswick Road subway works will affect TfL assets, an asset protection agreement and outline method statement must be agreed.
65. Restriction on commencement of works to the A12 bus gate, Brunswick Road subway and A12 underpass until technical details are approved by TfL.

Other transport matters

66. Provision of four car club spaces and free membership of a car club for three years. Payment of a £5,000 commuted sum for each car club space not provided.
67. Payment of a CAVAT contribution for street trees removed as part of the development.
68. Residential and commercial travel plan and monitoring.

Public realm, open space and social infrastructure

69. Submission of public realm specification before commencement of Phase A and with the reserved matters application for other outline Phases. Delivery of the public realm in a Phase in accordance with the approved specification before occupation of the relevant Phase.
70. Submission and approval of a public realm management plan for each Phase before any occupation of the relevant Phase.

71. Public realm to be publicly accessible 24 hours a day, subject to certain limited exceptions.
72. Delivery of improvements to Braithwaite Park, Leven Road open space, Jolly's Green and Millennium Green. Drinking fountains to be provided in Braithwaite Park and Leven Road open space.
73. Submission of a play space strategy for each Phase and delivery of 7,600 square metres of play space in the outline phases and 1,269 sqm in Phase A. The play space is to be publicly accessible and no play space is to be segregated by tenure.
74. Improvements to the allotments to be provided before occupation of Phase A. Access, use and maintenance of allotments to be governed by an approved allotments strategy.
75. Submission of a strategy for each phase, before commencement of that phase, detailing meanwhile and community uses to be carried out during demolition and construction of that phase, including:
- safe cycling and walking routes;
 - play and activity spaces;
 - spaces and opportunities for healthy eating and meeting such as pop-up markets;
 - community gardens and/or mobile gardens; and
 - pop-up cinemas and events.

Reprovision of faith centre

76. Replacement faith centre to be completed and made available for occupation before the existing faith centre is vacated and demolished.
77. Lease of the replacement faith centre is to be granted on terms including a minimum 20-year term, market rent, minimum area of 322 square metres, fair and reasonable service charge and within the protections of the Landlord and Tenant Act 1954.

Post-occupancy survey and ongoing consultation

78. Before the submission of each reserved matters approval, a consultation will be carried out with local residents and the results of that consultation will be taken into account in the next reserved matters approval including the design of the relevant phase or part of the development.

Retention of architect

79. Provisions ensuring that the existing lead architect continues to be engaged to ensure design quality and consistency throughout the development.

Construction phase

80. Compliance with the Considerate Constructors Scheme

81. £29,341 development co-ordination and integration contribution payable prior to commencement of Phase A.

82. Payment of a development co-ordination and integration contribution before commencement of the other Phases. Contribution to be calculated at £100 per residential unit and £1 per square metre of non-residential floorspace.

Phasing

83. Compliance with a phasing plan and requirement to commence each Phase sequentially in alphabetical order.

Financial contributions (to be indexed)

84. Monitoring fee.

85. Payment of TfL's costs in connection with structures and technical officers' input for approvals in connection with matters secured by the section 106 agreement.

Conditions to be secured¹

86. The following list provides summary of the subject matter of the conditions and informatives to be attached to any planning permission which is to be granted:

Compliance Conditions

1. Three years deadline for commencement of development.
2. Development in accordance with approved plans and documents
3. Submission of Reserved Matters
4. Timing of Reserved Matters
5. Two years deadline for Outline Phase commencement of development
6. Quantum of development – Outline Component
7. Quantum of development – Detailed Component

¹ Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings.

8. Reserved Matters – Conformity Statement
9. Outline Component – In Accordance with Control Documents
10. CIL Phasing
11. Environmental Statement Mitigation Measures
12. Section 61 (Restrictions on demolition and construction activities)
13. Air quality
14. Air quality – restriction on occupation
15. Height limitation on buildings and structures
16. London City Airport – Cranes
17. At least 40% of units within Neighbourhood Centre to be Class E(a).
18. Permitted Development Restriction on Erection of Fences and Painting of External Brickwork and Masonry
19. No plant on roof
20. No pipes on building face
21. Shopfront frontage
22. No roller shutters
23. Tree protection
24. Inclusive access
25. Wheelchair unit marketing
26. Fire strategy – detailed component
27. Noise from plant
28. Opening hours restriction
29. Energy and Sustainability Standards – Phase A
30. Smart meters
31. Timing of vegetation clearance (breeding birds)
32. Unexploded ordnance risk assessment

Pre-commencement

33. Noise Insulation Verification Report for New Residential Units

34. Written scheme of Investigation
35. Foundation design
36. Piling
37. No Aerials on Roof
38. Air Quality - Construction Plant and Machinery (NRMM)
39. Contaminated land
40. Zero carbon futureproofing
41. Protected Species Licence prior to demolition of Jura House
42. Basement impact assessment
43. Code of Construction Practice

Pre-superstructure works

44. Materials
45. Landscaping.
46. Plant full details
47. Water efficiency
48. Biodiversity mitigation and enhancements
49. Sleeping accommodation
50. Sustainable Urban Drainage Scheme (SUDS)
51. Secure by Design
52. Air Quality – mechanical ventilation
53. Overheating Strategy
54. Phase A – Car parking and parking management plan
55. Phase A - Details of cycle parking and cycle parking management plan
56. Temporary children's play area Phase A

Pre-occupation

57. Scheme of permanent heritage interpretation, landscaping and display
58. Inclusive communal amenity and play spaces

- 59. Shopfronts – details of frontages
- 60. Car parking – whole scheme
- 61. Delivery and servicing plan
- 62. Site waste management plan – operational
- 63. Whole life cycle carbon
- 64. Access for St Nicholas Church

Details to accompany Reserved Matters Submissions

- 65. Details of car parking and car parking management plan
- 66. Details of cycle parking and cycle parking management plan
- 67. Energy strategy
- 68. PV panels
- 69. Children's play space
- 70. Wind microclimate assessment and mitigation
- 71. Daylight, sunlight and overshadowing
- 72. Light pollution study
- 73. Solar glare study
- 74. Communal amenity space
- 75. Wintergardens
- 76. Fire Strategy – Outline component
- 77. Fire evacuation lift

Other conditions

- 78. Public realm / estate management
- 79. Phases B, C and D Pre-Reserved Matters Condition
- 80. A12 bus gate works, A12 underpass works, Abbott Road highway design and highways
- 81. Water network upgrade/development and infrastructure Phasing Plan
- 82. No construction within five metres of the water main

83. No hot food preparation

84. Digital connectivity

85. Land ownership

86. Overheating

Informatives

1. Section 106 Agreement

2. Pre-commencement conditions

3. Deemed discharge

4. Phasing

5. Adverts

6. Further approval and consents

7. Licensing

8. Community Infrastructure Levy (CIL)

9. Street naming and numbering

10. Cadent Gas

11. Air emission flues

12. GLAAS Informative to GLAAS Condition 34

13. GLASS Informative to GLAAS Condition 59

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

15. Lighting within Jolly's Green

16. Secured by Design

17. Water resources

18. Signing up for flood warnings

19. Environment Agency pre-application advice

20. Code of Construction Practice

21. Statement of positive and proactive action in dealing with the application

Publication protocol

87. This report has been published seven clear days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Deputy Mayor's decision on this case will be made available on the GLA website (link, [here](#)²).

Site description and surrounding area

88. The site, identified in Figure 1, below, is 9.08 hectares in size and is located in Poplar, East London. The site is bound to the south by East India Dock Road (A13), to the west partly by Jolly's Green and partly by the multi-lane Blackwall Tunnel Northern Approach Road (A12). The A12 and A13 are both part of the Transport for London Road Network (TLRN). The site is bound to the east by Abbott Road and to the north by Leven Road

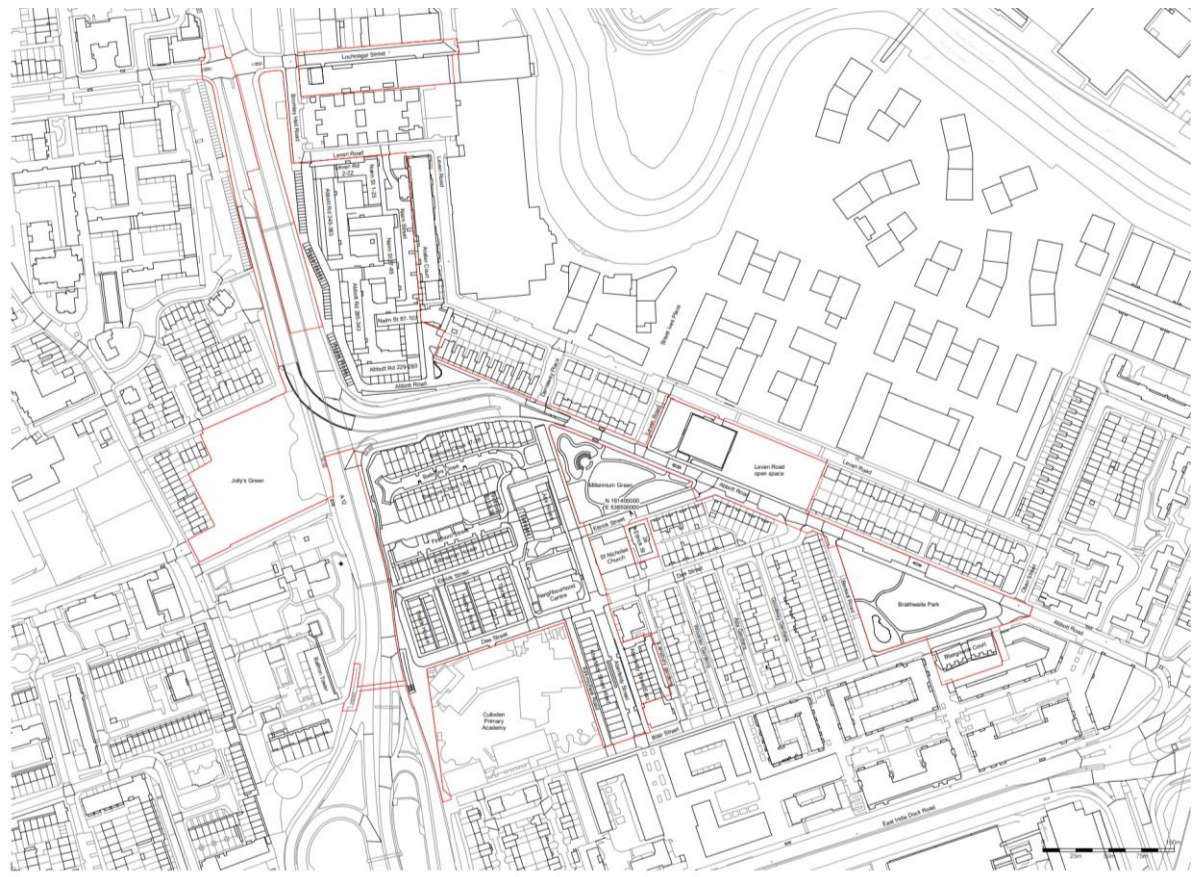


Figure 1: Site location plan

89. The site comprises part of the former Aberfeldy Estate, which is characterised by a mixture of post-war and more recent infill housing, the majority of which is between 2 and 6 storeys in height. The site includes a series of local roads,

² <https://www.london.gov.uk/programmes-strategies/planning/planning-applications-and-decisions/public-hearings/aberfeldy-estate-public-hearing>

within which lie residential flats and houses, school, shops, community facilities and open spaces. The site also includes the Nairn Street Estate, located towards the north of the site. A separate land parcel is also identified as part of the site, comprising land to north of the Bromley Hall School for the Physically Handicapped, a grade II* listed building.

90. Specifically, the following table, Table 1, describes roads, streets, open spaces and houses form part of the application site:

Table 1: Application Site

Land	Details
Abbott Road;	Existing road
Aberfeldy Street;	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
Balmore Close;	A cul-de-sac with two and three storey residential terraced houses
Blairgowrie Court;	A six-storey residential block of flats
Heather House;	A four-storey residential block of flats
Jura House;	A four-storey residential block of flats
Tartan House;	A three-storey residential block of flats
Thistle House;	A four-storey residential block of flats
Kilbrennan House;	A four-storey residential block of flats
Nos. 33-35 Findhorn Street;	Two storey residential terraced houses
2a Ettrick Street;	Two-storey building in use as a GP Practice which will be reprovided under Phase 3 of the Extant Permission. No works are proposed to this building as part of the Hybrid Application
384 Abbott Road;	Poplar Works: individual studios that are let to designers and makers. No works are proposed to this building as part of the Hybrid Application.
Lochnagar Street;	Vacant land.
Aberfeldy Neighbourhood Centre;	A single storey community centre which will be re-provided under Phase 3 of the Extant Permission
Nairn Street Estate; and	A series of three to four storey residential blocks of flats
Leven Road Open Space, Braithwaite Park and Jolly's Green are included for their enhancement	Existing green spaces

91. There are 330 homes within the site boundary. As set out in Table 2, below, these 330 homes comprise 252 socially rented units and 78 homes in leaseholder/freeholder ownership.

Table 2: Schedule of existing residential accommodation within the emerging masterplan boundary (Source: Affordable Housing Statement)

	Social Rent		Leaseholders/Freeholders		Total	
	Homes	Hab. room	Homes	Hab. Room	Homes	Hab. Room
1 Bed	39	78	8	16	47	94
2 Bed	73	219	21	63	94	276
3 Bed	123	492	45	180	168	660
4 Bed	13	65	4	20	17	85
5 Bed	2	12	0	0	2	12
6 Bed	2	14	0	0	2	14
	252	880	78	279	330	1,159

92. 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 application.

93. Table 3, below, details existing land uses within the site that are proposed to be demolished (NB: the table excludes retained floorspace where no works are proposed (Poplar Works and the GP Surgery):

Table 3: Existing land uses

Land use	Total floorspace (GIA sq.m.)
Residential (C3)	Approx. 29, 490 sq.m.
Retail (E)	Approx. 1,514 sq.m.
Community facilities (F2)	Approx 577 sq.m.
Total	Approx. 31,581 sq.m.

Surrounding context

94. To the north of the site are industrial and residential developments adjacent to the River Lea. To the south are substantial commercial developments on the fringe of the Isle of Dogs. To the east lies the River Lea as it approaches the River Thames, and beyond that the Leamouth Peninsula ('London City Island').

95. Millennium Green is not included in the application red-line boundary, however, is proposed to be enhanced and improved as part of the proposals, and this will be secured through the Section 106 legal agreement.

Policy context

96. The site has been identified within the London Plan as a strategic area for regeneration within the Poplar Riverside Opportunity Area, which lies south of the Olympic Legacy Supplementary Planning Guidance area, and between the Isle of Dogs and South Poplar and Royal Docks Opportunity Areas.
97. The exact boundary of this opportunity area is yet to be defined, and an opportunity area planning framework has not been developed for this opportunity area, however this new opportunity area designation incorporates parts of the Lower Lea Valley area that are outside the Olympic SPG and LLDC areas, and contains the Poplar Riverside Housing Zone on the Tower Hamlets side of the River Lea. The site is also part of the emerging Leaside Area Action Plan (AAP).
98. The site is not located within a town centre however the closest town centre is the Crisp Street district town centre, located approximately 200 metres to the west of the site. Aberfeldy Street is designated within the Local Plan as a “Neighbourhood Centre”.
99. Jolly’s Green and Braithwaite Park and Aberfeldy Millennium Green (which, as described above, sits outside the site boundary) are identified as Designated Open Space. The site is identified as within an Area of Deficiency of Access to Nature: East India and Lansbury as identified within the Local Plan.
100. The application site is also subject to the following strategic and local policy designations:
- Blackwall A13 East India Dock Road/Aspen Way/Blackwall Tunnel
 - Lower Lea Valley Opportunity Area (Poplar Riverside Opportunity Area)
 - Sub-Area 3: Lower Lea Valley
 - Poplar Riverside Housing Zone
 - Flood Zones 2 and 3
 - Green Grid Buffer Zone
 - New Green Grid Buffer Zone
 - Ailsa Street Site Allocation (only strip of land within the red-line boundary that sits north of Bromley Hall School lies in this site allocation). The site is also to the west of the Leven Road Gas Works Site Allocation. While the site is not an allocated site, it is noted that the majority of the site is identified in an Allocated Site (Figure 38) of the Regulation 18 consultation version of the new Local Plan for Tower Hamlets.
 - Area of Substandard Air Quality NO2 over 60
 - Area of Substandard Air Quality NO2 over 40

Regulation 18 consultation version of new Local Plan

101. As noted above, the site is identified in the Regulation 18 consultation version of the new Local Plan for Tower Hamlets, which sets out the principles for new development of the site, as follows:

Routes and streets

- The main focus for comprehensive redevelopment is the land adjacent to the A12 road corridor – south of the Grade II Listed Former Bromley Hall School and north of the existing Culloden Primary Academy.
- As the area's primary street axes, the alignment and continuity of Leven Road and Abbott Road should be respected in any redevelopment scheme.
- Aberfeldy Street will be a strong and more legible public route across the estate, which will better establish connections with new development to the south and provide direct connections to the riverside area at the north.
- The existing rather complex network of streets and cul-de-sacs should be replaced by a permeable street grid network which fully integrates and makes direct connections with its context creating a stronger and more legible street network across the estate.

Environment and public realm

- Existing open spaces should be retained and improved. Open spaces should only be developed and re-provided if new replacement spaces increase the overall quality and quantity of public open space in the area.
- There should be a net increase in the overall provision of public open space through redevelopment of the site.
- Access to the adjacent public open space should be improved, alongside improvements to the facilities and quality of the space itself.
- Existing large trees along key streets should be retained with new street trees planted and street-based SUDs introduced to help local ecology, natural cooling, flood risk management and generally a more positive urban greening features

Form and massing

- A strong built frontage should address the A12 along the site's western boundary.
- The site is not specifically earmarked as one suitable for tall buildings, but the A12 frontage does present opportunities in this regard.
- Taller buildings should vary in the height with the highest marking the point where primary routes converge at the approach to the existing underpass.

- Heights may rise to around 20-25 storeys at this focal point, with less high but still tall elements in locations around this central area.
- Generally development parcels should be in the form of streetbased perimeter blocks which define public routes and public realm in the space between building frontages. Behind these frontages are private courtyards providing residents with private (potentially shared) amenity spaces.

Land uses and activities

- This is a location where housing-led redevelopment is appropriate.
- A mix of high-density dwelling types and tenures will be provided, with the mix informed by local housing needs.
- The site may be appropriate for some small-scale employment uses on the A12 frontage to help manage the hostile roadside environment in terms of noise and air quality for new and existing residents.

Capacity study

102. The scheme for Aberfeldy Estate included in the Regulation 18 Consultation Local Plan shows one potential form of development which responds to the principles outlined above. It is however a high-level and indicative scheme and other forms of development may be appropriate.

Heritage context

103. The site is not located within a conservation area and does not contain any nationally listed buildings or other nationally designated heritage assets.

104. The existing buildings on site are not of heritage interest and are not Non-Designated Heritage Assets.

105. To the west of the site, across the A12, is the Grade II* listed Balfron Tower, and the Balfron Tower Conservation Area. The site is also located outside the St Mathias Church Poplar, All Saints Church Poplar Conservation Area and the Lansbury Conservation Area, which are located within 300 metres to the west and south-west of the site. Limehouse Cut Conservation Area is located approximately 120 metres to the north of the site, Langdon Park Conservation Area is located approximately 120 metres to the north-west, and Naval Row Conservation Area is located approximately 250 metres to the south.

106. There are a number of listed buildings and structures in proximity to the site, including within these listed conservations areas and as described in the heritage section of this report.

107. The site lies within Lea Valley Archaeological Priority Area (Tier 3) which has a known potential for remains of medium or high significance to be present.

Transport context

108. The proposed application site is bound by the A12 Blackwall Tunnel Approach to the west which forms part of the Transport for London Road Network (TLRN). The site is bound to the east by Abbott Road and to the north by Lochnagar Street.
109. Tower Hamlets Council are the highway authority for both Abbott Road and the underpass. Transport for London (TfL) is the highway authority for the A12 and would be the highway authority for any new junction and its traffic order opening on to the A12 and own structural assets relating to the underpass.
110. The A12 to the west of the site and the A13 approximately 100 metres to the south of the site causes severance by requiring pedestrians to either wait at traffic signals at grade or use one of several subways. A further barrier is created to the northeast by the River Lea as there are currently no means to cross the River Lea along pedestrian/cycle desire lines to Star Lane Docklands Light Railway Station or West Ham Underground and National Rail station.
111. There are three vehicular access points to the site: The A12/Abbott Road/Abbott Road Underpass junction; The A12/Lochnagar Street/Zetland Street junction and the A13 East India Road/Abbott Road/Lanrick Road junction. Abbott Road passes through the site and connects the A12 and A13 and at its eastern end, the access operates a left-in and left-out strategy with the Abbott Road underpass leading to a slip road for the A12 which allows vehicles to egress the site and turn right onto the northbound A12.
112. A number of existing access points including access for pedestrians to the site include subways (north of Lochnagar Street, adjacent to the Abbott Road underpass and one referred to as Brunswick Street which connects to Dee Street) which run beneath the A12, a two-stage at grade signalised crossing of the A12 at Lochnagar Street and multiple-stage at grade signalised crossings at A13/A102 junction, A13 East India Dock Road directly east of Nutmeg Lane and at A13/A1020/Abbott Road junction. Details of the existing conditions are set out in more detail in the transport section of this report.
113. The nearest stations are Langdon Park, All Saints and East India, all roughly 500 metres from the site and served by the DLR. Canning Town is 950 metres east, served by DLR and Jubilee line. Bromley-by-Bow is 900 metres north, served by the District and Hammersmith and City lines. Canary Wharf, 1.2 kilometres southwest, is served by Elizabeth line services on the Abbey Wood branch. Bus route 309 runs along Abbott Road, through the site. Route D8 runs along the A12 Blackwall Tunnel Approach and routes 115 and N15 run along the A13 East India Dock Road. The site is in an area of PTAL (Public Transport Access Level) 1b-4, on a scale of 0-6b where 6b represents the highest level of public transport connectivity in London.
114. The closest part of London's Strategic Cycle Network is Cycleway 3, which is accessed at the junction of Abbott Road and A13 East India Dock Road, and via Nutmeg Lane to the south. The closest cycle hire docking station is within the site on Aberfeldy Street.

115. TfL owns and/or operates several assets in and around the site, including the freehold to land along the A12 and A13 and the Abbott Road tunnel. Tower Hamlets are highway authority for Abbott Road and other local roads within and adjacent to the site.

Photographs of the site



1 Fig.31 East India Green, Aberfeldy Village



2 Fig.32 Aberfeldy Street meanwhile initiative



3 Fig.33 View along Dee Street to Ballfron Tower



4 Fig.34 Culloden Street and Dee Street



5 Fig.35 Dee Street pedestrian underpass



6 Fig.36 St. Nicholas Church, Aberfeldy Street



7 Fig.37 View looking west along Balmore Close



8 Fig.38 Entrance to pedestrian underpass on Abbott Road



9 Fig.39 Pedestrian underpass under the A12



10 Fig.40 Jolly's Green



11 Fig.41 Looking west along Abbott Road and the ramp to the vehicle underpass



12 Fig.42 Naim Street estate and terraced houses along Abbott Road



13 Fig.43 Poplar Works development along Naim Street



14 Fig.44 Poplar Works development along Naim Street



15 Fig.45 Bromley Hall School



16 Fig.46 Looking south along Naim Street



17 Fig.47 Looking south east across Millennium Green



18 Fig.48 MUGA on Leven Road Open Space



19 Fig.49 Looking west from Abbott Road across Braithwaite Park



Fig.58 Recently painted murals along Aberfeldy Street



Fig.59 Improvements to signage and entrances and wayfinding



Fig.60 Patterns inspired by Kantha



Fig.61 Local businesses such as the Boxing Club and community initiatives such as the People Speak located along Aberfeldy Street



Fig.62 A revitalised street aiming to attract businesses to the area



Fig.63 Vibrant colours and patterns along the shop frontage



Fig.64 Tommy Flowers mural

Surrounding development

116. The site would form part of the wider Aberfeldy Estate. Phases 1-3 of the extant permission are identified in Figure 2, below.

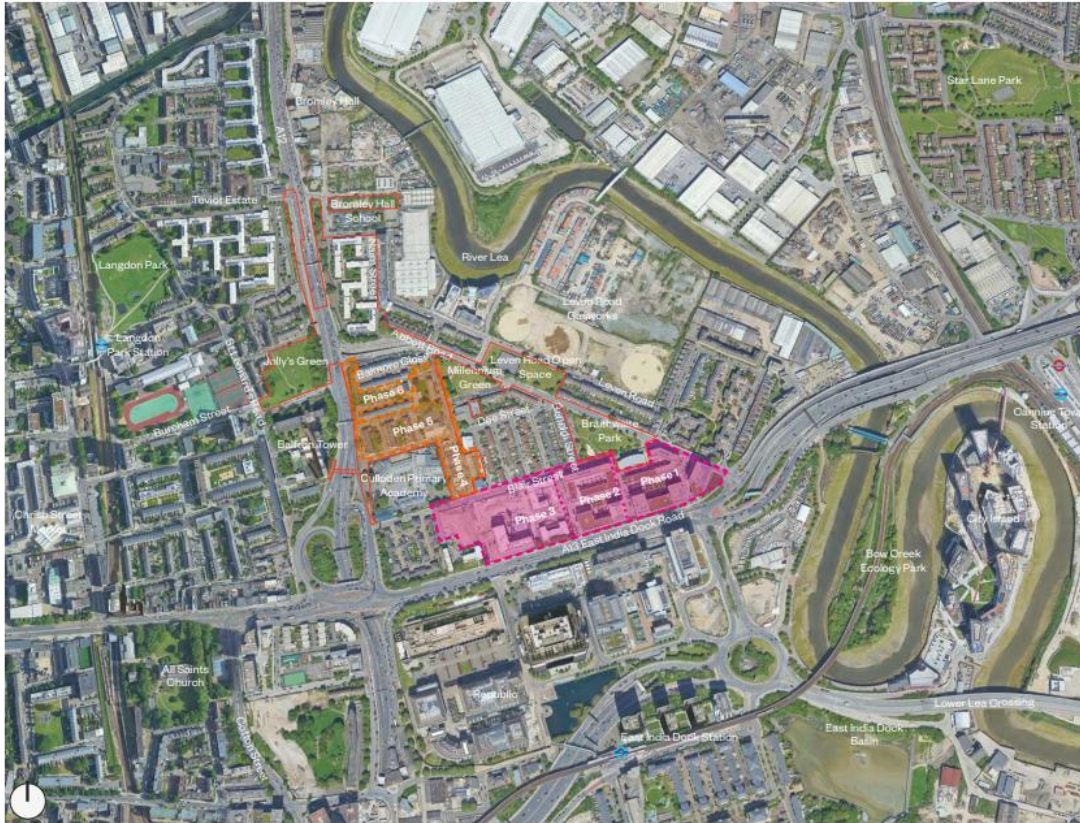


Fig.3 Site location plan

Figure 2: Site location plan, in the context of the extant planning permission. The pink overlay represents the constructed phases of development, and the orange overlay represents the unbuilt phases of the extant planning permission, which now form areas with the red line site location plan for the planning application which is the subject of this report.

117. The surrounding context is expected to undergo significant regeneration and transformation with several residential-led mixed use developments, including those which are under construction, have planning permission, are going through planning process or are at pre-planning stage. Some of these developments are included in Figure 3, below, as follows:

- Ailsa Wharf [has planning permission] for 785 new homes
- Islay Wharf which has planning permission for 133 new homes
- the Former Poplar Bus Depot site at Leven Road which has planning permission for 530 units and the Leven Road
- Leven Road Gasworks site [has planning permission] for up to 2800 new homes.
- Blackwall Reach [delivered]
- London City Island [delivered] 1,707 homes
- Former HSS Site

- Crisp Street Market
- Teviot Estate [pre-planning]

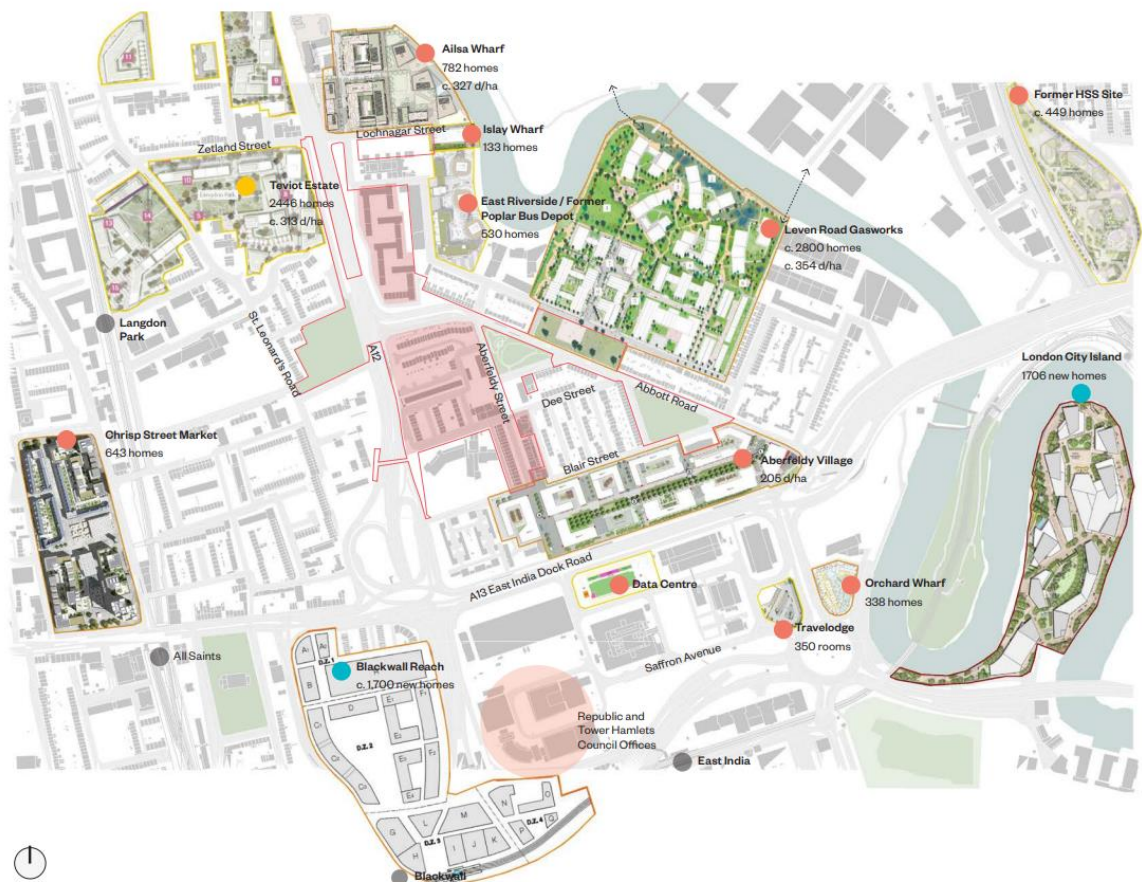


Fig.69 Diagram showing changing context, emerging development and its planning status

Figure 3: Diagram showing changing context, emerging development and its planning status.

Details of the proposal

118. The hybrid application comprises a detailed proposal for Phase A and an outline proposal for future phases. Specifically, hybrid planning permission is sought for:

- An outline scheme comprising the demolition of all existing structures and redevelopment to include buildings up to 100 metres in height (illustratively 28 storeys) and up to 140,591 (GEA) of floorspace; retail use, workspaces; car and cycle parking; a new pedestrian route through the repurposing of the Abbott Road vehicular underpass for pedestrians/cyclists; landscaping, open spaces, public realm, access, infrastructure and highways works.
- A detailed scheme comprising the construction of buildings 5-11 storeys in height to provide 277 residential units, retail uses and a temporary marketing suite, access, car and cycle parking, landscaping, public realm, and improvements to Braithwaite Park and Leven Road Open Space.

119. Figure 4, below, shows the parts of the site included within the detailed proposals, known as Phase A.

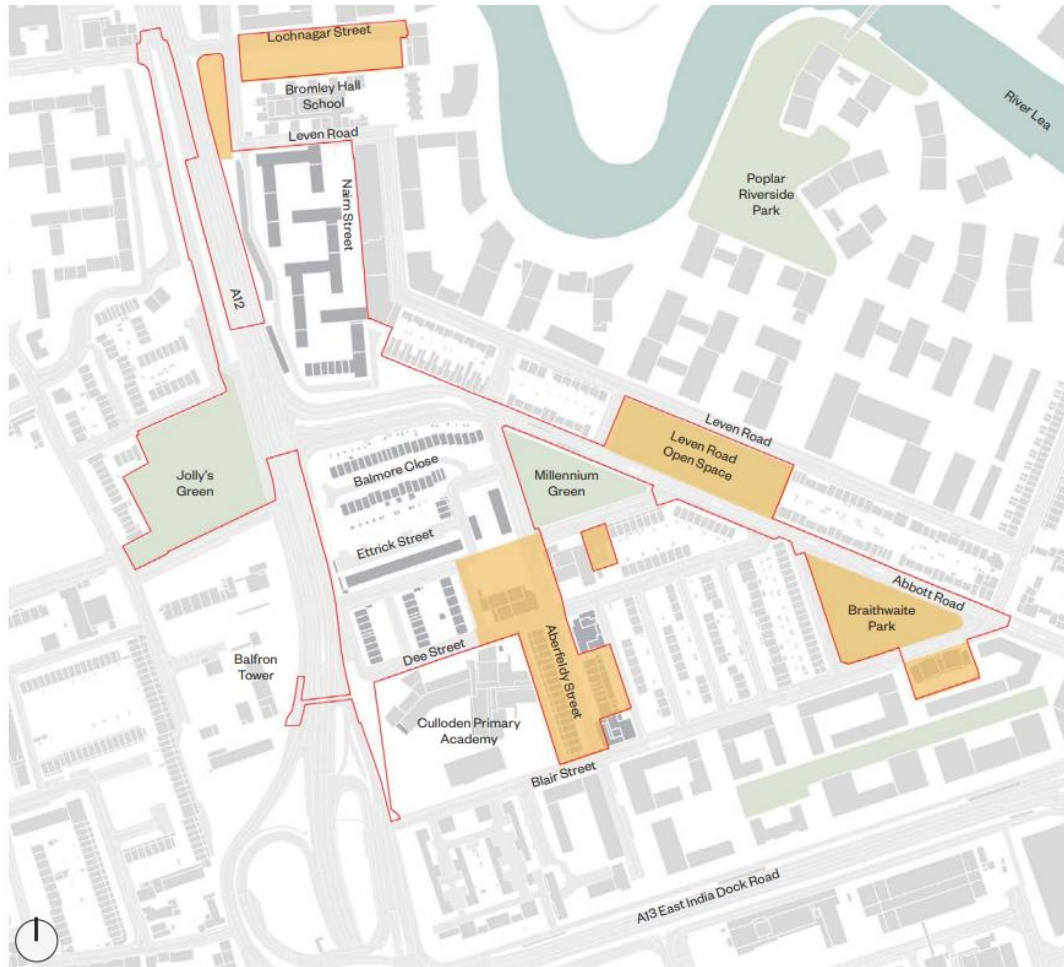


Fig.4 Phase A location plan

Figure 4: Detailed proposals location Plan (The detailed proposals, known as Phase A, are shown by way of the orange overlay)

Proposed land uses

120. A breakdown of the proposed land uses by use class for the details proposals is provided within Table 4:

Table 4: Proposed floorspace (detailed proposals)

Land use (Use Class)	Plot F	Plot H	Plot I	Plot J	Total GEA (sq.m.)
Retail (Class E)	253	1,072	-	-	1,324
Temporary marketing suite (Sui Generis/E)	317	-	-	-	317
Residential (Class C3)	9,552	12,031	5,456	3,200	30,239
Total GEA (sq.m.)	10,112	13,103	5,456	3,200	31,881

A breakdown of the proposed land uses by use class for the outline proposals is provided within Table 5:

Table 5: Proposed floorspace (outline proposals) by phase

Land use (Use Class)	Phase B	Phase C	Phase D	Maximum GEA Cap (sq.m.)
Retail (Class E)	395	-	721	1,116
Workspace	895	1,707	-	2,602
Residential (Class C3)	56,651	57,296	20,329	134,276
Podium parking	697	1,900	-	2,597
Total GEA (sq.m.)	58,638	60,904	21,050	140,591

Proposed phasing

121. The development would be built in four phases as per Figure 5, below. The detailed proposals comprise Phase A (shown in purple), and this includes the delivery of improvement works to the existing spaces at Leven Road Open Space and Braithwaite Park open space.

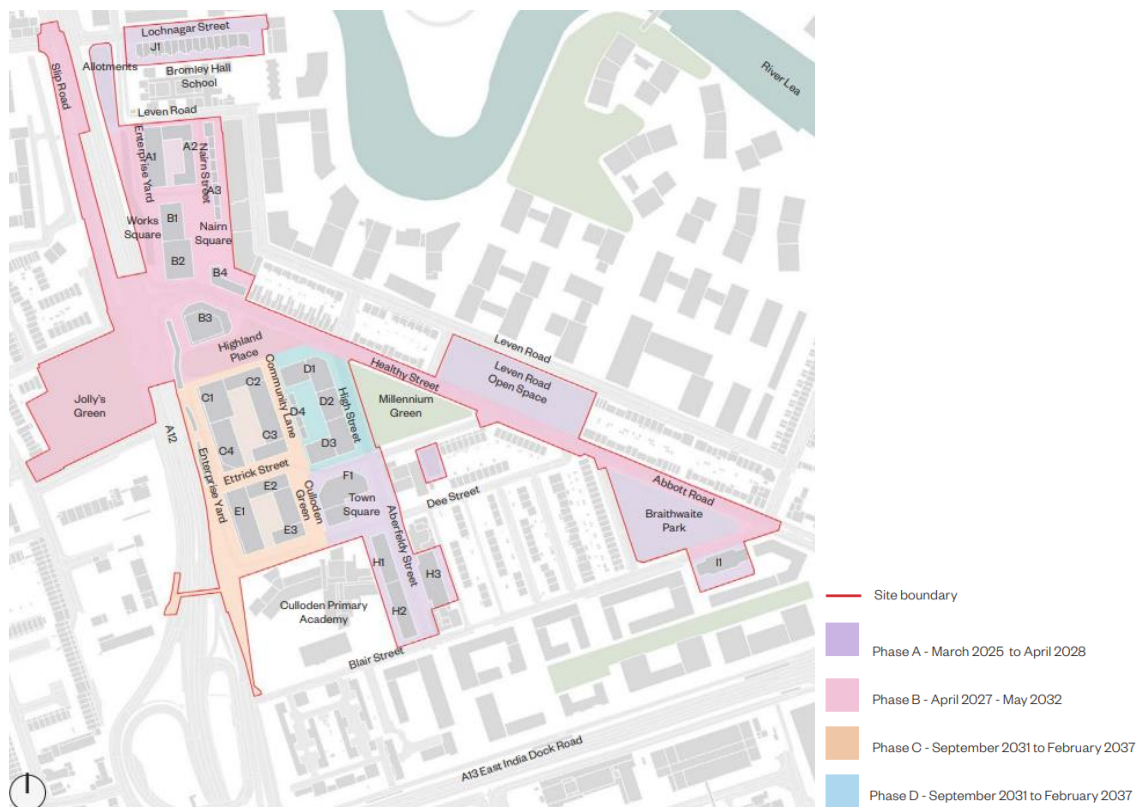


Figure 5: Proposed phasing plan

Relevant planning history and current planning application

122. The masterplan site has been subject of pre-application discussions since early 2010. Following pre-application discussions and a previous application which was not decided, outline planning permission (all matters reserved) was granted on 20

June 2012 (GLA Ref: PDU/2469a/02, 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 (A1-A3, A5, C2, B8, D1); and creation of 1,176 residential units in 15 new blocks between 2 and 10 storeys in height plus 1,743sq.m. retail space (A1), professional services (A2), food and drink (A3 and A5) and 1,786 community and cultural uses (D1) together with a temporary marketing suite, energy centre, 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.

123. At the same time, full planning permission was also granted (Phase 1 of application ref: PA/11/02716) for the erection of three blocks between 4 and 10 storeys on the corner of Abbott Road and East India Dock Road to provide 342 new residential units, 352 sq.m. new retail floorspace (A1 and A3), a marketing suite of 407 sq.m. (A2), semi-basement and ground floor parking, cycle parking, landscaped public open space and private amenity space and other associated works.

124. A minor material amendment (LPA ref: PA/15/00002) was subsequently sought to outline planning permission PA/11/02716. The amendments incorporated block J in to phase three, allowing the neighbourhood centre to be built within the same phase and providing for the reorganisation of non-residential uses within the neighbourhood centre. The community centre and health centre both increased in size to meet demand from increased population projections for the area. Blocks G, H and J increased by a maximum of two storeys. The total number of residential units across the scheme would remain the same as approved at 1,176, however the number of residential units within phase three would increase. GLA Officers issued a letter (GLA Ref: 2469c) dated 11 March 2015 concluding that the proposal does not raise any new strategic planning issues, and the Local Planning Authority granted the permission on 15 July 2015.

Pre-application discussions

125. The proposal relevant to this report has been the subject of a series of pre-application meetings between the applicant, GLA Officers and Tower Hamlets officers. Specifically, pre-application meetings were held over Microsoft Teams on the 14 September 2020, 17 November 2020, 3 August 2021, 26 August 2021 and 30 September 2021. There have also been other pre-application meetings with TfL officers. The meetings covered a wide range of strategic planning issues including estate regeneration principles set out in the Mayor's Good Practice Guide, affordable housing, viability, urban design, residential quality, fire safety, children's play space, noise mitigation, historic environment, inclusive access, energy, flood risk, sustainable drainage, water efficiency, urban greening, green infrastructure, air quality, circular economy and transport matters. Written notes were issued following three of the meetings (dated 23 June 2021, 14 September 2021, 13 October 2021, see GLA Refs: 2020/6467/P2F, 2021/0822/P2F, 2021/0752/P2F) and follow-up email advice was issued on the 18 October 2021 (GLA Ref: 2021/0890).

The application

126. The current application was validated by Tower Hamlets Council on 10 November 2021 (LPA Ref: PA/21/02377/A1) 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 ranging between maximum heights of 13.5m AOD and 100m AOD and up to 141,014sqm (GEA) of floorspace comprising the following mix of uses:

- Up to a maximum of 133,971sqm (GEA) of Residential floorspace (Class C3);
- Up to 4,444sqm (GEA) of retail, workspace, food and drink uses (Class E);
- Car and cycle parking;
- Formation of new pedestrian route through the conversion and repurposing of the Abbott Road vehicular underpass for pedestrians and cyclists;
- Landscaping including new open spaces and public realm and
- New means of access, associated infrastructure and highways works.

In Full, for 30,133sqm (GEA) residential (Class C3) floorspace to include a number of buildings ranging between maximum heights of 25.17m (AOD) and 42.73m (AOD), 1341 sqm of retail, food and drink uses associated with a replacement Neighbourhood Centre and a temporary marketing suite (Class E and Sui Generis), together with access, car and cycle parking, associated landscaping and new public realm, and improvements to Braithwaite Park and Leven Road Open Space.

This application is accompanied by an Environmental Statement”.

127. The proposals, as originally submitted to Tower Hamlets Council in 2021, included the erection of 6 buildings between 5 and 11 storeys in height in Phase A (i.e. up to 42.73 metres in height), and an illustrative total of 21 buildings up to 100 metres AOD in height in the outline scheme (illustratively shown as 28 storeys), as shown in Figure 6. Jolly Greens was excluded from the red line boundary, as shown in Figure 7.



Figure 6: Aerial shot of the illustrative masterplan scheme originally submitted to Tower Hamlets Council.



Figure 7: Layout of proposed development plots, as originally submitted to Tower Hamlets Council. Diagram also illustrates the relationship between the maximum parameters and the illustrative masterplan (Source: Original Masterplan DAS).

Stage 1

128. On 29 November 2021, the Mayor of London received documents from Tower Hamlets Council notifying him of the application. The application was referred under the following categories:

- Category 1A.1 “Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.”
- Category 1B.1(c) “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”
- Category 1C.1(c) “Development which comprises or includes the erection of a building that is more than 30 metres high and outside of the City of London.”
- Category 3A.1(a) – “Development which is likely to result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats);

129. On 7 March 2022 the Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority, considered planning report GLA/1213/01 (link to report [here](#)³) and subsequently advised Tower Hamlets Council that the application did not yet comply with the London Plan for the reasons set out in paragraph 233 of the above-described planning report, and that possible remedies set out in this report could address the deficiencies. The planning issues identified at consultation stage (summarised at paragraph 233 of the Stage 1 report) were identified, as follows:

- **Principle of estate regeneration:** The proposed development would secure a net increase in existing affordable housing floorspace on a like for like tenure basis and would generally accord with the Mayor’s key principles for estate regeneration schemes.
- **Land use principles:** The principle of the optimisation of the site to deliver a mixed-used scheme with an uplift in housing and affordable housing is supported. The quantum of development beyond Phase A relies on highway amendments to unlock development plots which requires further resolution. The provision of retail and workspaces for small shops is supported however further information is required to demonstrate that consideration has been given to the retention of existing businesses within the scheme. Further information is also required to demonstrate that existing sports and play facilities are being reprovided within the future scheme. An equalities impact assessment must be provided.
- **Affordable housing:** The outline scheme proposes 35% affordable (including re-provision of existing social rent accommodation). The affordable

³ <https://planapps.london.gov.uk/planningapps/PA-21-02377>

housing delivered in addition to the re-provision will have a tenure split of 70% affordable rent to 30% intermediate rent. The submitted viability information concludes the scheme generates a deficit. GLA Officers will continue to work with the Council and Applicant to ensure the scheme provides the maximum viable amount of affordable housing. Early, mid and late-stage viability reviews, and affordability and eligibility criteria must be secured.

- **Urban design and heritage:** The layout principles underpinning the scheme are rational and the range of different character areas within the masterplan is broadly positive. Due to the density of the development, the delivery of the new and improved underpass connections are vital to its success. The design code and parameter plans demonstrate that a high-quality development can be achieved. The site is not identified in the development plan as suitable for tall buildings; however subject to addressing the criteria in Policy D9(C), the proposed tall buildings could be acceptable on balance.
- **Sustainable development:** Further information is required in relation to a number of elements of the energy strategy and conditions are required to secure compliance with the Be Lean, Be Clean, Be Green and Be Seen requirements of the London Plan. Detailed technical comments in respect of energy, whole life-cycle carbon and circular economy have been circulated to the Council under a separate cover to be addressed in their entirety. A condition should secure sufficient ducting space for full fibre connectivity infrastructure.
- **Environmental issues (flood risk, sustainable drainage, water efficiency):** The submitted flood risk assessment does not give appropriate regard to the risk of surface water, groundwater, and sewer flooding. Further information should be provided with regard to the proposed FFLs of residential units across the site and the proposed safe haven at upper floors. In respect of the drainage strategy, more detailed hydraulic calculations should be provided, additional above ground green SuDS should be incorporated, and rainwater harvesting should be included. Clarification should be provided around the proposed water efficiency strategy for the proposed non-residential uses on site. Water harvesting and reuse should also be considered to reduce consumption of water across the site which can be integrated with the surface water drainage system to provide a dual benefit.
- **Environmental issues (air quality, biodiversity, green infrastructure and urban greening, trees):** Further information is required to determine compliance with London Plan air quality policies. Standard air quality conditions are also recommended to ensure the development does not have an adverse impact on air quality and amenity during the construction phase. Further information is required to demonstrate that the development avoids direct or indirect impacts on the nearby SINC. The urban greening proposals should be reviewed, seeking to improve the quality or quantity, to increase the UGF score. A drawing showing the surface cover types as a

standalone document is also required. Further information is also required to demonstrate that the value of tree retained and proposed outweighs the value of the current tree stock.

- **Transport:** Further information and clarification, as well as further discussions are required for TfL Officers to confirm support for the proposals. Besides completing and reporting on impact on strategic and local highways and effect and mitigation for buses, further information or clarification is required on three-hour AM and PM peak trip generation figures; Canning Town station impacts and design codes

130. Following Stage 1, and prior to the Tower Hamlets Strategic Development Committee, minor amendments were made to the scheme, as summarised, below:

Phase A design changes:

- Minor change to Phase A boundary as a result of change to Plot F boundary;
- Cycle parking contained within Plot H1/H2 relocated to Kirkmichael Road to facilitate delivery of internal communal amenity space within this plot;
- Location of Plot F temporary play provision moved from Jura House to Kilbrennen House;
- Landscape amendments to Kirkmichael Road;
- Additional staircases included within Plots F and I (Phase A) to address fire safety, resulting in amendments to the Phase A housing mix.

Outline component changes:

- Extension of red-line boundary to include Jolly's Green to facilitate the delivery of the pedestrianisation of the Abbott Road underpass;
- Direct link and connection from the pedestrian underpass into Jolly's Green and associated tree removal and level changes;
- Landscaping works and provision of play space in Jolly's Green;
- Removal of Block A3 (contained 9 Social Rent units) from Phase B;
- 42 intermediate units in Block B1 (Phase B) changed to 34 social rent units (including 9 relocated social rent units from Block A3);
- 42 market units in Block B2 (Phase B) changed to intermediate units with 141 market units remaining in Block B2 and
- 16 market units in Block E2 (Phase C) changed to social rent units with 26 market units remaining in Block E2.

- The 9 social rented units originally proposed with in Plot A3 comprised 8 x 3-bedroom homes and 1 x 4-bedroom home. These homes are proposed to be re-provided in Plot B1 at the same occupancy levels however these will not be a direct replacement with 3 and 4-bed private units as Plot B1 originally proposed no family units. As such Plot B1 has been redesigned to accommodate the family homes lost as a result of the removal of Plot A3 thus resulting in the maximum parameter being reduced from 1,628 units to 1,609.
- Outline housing mix changes to increase proportion of social rent family units, as detailed in Table 6, below:

Table 6: Housing mix (NB: for the avoidance of doubt, it is noted that this housing mix is now superseded).

Unit type	No. of private	No. of socially rented units	No. of intermediate	Total
Studio	138 (+24)	-	-	138 (+24)
Bedroom	409 (-67)	58 (-33)	48 (+3)	515 (-97)
Bedroom	562 (-22)	95 (+5)	31 (-5)	688 (-22)
Bedroom	26 (+4)	149 (+13)	-	175 (+17)
Bedroom	-	61 (+32)	-	61 (+32)
Bedroom	-	-	-	-
Bedroom	-	5	-	5
TOTAL	1,135 (-61)	368 (+17)	79 (-2)	1,582 (-46)

Tower Hamlets Council's resolution

131. On 23 February 2023, the application was considered by Tower Hamlets Strategic Development Committee. Members resolved to refuse planning permission, contrary to officers' recommendation for approval. The draft decision notice cited 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

Stage 2:

132. On 2 May 2023 the Deputy Mayor for Planning, Regeneration and Skills, under delegated powers, considered the report 2022/0193/S2. It was concluded that, having regard to the details of the application and other relevant matters, the development is of a nature or scale that would have a significant impact on the implementation of the London policies on housing and affordable housing, and that there were sound planning reasons for the Mayor to issue a direction under Article 7 of the Order 2008. It was considered that the tests set out in Article 7(1)(a) and Article 7(1)(c) are met, and was recommended that the Mayor issues a direction under Article 7 that he becomes the local planning authority for the purposes of determining the application. The Deputy Mayor agreed with this recommendation.
133. The Stage 2 report outlined outstanding issues including the principle of estate regeneration, land uses principles housing and affordable housing, urban design, heritage, sustainable development, environmental issues and transport.

Stage 3

134. Following the Deputy Mayor's decision to call in the application, the proposed development continued to evolve. In particular between 2 May 2023, when the application was called in, and 8 November 2023, when the applicant submitted the current scheme, the applicant engaged in a series of discussions with GLA officers on the affordable housing offer and on revisions to the scheme.
135. On 8 November 2023, the applicant submitted a revised set of documents in support of the following revised description of development:
- 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 140,591 (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 Abbott 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.

136. The applicant notified the local community (5,957 properties) on 16 November 2023 on the revised proposals.

137. The November 2023 scheme included the following revisions:

Fire safety changes

- The Applicant reviewed all residential buildings above an 18 metres threshold and revised the design of the buildings to include a second staircase. As a result of the amendments to accommodate second staircases, there has been a minor reduction in residential NIA to accommodate larger cores. There has also been a minor increase in residential GIA, occurring at ground floor level to accommodate additional space for circulation and escape associated with second staircases. In addition, there is a minor reduction in workspace and retail GIA as a result of larger cores and escape routes at ground floor level.

Revised unit mix

- The revised mix of units within both the Illustrative Masterplan and mix set out within the maximum parameter scheme have been amended to reflect the above fire safety changes. The revised illustrative mix in both instances is set out in Tables 7 and 8, below, with the change in number of units since the consideration of the Masterplan by LBTH in February 2023 noted in brackets.

Table 7: Illustrative Masterplan Unit Mix (Source: Planning Statement, November 2023)

Unit type	Private	Social/Affordable Rent	Intermediate	Total
Studio	140 (+3)	0	0	140 (+3)
1-Bedroom	408 (+6)	73 (+14)	46	527 (+20)
2-Bedroom	526 (-25)	88 (-6)	31	645 (-31)
3-Bedroom	25 (-1)	144 (-2)	0	169 (-3)
4-Bedroom	0	54 (-6)	0	54 (-6)
5-Bedroom	0	0	0	0
6-Bedroom	0	4 (-1)	0	4 (-1)
Total	1099 (-17)	363	77	1539 (-17)

Table 8: Maximum parameters unit mix

Unit type	Private	Social/Affordable Rent	Intermediate	Total
Studio	127 (-11)	9	0	127 (-11)
1-Bedroom	427 (+18)	76 (+18)	48	551 (+36)
2-Bedroom	536 (-26)	90 (-5)	31	657 (-31)
3-Bedroom	24 (-2)	146 (-3)	0	170 (-5)
4-Bedroom	0	56 (-5)	0	56 (-5)
5-Bedroom	0	0	0	0
6-Bedroom	0	4 (-1_	0	4 (

Total	1114 (-21)	372 (+4)	79	1565
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Revised Design Code

- Changes to the design code.

Revised energy strategy

138. In response to the revised Building Regulations 2021 and updated planning policy, a number of improvements have been made to the scheme to lower energy usage and carbon dioxide emissions, including the following;-

- Waste water heat recovery included to residential dwellings in the detailed part of the application;
- Triple glazing included to retail and office space in the detailed part of the application (Blocks F and H);
- Improved air tightness to retail and office space in the detailed part of the application (Blocks F and H);
- Reduced thermal bridging;
- Higher efficiency residential MVHR unit included;
- Lower carbon of heat from the existing heat network achieved (through a higher CHP fraction);
- Additional photovoltaic panels included;
- Efficiency of all photovoltaic panels increased; and
- Efficiency of Block I heat pumps increased.

139. Using the latest Part L 2021 methodology, the following improvements have been achieved since the application was considered by LBTH:

- 34% lower residential fabric energy demand (efficiency) for the detailed part of the application;
- 8% lower total annual carbon dioxide emissions for the detailed part of the application; and
- 47.5% lower total annual carbon dioxide emissions for the outline part of the application.

Enhanced urban greening factor and biodiversity net gain

140. Change to the Biodiversity Net Gain across the Masterplan, which has increased from 21.11% to 30.47%.

141. Change from in the proposal's urban greening factor (UGF) score in an UGF Illustrative Plan from 0.38 to 0.40 through the following measures:

- Planting typology change from flower rich perennial (introduced shrub in BNG) to seminatural woodland mix (other broadleaved woodland in BNG) in two locations;
- Addition of native climber green walls (ground based green wall in BNG); and
- Planting typology change from amenity grass and flower rich perennial (modified grassland and introduced shrub in BNG) to semi-natural meadow (other neutral grassland in BNG) in two locations.

142. These amendments were consulted upon between 16 November 2023 and 16 December 2023.

Site visit

143. The Deputy Mayor undertook an accompanied site visit on 17 January 2024 with GLA and TfL officers, representatives from the Council and the applicant team.

144. The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 has been taken into account in the consideration of this case. The Deputy Mayor's decision on this case, and the reasons for it, will be made available on the GLA's website www.london.gov.uk.

Relevant legislation, policies and guidance

145. The Deputy Mayor must determine the application for planning permission in accordance with the requirement of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. The Deputy Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan consists of the Tower Hamlets Local Plan 2031 (2020) and the London Plan 2021.

146. Paragraph 225 of the NPPF states that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF, and that due weight should be given to them, according to their degree of consistency with the NPPF. All relevant policies in the adopted development plan are considered to be consistent with the NPPF.

147. The Deputy Mayor is also required to have regard, as material considerations, to national planning policy and guidance, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies.

148. The relevant planning policies and guidance at the national, regional and local levels are noted in the following paragraphs.

National planning policy and guidance

149. The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy framework. First published in 2012, the Government published a revised NPPF in July 2018 and further revised in February 2019, July 2021, September 2023 and December 2023. The sections of the NPPF which are most relevant to this application include:

- 2. Achieving sustainable development
- 4. Decision-making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed and beautiful places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

150. The National Planning Practice Guidance and National Design Guide are also a material considerations.

Spatial Development Strategy for London and supplementary guidance

151. The London Plan (2021) is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy SD1 – Opportunity Areas
- Policy SD10 - Strategic and local regeneration
- Policy D1 – London's form, character and capacity for growth;
- Policy D2 – Infrastructure requirements for sustainable densities;
- Policy D3 – Optimising site capacity through the design-led approach;
- Policy D4 – Delivering good design;
- Policy D5 – Inclusive design;
- Policy D6 – Housing quality and standards;
- Policy D7 – Accessible housing;
- Policy D8 – Public realm;
- Policy D9 – Tall Buildings;

- Policy D10 – Basement development;
- Policy D11 – Safety, security and resilience to emergency;
- Policy D12 – Fire Safety;
- Policy D14 - Noise;
- Policy H1 – Increasing housing supply;
- Policy H4 – Delivering affordable housing;
- Policy H5 – Threshold approach to applications
- Policy H6 – Affordable housing tenure
- Policy H7 - Monitoring of affordable housing
- Policy H8 – Loss of existing housing and estate redevelopment
- Policy H9 – Ensuring the best use of stock;
- Policy H10 – Housing size mix;
- Policy H16 – Built to Rent
- Policy S1 – Developing London’s social infrastructure;
- Policy S2 – Health and social care facilities
- Policy S3 – Education and childcare facilities
- Policy S4 – Play and informal recreation;
- Policy S5 – Sports and recreation facilities
- Policy S6 – Public toilets;
- Policy E1 – Offices;
- Policy E2 – Providing suitable business space;
- Policy E3 – Affordable workspace;
- Policy E9 – Retail, markets and hot food takeaways;
- Policy E11 – Skills and opportunities for all;
- Policy HC1 – Heritage, conservation and growth;
- Policy HC2 – World Heritage Sites;
- Policy HC3 – Strategic and local views;
- Policy HC4 – London View Management Framework;
- Policy HC6 - Supporting the night-time economy
- Policy HC7 – Protecting public houses
- Policy G1 – Green infrastructure;
- Policy G4 – Open space
- Policy G5 – Urban greening;
- Policy G6 – Biodiversity and access to nature;
- Policy G7 – Trees and woodland;

- Policy G8 – Food growing
- Policy SI1 – Improving air quality;
- Policy SI2 - Minimising greenhouse gas emissions;
- Policy SI3 – Energy infrastructure;
- Policy SI4 – Managing heat risk;
- Policy SI5 – Water infrastructure;
- Policy SI6 – Digital connectivity infrastructure;
- Policy SI7 – Reducing waste and promoting a circular economy;
- Policy SI12 – Flood Risk Management;
- Policy SI13 – Sustainable drainage;
- Policy T1 – Strategic approach to transport;
- Policy T2 – Healthy streets;
- Policy T3 – Transport capacity, connectivity and safeguarding;
- Policy T4 – Assessing and mitigating transport impacts;
- Policy T5 – Cycling;
- Policy T6 – Car parking;
- Policy T6.1 – Residential parking
- Policy T6.2 - Office parking;
- Policy T6.3 – Retail parking;
- Policy T6.4 – Hotel and leisure uses parking
- Policy T6.5 – Non-residential disabled persons parking;
- Policy T7 – Deliveries, servicing and construction;
- Policy T9 – Funding transport through planning; and
- Policy DF1 - Delivery of the plan and planning obligations.

152. The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Better Homes for Local People: The Mayors Good Practice Guide to Estate Regeneration (2018);
- London View Management Framework SPG (March 2012);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- All London Green Grid SPG (March 2012);
- Planning for Equality and Diversity in London (October 2007);
- Public London Charter LPG (September 2021);

- Social Infrastructure SPG (May 2015);
- Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy (April 2013);
- Crossrail Funding (March 2016);
- Mayor’s Transport Strategy (March 2018);
- Mayor’s Environment Strategy (May 2018);
- ‘Be Seen’ Energy Monitoring Guidance (September 2021);
- London Cycle Design Standards (October 2016);
- Circular Economy Statement LPG (March 2022); and
- Whole Life-Cycle Carbon Assessments LPG (March 2022).
- Air Quality Positive LPG (February 2023);
- Air Quality Neutral LPG (February 2023);
- Energy Assessment Guidance (June 2022);
- Sustainable Transport, Walking, and Cycling LPG (November 2022);
- Urban Greening Factor LPG (February 2023);
- Housing Design Standards LPG (June 2023);
- Optimising Site Capacity: A Design-led Approach LPG (June 2023); and
- Characterisation and Growth Strategy (June 2023).

153. The following pre-consultation draft strategic supplementary planning guidance (SPG) and London Plan guidance (LPG), strategies and other documents are also relevant but do not have significant weight due to their stage of advancement towards adoption:

- Fire Safety LPG – consultation draft (February 2022);
- Affordable Housing LPG – consultation draft (May 2023)
- Development Viability LPG – consultation draft (May 2023)

Local planning policy and guidance

Tower Hamlets Local Plan;

154. The Tower Hamlets Local Plan 2031: Managing Growth and Sharing Benefits was adopted by the full Council on 15 January 2020.

155. The following policies are relevant to this application:

- Policy S.SG1: Areas of growth and opportunity within Tower Hamlets
- Policy S.SG2: Delivering sustainable growth in Tower Hamlets
- Policy D.TC2: Protecting retail in our town centres
- Policy DEMP.2: New employment space

- Policy S.TC1: Supporting the network and hierarchy of centres
- Policy S.H1: Meeting housing needs
- Policy S.CF1: Supporting community facilities
- Policy D.CF2: Existing community facilities
- Policy D.CF4: Public houses
- Policy S.DH1: Delivering high quality design
- Policy D.DH2: Affordable housing and housing mix
- Policy D.DH4: Specialist housing
- Policy D.DH6: Tall Buildings
- Policy D.DH7: Density
- Policy S.DH3: Heritage and the historic environment
- Policy D.DH4: Shaping and managing views
- Policy S.DH5: World heritage sites
- Policy S.H1: Meeting housing needs
- Policy D.H2: Affordable housing and housing mix
- Policy D.H3: Housing standards and quality
- Policy D.DH8: Amenity
- Policy D.ES9: Noise and vibration
- Policy S.TR1: Sustainable travel
- Policy D.TR2: Impacts on the transport network
- Policy D.TR3: Parking and permit-free
- Policy D.TR4: Sustainable delivery and servicing
- Policy S.ES1: Protecting and enhancing our environment
- Policy D.ES2: Air quality
- Policy D.ES3: Urban greening and biodiversity
- Policy D.ES4: Flood risk
- Policy D.ES5: Sustainable drainage
- Policy D.ES6: Sustainable water and wastewater management
- Policy D.ES7: A zero carbon borough
- Policy D.ES8: Contaminated land and storage of hazardous substances
- Policy D.ES9: Noise and vibration
- Policy D.ES10: Overheating
- Policy S.MW1: Managing our waste
- Policy D.MW2: New and enhanced waste facilities
- Policy D.MW3: Waste collection facilities in new development

- Policy S.OWS1: Creating a network of open spaces
- Policy D.OWS3: Open space and green grid networks

156. Tower Hamlets Council went out to consultation on a first draft version of a new Local Plan for Tower Hamlets between Monday 6 November to Monday 18 December 2023. Tower Hamlets Council website states that this consultation was being carried out in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Due to the status of this emerging Local Plan, which is in its early stages of preparation, this emerging Local Plan carries very limited weight in decision making.

157. The following supplementary planning documents are also relevant to the proposals:

- LBTH Reuse, Recycling and Waste SPD (2021)
- LBTH Planning Obligations SPD (2021)
- LBTH High Density Living SPD (December 2020)
- LBTH Community Infrastructure Levy (CIL) Charging Schedule (2020)
- LBTH Development Viability SPD (2017)
- LBTH Parks and Open Spaces; An Open Space Strategy for the London Borough of Tower Hamlets 2017-2027.
- Building Research Establishment (BRE) "Site layout planning for daylight and sunlight: a guide to good practice" (2011) – Tower Hamlets Open Space Strategy 2017-2022

158. The following draft policy documents are also of relevance to the proposals:

- Tall Buildings SPD (consultation draft 2021).
- Leaside Area Action Plan Regulation 18 (November 2021)

Community infrastructure levy

159. Local planning authorities in London are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL.

160. Tower Hamlets Council CIL Charging Schedule was first adopted on 1 April 2015 however was since revised to ensure that the council can secure sufficient funding for infrastructure to support growth in the borough, and the Charging Schedule came into effect on 17 January 2020.

161. Phase A of the proposed development would be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments and Mayor of London CIL payments. The submitted Financial Viability Assessment assumes a combined CIL allowance of £9,641,102 which comprises of £1,372,104 for the detailed

component of the scheme. The CIL payments required for the Outline component of the scheme will be calculated on submission of each Reserved Matters application.

162. The CIL Regulations 2010 (as amended) allow CIL to be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals and other health and social care facilities. The levy can be used to fund a very broad range of facilities such as play areas, open spaces, parks and green spaces, cultural and sports facilities, healthcare facilities, educational facilities, district heating schemes and other community facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant plan (the Development Plan and the London Plan in London).

Response to consultation

163. As part of the public consultation process, Tower Hamlets undertook three rounds of public consultation and publicised the application by sending notifications to local addresses, issuing site and press notices and consulting relevant statutory bodies.

164. Specifically, upon validation of the application, the Council sent out consultation letters to 3,380 nearby owners and occupiers on 30 November 2021, and following receipt of amendments to the planning application, the Council sent out consultation letters to 4,338 nearby owners and occupiers on the 4 May 2022. The application was subsequently amended further in October 2022 and nearby owners and occupiers were consulted on the amended application on 3 November 2022.

165. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the GLA.

166. In addition, as explained above, the Deputy Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below. The Deputy Mayor has been briefed on the amount and content of all consultation responses, including the comments and any issues raised.

Statutory consultee responses to Tower Hamlets Council

167. **Greater London Authority (including Transport for London):** The Mayor's initial consultation stage comments (GLA report ref: GLA/2021/1213/S1/01) and the Mayor's Stage 2 decisions (GLA report ref: 2022/0193/S2) are set out in aforementioned reports and are summarised in the 'Relevant planning history and current planning application' section above.

168. **Transport for London (TfL):** An initial comprehensive stage 1 response was received from TfL focused on the following: Principle of Abbott Road highway proposals; Approvals, funding and delivery; Highway modelling and assessment; Public Transport, Design and Access, Car Parking, Cycling, Cycle Hire, Delivery and Servicing Planning, Construction and Management Plans and Travel Plans. In summary, TfL required further information, clarification and further discussion

with the GLA and Tower Hamlets for TfL to confirm any support for the proposal. Besides completing and reporting on impact on strategic and local highways and effect on public transport and need for potential mitigation, further information or clarification was required on the following:

- Provision of Stage 1 Road Safety Audit.
- Confirmation of TfL Structures approval in principle for the access proposed.
- Confirmation of Strategic Impact Report, including impact on local highways.
- Clarification of proposed highway arrangements including swept paths.
- Three hour AM and PM peak trip generation figures.
- Further information on Underground, DLR and Rail trip generation and distribution.
- Canning Town Station impacts.
- Design codes including for bus access.
- Clarification of approach to disabled persons parking.
- Confirmation of a minimum 20% active charging point provision and 80% passive charging point provision for the proposed disabled persons parking.

169. Updated Comments following April 2022 Amendments:

170. Principle of Abbott Road highway proposals: Further material has been provided of views within and through the underpass including with the new connection to Jolly's Green which is now included in the application boundary which is welcomed. This is a key element in ensuring certainty about the delivery of a viable and attractive east west route.

171. Structures, approvals, funding and delivery: Any planning permission must ensure that all necessary Structures approvals are in place prior to commencement of the underpass works and A12 junction and A12/Zetland Street junction.

172. A planning mechanism, funding strategy for delivery and maintenance such as commuted sums and trigger points for the proposed A12 bus gate, Abbott Road underpass works, and A12/Zetland Street junction works would also need to be agreed, and the timing and phasing of payments and delivery of the junctions will therefore need to be discussed. TfL are satisfied that changes to the highway network could be delivered through a Section 278 agreement and that the indicative layout is capable of being implemented and there will not be any technical barriers at that stage to delivering it.

173. TfL would support the inclusion of an obligation with the S106 that restricts the commencement of any residential or other development within Phases B-D, to

the delivery of the underpass improvements and A12 bus-gate junction, and the delivery of Highland Place.

174. Costs associated with removal of the existing Abbott Road pedestrian subway would need to be borne by the Applicant and scope of works and mechanism for delivery of the Balfour/Dess Street subway improvements would need to be agreed.

175. Highway modelling and assessment:

176. A12 at-grade crossing: The Applicant has undertaken a separate modelling exercise to look at an option for an at-grade pedestrian crossing on the A12 which would be called about 30 times an hour. The Applicant's conclude that an at-grade crossing in conjunction with a new bus gate at the top of Abbott Road is not feasible on the grounds of road safety and the detrimental impact on the operation of the strategic road network which TfL would not support.

177. Proposed A12 bus gate, Abbott Road works and A12/Zetland Street junction: The outputs from microsimulation modelling of the proposed design identify some potential delay to bus journey time alongside other benefits for overall impacts on A12 and on local highway network. The modelling for the bus gate is based on up to 10 buses an hour northbound through the bus gate, whereas only route 309 currently operates along this corridor. This provides the necessary resilience should TfL decide to introduce another bus service into the area in future.

178. The model forecasts that for general traffic within the model area:

- Total number of vehicles passing through the model area will increase, and average journey time will reduce.
- Average delay time per vehicle will reduce by 40% in the morning peak period and 27% in the evening peak period.

179. The model forecasts that in respect of the A12 (between Bow Roundabout and Abbott Road):

- Average journey time per vehicle reduces in both directions in the morning peak period by 34 seconds northbound and 7 minutes 37 seconds southbound.
- Overall, there is a minor increase in average journey time in the evening peak period – an improvement north bound (73 seconds) and a delay southbound (+80 seconds).

180. There is no adverse impact on the operation of the Blackwall Tunnel. The improvements in journey time stem from the additional northbound traffic lane being created at A12/Zetland Street junction.

181. Bus impact: 309 westbound journey time increases by +77 seconds in the morning and increases by +80 seconds in the evening (primarily due to the introduction of the bus gate). 309 eastbound journey time reduces 6m46s in the

morning (mainly due to reduced congestion between Zetland Street and Abbott Road) and increases by +3 seconds in the evening. Overall, bus delays are reduced significantly across the model network (37% AM and 27%PM).

182. For general traffic, there are some journey times that increase: A12 southbound traffic in the PM peak and general traffic wishing to leave Aberfeldy Estate and travel northbound on the A12 (estimated increase by 32 seconds in AM and 42 seconds in PM peak).
183. The Road Space Performance Group (RSPG) consider that on balance the proposed changes to the TLRN are not considered to have a material impact on the TLRN.
184. Further discussions are required at detailed design stage to inform the Traffic Order which will need to be placed on the proposed A12 bus gate junction.
185. A sum of £450,000 is required for bus priority measures to mitigate the impact on the bus network.
186. Design and access: Welcome amendments to Design Code to provide segregated cycle route within the underpass. There should be engagement with TfL's Compliance, Policing, Operations and Security Directorate and the Metropolitan Police Service Designing Out Crime Officers to provide advice on the underpass design. This should be secure by condition.
187. Balforn/Dee Street Subway: The precise mechanism for securing a scope of works for enhancements to TfL assets and Tower Hamlets assets will need to be agreed, the works and the timing of the works would need to be agreed in detail.
188. Planning conditions/appropriate mechanisms should secure: wayfinding; details of design and construction methodology, demolition, excavation, foundations and superstructure; car club provision and membership; electric vehicle charging points; cycle parking and facilities; Delivery and Servicing Plan; Construction and Management Plans and Travel Plan.
189. **Historic England**: Historic England initially requested further views showing Balforn Tower, they were then subsequently directed to the specific views within the submitted TVIA in response to Historic England's. Historic England confirmed they were content with the Local Planning Authority to determine this application without any further reference to Historic England.
190. **Metropolitan Police (Designing Out Crime Officer)**: No objections to the proposal subject to a condition requiring the submission of details of security measures demonstrating that secure by design standards shall be achieved. Updated Comments following April 2022 Amendments: 5.119 We confirm that we have had a meeting in connection with the amended project and welcomed the opportunity to provide recommendations based on the inclusion of Jolly's Green and underpass areas. We have raised concerns regarding the opportunity for the underpass to be misused for drink, drug and rough sleeping offences as well as by moped delivery riders for cutting through the area en-route to drop off venues. These are areas that can be mitigated against; however, it will require the

assistance of the both the planning department and the developer to try and ensure the risk is minimized through the final design. Crime figures have previously been provided that show the area is subject to significant volume of crimes. We reinforce our request for a Secured by Design condition on this scheme that would allow further input through the design and build process to assist in the safe and secure environment for both residents and visitors to the estate for many years to come.

191. **London City Airport:** No objections subject to the imposition of a condition requiring the submission of construction methodology and diagrams for the erection of cranes.
192. **Sport England:** Existing Sport Provision: There are sports facilities within the application site, namely the MultiUse Games Area (MUGA) at Leven Road Open Space, the MUGA with sports lighting adjacent to Aberfeldy Community Centre and Aberfeldy Boxing Club. It appears that Leven Road Open Spaces' MUGA would be retained however Sport England is unclear whether the application seeks to retain the other two facilities, and any other sports facilities that might be present within the application site. In particular, the MUGA at Aberfeldy Community Centre appears to be lost. As highlighted above, Sport England's policy seeks to protect existing facilities which is reflected in the NPPF, paragraph 99, and it does not appear, at this stage, that any losses proposed by the application would meet the requirements of either Sport England's or national policy. As a result, Sport England object to the loss of the MUGA and, if the Boxing Club facility is not secured/replaced by the proposals, then Sport England would also object to the impact on the Boxing Club. In order to overcome these concerns, the proposal would need to robustly demonstrate that the facilities to be lost are either surplus or that they would be replaced before they are lost.
193. **Community Sports Facility Provision:** The application appears to propose up to 1628 residential units, the occupiers of which will generate demand for sporting provision. The existing provision within the area may not be able to accommodate this increased demand without exacerbating existing and/or predicted future deficiencies. Therefore, Sport England considers that new developments should contribute towards meeting the demand that they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as a Playing Pitch Strategy, Built Facility Strategy or another relevant robust and up-to-date needs assessment. In this respect, Sport England is unaware that the Council has robust and up-to-date sport facility strategies.
194. Although there is floorspace proposed for uses falling within Use Class E it is not clear whether any of these would actually be sport facilities and, if there were to be sport facilities, then it is not clear what sport facilities would be provided. As a result, it would be unknown if any sport facilities would meet the sporting demands arising from the development.
195. Changes to CIL Regulations in 2019 has resulted in the Council having the opportunity to seek contributions through CIL or via a S. 106 Agreement however it is not clear how, or if, the Council intends to mitigate the impact of the increase of sporting demand on local sport facilities. If provision for sports facilities is to be

made by the CIL charge, it is acknowledged that there is no requirement to identify where those CIL funds will be directed as part of the determination of any application. That said, Sport England would encourage the Council to consider the sporting needs arising from the development and direct funds to deliver new and/or improved facilities for sport based on local priorities.

196. In the event that the Council decides to seek provision for sports facility provision through a S.106 agreement rather than the CIL charge then Sport England would be happy to provide further advice. To assist the Council, an estimate of the demand generated for outdoor sports provision can be provided by Sport England's Playing Pitch Calculator strategic planning tool.

197. In relation to built sport facilities, Sport England's established Sports Facilities Calculator (SFC) indicates that a population of 3,908 (calculated by multiplying the number of residential units by the average occupation rate of 2.4) in the London Borough of Tower Hamlets would generate a demand for 0.3 sports halls (£961,731), 0.21 swimming pools (£989,535), 0.15 artificial grass pitches (£190,311 if 3G or £173,097 if sand) and 0.03 rinks of an indoor bowls centres (£12,246). Consideration should be given by the Council to using the figures from the Sports Facility Calculator for informing the level of any financial contribution if indoor sport facility provision was to be made through a S.106 agreement.

Updated Comments

198. Following comments received from the Applicant responding to Sport England the following updated comments have been provided.

199. Multi-Use Games Area (MUGA): Sport England appreciate the works proposed to Leven Road and these are welcomed as they have the potential to encourage the local community to engage in different forms of physical activity. However, ultimately, the works to Leven Road do not appear to create any additional courts therefore there is still a net loss of MUGA/court provision proposed.

200. Boxing Club: the NPPF, paragraph 103, and Sport England Policy does not make an exclusion regarding 'meanwhile' uses especially since these could be operating for a number of years and could establish to a point where they are significant for the local community although it is appreciated that the intention would always to occupy a site for a limited time. In this instance, albeit vague, it now appears that the Boxing Club would have a new home once the masterplan is developed according to the agents' comments but this does not appear to be clarified in the documentation nor explained how this would be secured. Sport England would like to understand what space the Boxing Club would actually occupy and whether it would be the same size (or larger than) as the existing. In addition, could the interim arrangements be clarified that ensures that the Boxing Club has access to a facility sufficient for the needs.

201. Community Sports Provision: The Agents comments do not change Sport England's position in this respect. If the Boxing Club were to occupy one of the units falling within Use Class E then this would be to serve existing demand (unless the unit is bigger) and not future demand.

202. **Active Design:** Sport England welcome that some principles have been incorporated but would encourage further consideration, albeit it appreciates that is a late stage of the design process and should have been factored in at the pre-application stage.
203. **Thames Water:** No objections to surface water network infrastructure capacity or foul water sewage network infrastructure capacity. Request conditions requiring the submission of a Piling Method Statement, details that all water network upgrades required to accommodate the additional flows beyond the occupation of 99 dwellings have been completed or the submission of a development and infrastructure phasing plan, and informatives in respect of minimising risks to public sewers.
204. **Cadent Gas:** Cadent have identified low or medium pressure assets within the vicinity of the application site. Cadent Gas have no objection to this proposal from a planning perspective. Requests that an informative is imposed.
205. **L.B Greenwich:** No objections to the application.
206. **Crossrail:** No comments to make on the application.
207. **Network Rail:** No objections to the proposals.
208. **Environment Agency:** No objections to the application.
209. **Health and Safety Executive (HSE) Gateway One:** Blocks H1 and H2 – The firefighting shaft should be approached by firefighters via a firefighting lobby or protected corridor. The fire statement in Section 14 indicates the proposal to install the Dry Rising Main inlet at the entrance on Aberfeldy Street which leads into the lobby and post area. This is not a protected route. 5.139 Plan drawings show that the escape route from flats on each storey includes a balcony in excess of 2m wide. Where an escape route is via a balcony having width of more than 2m, there is a risk that the balconies might become smoke-logged both along the balcony and on levels above. 5.140 Block I – Consideration should be given to the doors between the roof gardens and the stair. A fire on the roof garden could penetrate the door and fill the stair with heat, smoke and fire gasses. A fire resisting door and a suitable self-closing device should be considered. 5.141 Block F – The high voltage and low voltage electrical intake room appears to be entered via a lobby at first floor level, such areas can be regarded as at more serious risk of fires starting within them. The intention to install sprinklers and firefighting shaft is noted. It is noted that corridors will be ventilated. Areas that could be used for appliance access are pedestrianised. Any such paving should be able to withstand the weight of a fire appliance and access is not restricted by using bollards or planters or other objects. 5.142 Following receipt of further information addressing the above, the HSE are now satisfied with the information provided with the application including the Fire Statement.
210. **TfL Infrastructure Protection:** London Underground/DLR Protection has no comment to make on this application.

211. **Port of London Authority (PLA):** The PLA have no objection to the proposed development and have the following comments to make. The redline boundary for the development does not border the River Lea, located towards the east of the proposed development. However, the application documents references to improving pedestrian and cycle links east/west towards the River Lea which is welcomed. The application documents also contain reference to the work the London Boroughs of Tower Hamlets and Newham are carrying out in partnership with developers to introduce new pedestrian and cycle bridge links over the River Lea. As part of this it must be made clear that any new crossings proposed over the River Lea must not hinder navigation and the PLA must be involved in any discussions with regard to any proposed river crossings in this area at an early stage.
212. **Greater London Archaeological Advisory Service (GLAAS):** The site lies in a potentially highly productive and well-preserved riverside landscape and includes buried gravel islands which would have been prominent dry spots along the Lea, making them attractive to human habitation. Waterlogged deposits connected with prehistoric and later activity can be expected. There is opportunity to partially offset any consented loss by bringing the heritage of the site to the attention of residents and visitors in an engaging and interesting way. No objections subject to conditions securing a detailed pre-development geoarchaeological modelling, a stage of trial trenching, any appropriate wide area investigations and a programme of public heritage outreach and presentation in the final scheme.
213. **National Air Traffic Systems (NATs) Safeguarding:** The proposal does not conflict with NATs safeguarding criteria and therefore there are no safeguarding objection to the proposal.
214. **Natural England:** No objections to proposal.
215. **Canal and River Trust:** The application site lies some distance from the River Lea/Bow Cree, which the Trust is the Navigation Authority for only. The Trust therefore have no comments make in terms of the direct impact of the proposed development except to offer support for contributions towards wayfinding and other improvements that would help existing and future communities in this area to appreciate the value of Bow Creek, and the Limehouse Cut, which is a very short walk away.
216. **Marine Management Organisation:** No objections to the proposal. Advise provided that any works within the Marine area require a licence from the Marine Management Organisation. It is the Applicant's responsibility to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark.
217. **London Borough of Southwark:** No comments to make.
218. **City of London:** No comments to make.
219. **Twentieth Century Society:** While the Society's Casework Committee has no objections to the redevelopment of the site in principle and would not oppose low-

rise, high-density development here, its members have expressed concern about the high-rise buildings proposed and the impact these proposals will have on the views of the listed Goldfinger buildings, particular the Grade II* Balfron Tower and Balfron Tower Conservation Area. 5.153 Balfron can be clearly seen in views from Abbott Road and along Ettrick Street and Dee Street. Balfron currently terminates these views and towers these low-rise dwellings. The proposed buildings will block these views to Balfron and will lessen the tower's visual impact (Views 3, 31 and 32) and the development will harm Balfron's significance as a landmark building within the borough. 5.154 The development will harm the setting of St Nicholas and All Hallows church. The church's spire currently rises above the roofs of the low-rise post-war residential buildings, allowing it to be seen as a local landmark and appreciated as a building of townscape merit. The proposed development will enclose and overshadow the church and will reduce views of it from a distance, ultimately harming its heritage significance. 5.155 Due to the harmful impact the proposed high-rise buildings would have on nearby heritage assets, the Society object to the current application.

220. **Aberfeldy Big Local:** Aberfeldy Big Local is a residential led organisation which comprises a group of local residents who collectively work together to invest lottery funding to improve the wider Aberfeldy Estate. A number of comments and objections which can be summarised as follows: • The underpass has not been widely consulted on and residents were unaware that housing regeneration would involve major road changes. • The 3 existing green spaces are not sufficient provision for existing residents. • It is essential that no green space is lost to development in this process. • What provision will be made for children's play space during development work? • Height of taller buildings will block natural light to homes, green and open spaces, especially homes on Abbott Road in the shadow of proposed 24 and 28 floor blocks. • Concerned about the lack of car parking being provided for new homes. • Lack of community engagement and estate wide consultation. • How will demolition work and construction traffic be managed to ensure minimum disruption, pollution and environmental impact. • Impact from noise and dust will affect resident's health.
221. **Maritime Greenwich World Heritage Co-Ordinator:** No comments received.
222. **National Amenities Society:** No comments received – but see separate comments from Twentieth Century Society above.
223. **The Gardens Trust:** No comments received
224. **Historic Royal Palaces:** No comments received.
225. **London Transport Property:** No comments received.
226. **London Bus Service Ltd:** No comments received.
227. **London Legacy Development Corporation:** No comments received.
228. **L.B Newham:** No comments received.
229. **L.B Lewisham:** No comments received.

230. **L.B Hackney**: No comments received.

231. **Lea Valley Regional Park Authority**: No comments received.

232. **London Fire Brigade**: No comments received.

Individual neighbourhood responses

233. At the time of making a decision on the proposal, Tower Hamlets Council reported that it had received a total of 1046 representations, with 939 representations received in favour of the proposals, 97 representations received in objection to the proposals and 1 petition received, objecting to the proposal comprising 583 signatories (updated from 488 signatories as originally submitted). The lead petitioner submitted a further update to this petition in November 2022 with 728 signatures following the amendments submitted to the planning application⁴. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Deputy Mayor in advance of the hearing.

234. The main concerns and issues raised in objection to the proposals are summarised below and grouped by topic headers used in this report:

Transport:

- There are already two pedestrian and cyclist underpasses. Works should be undertaken to make the existing pedestrian/cyclists more user friendly and safe, instead of closing the Abbot Road underpass to vehicles.
- Closure of the vehicular underpass would have significant impact on the ability of residents of Aberfeldy Estate to leave the estate especially due to the traffic congestion caused by the Blackwall Tunnel. The alternative proposed by the developer will divert traffic from main road to local residential road on Leven Road.
- The scheme will cause tailgating, unnecessary congestion and major traffic problems to surrounding roads.
- The closure of the underpass will lead to antisocial behaviour such as the dealing of drugs.
- The proposed new exit from Lochnagar Street will result in daily tailbacks, the street is not fit for the proposed purpose.
- The increase in traffic will lead to 'rat-running' in order for motorists to cut traffic.
- Local streets are clogged with lack of parking for existing residents, pressure on GP, Schools and other services.

⁴ It is noted that a further update to this petition was submitted to the Mayor of London, and this is included in the below section of report under "Representations made to the Mayor of London",

- The bus gate should be in the underpass rather than constructing a new junction across the A12 to allow the 309 bus to turn right.
- There is not enough car parking to accommodate the development. Car parking should be provided on one space per each household being built basis.
- Even though the development is marked as 'car-free' there will be an influx of new cars in the neighbourhood. There are already ongoing issues with parking in new car-free developments making it impossible for residents to find parking spaces in the vicinity of their homes.
- Rationale underpinning the proposal to remove the vehicular access in the underpass is incorrect, the perceived benefits of the scheme are flawed and the impact of this change on local residents is limited.
- The claim that there are limited options for crossing into and out of Aberfeldy by bicycle is incorrect and there are four options to cross the A12 alone.
- The Traffic and Transport Chapter of the ES uses traffic surveys that are 7 and 8 years out of date. Traffic survey was carried out this year (2022); why has this data from the survey not been used?

Design and heritage:

- Overdevelopment from the high-rise blocks.
- Do not want 3 tall tower blocks dominated the area. One is one storey taller than Balfron Tower which should remain the tallest building.
- The scheme is too dense, the number of units proposed for a small cut off area is too high.
- The heights of some of the blocks are too high, there should be no high-rise blocks and blocks should not exceed 10-stories.

Health:

- High-rise blocks will impact on the quality of resident's lives some whom suffer from vitamin D deficiency.

Amenity:

- Loss of daylight to neighbouring properties.
- There will be a loss of sunlight which is already being experienced from the construction of the Leven Road development.
- The tower blocks will have a distorting and dwarfing effect on people living in the area at street level.

- There will be overshadowing from the tower blocks.

Infrastructure:

- The scheme will result in overcrowding and add to significant infrastructure pressure on local amenities and services such as GP practices, dentist and schools.
- There should be more social housing units in the development to meet local needs
- The provision of proposed social housing levels is too low.

Other:

- The consultation undertaken was not inclusive of the majority of residents living in the Aberfeldy Estate. Meaningful and inclusive consultation should be carried out with all residents of the Aberfeldy Estate.
- This development is gentrification and dispersing the existing poorer tenants and replacing them with richer middle class people.
- Objection to the demolition of the existing shops in Aberfeldy Street. The rent levels will be too much in the new shops for existing shopkeepers.
- Concerned about the poor equality impact assessment and consultation process excludes those that are unable to voice their opinion. Most people do not understand the impact this will make on their lives.
- It seems there will be no room for many in certain sections of the community, such as families with 3 or more children.
- Depreciation of property value from high rise buildings and loss of sunlight to existing properties.

235. In summary, the matters raised in support to the proposal are summarised below:

- There are over 21,000 households on the Borough's Social Housing waiting list and therefore welcome the response by Poplar Harca and Ecoworld to respond to the housing need challenge, including 50% affordable housing as part of the first detailed phase of the application.
- Pleased that all current residents wishing to remain in Aberfeldy have the option to do so, in a like-for-like home on the same tenancy terms and rent levels.
- The masterplan will help address some of the deep rooted social and economic problems the area faces, including poor connectivity and open spaces which are in much need of renewal.

- The repurposing of the underpass will create safer routes on and off the estate and better links with the rest of Poplar and Tower Hamlets particularly for children. The pedestrian underpasses are unsafe and extremely dangerous with muggings and sexual assaults taking place.
- The Covid-19 pandemic has highlighted just how important it is for happiness and health to have places for relaxing, exercise and to spend time together. Town Square and Highland
- Place will be a great benefit for the local community.
- Welcome the plans for a new faith centre, workspaces and job opportunities.
- Have seen the difference that the regeneration carried out in Aberfeldy has already made to the lives of the community. Better homes and new green spaces have transformed a once tired, sometimes dangerous area, into a nicer, safer place to be.
- Reassured to see that resident suggestions and feedback have directly fed into this new planning application such as new homes that provide separate kitchens and living rooms and the fact that all existing permit holders will have their parking spaces retained.
- Refreshing to see the design team engage with local school children, who have helped influence the proposed design improvements to the three parks in the area.
- The area is run down, families inadequately housed, residents are frightened to go out at night-time, there are not enough affordable shops, gangs loiter by buildings, parks are not useable nor safe and the subways are dangerous. Poplar Harca are offering residents the chance to have new secure, non-damp homes, to address overcrowding and to provide new retail and creating jobs.
- The area lacks sufficient shopping facilities including a small supermarket, play areas for kids and safe underpasses. Change, new homes, safety and improved connected are all wanted.
- The regeneration proposal is an opportunity to eradicate poor quality social housing and create a new community.
- The regeneration will massively increase security measures, there have been prolific incidences of anti-social behaviour and crime in the area.
- Over 90% of residents voted for this regeneration and cannot be ignored. The regeneration will offer long lasting economic, social, cultural and environmental benefits.

- Existing residents have been waiting a long time (over 10-years) for the regeneration of the estate living in poorly conditioned homes and overcrowded conditions.
- There is currently nowhere for children to play as the parks are just green spaces lacking decent play facilities. The youth of the area need a better environment to thrive in.
- Abbott Road is used as a through road from the A12 causing traffic build up and fast traffic going through the area which is dangerous.

Representations received from St Nicholas Church

- The church initially objected to the planning application on the following grounds:
- The church does not object to the principle of the development or to the wider regeneration benefits it will bring to the local community and public realm. Notwithstanding this, the church wants to ensure that the accessibility and use of the church is not compromised by the development.
- Objections on daylight/sunlight grounds: The church hall is used for community events and features high level windows facing north, with one window facing west on to Aberfeldy Street.
- Natural light to worship spaces and the church hall would be reduced with the hall in particular materially affected.
- Objection to the pedestrianisation of Aberfeldy Street: The main entrance into the church building fronts onto Aberfeldy Street. The existing arrangements when a hearse arrives for a funeral, when wedding cars arrive and when members of the congregation that have disabilities and mobility issues arrive is for the vehicle to pull up on Aberfeldy to drop off the passengers before then moving off Aberfeldy Street to park. If vehicles cannot travel along Aberfeldy Street it will no longer be possible for these arrangements to take place, which will cause an operational and accessibility issue for the church. A suitable arrangement needs to be identified which ensures that the church's current arrangements can be continued.
- Objections to the construction phase: The CEMP makes no mention of the noise and vibration impact or the impact of the proposed access/egress route past St Nicholas Church on Aberfeldy Street and Etrick Road both of which serve as entrances to the church building. Construction vehicles should not be permitted to use Aberfeldy Street, or to enter or exit the development site, to ensure that the church access and use is not impacted by the construction phase of the development. Engagement is required with the church, to ensure that the noisy works on site do not conflict with any weekday services at the site and that the church is notified in advance of any noisy works taking place.

- **Updated Comments:** Following discussions with the Applicant, the Church submitted the following updated comments:
- **Daylight and Sunlight:** The Applicant advised that the proposed development generates a lesser impact overall and therefore, the results of the proposed scheme are broadly in line with, and no worse than the consented masterplan.
- **Pedestrianisation of Aberfeldy Street:** The Applicant has put forward a revised plan with a solution that would allow vehicles who need get to get as close to the church entrance as possible to park immediately outside the church, with the church having control of the access bollards at either end. The bollards would be opened and parking/ drop off spot used, for example, for funerals, weddings, other special events requiring access and if a disabled visitor needed proximate drop off. The Reverend would be comfortable with such a solution and would seek to secure this as an approved planning drawing.
- **Construction Phase:** The Applicant has advised the Church that they would consult the church in the preparation of the CEMP. The church request that this commitment is secured as part of the planning permission, with a commitment in the associated legal agreement/ condition for the church to be a named consultee, when the Construction Management Plan is progressed.

Objections from Tower Hamlets Councillor Hossain

- Generally, in favour of creating more affordable quality homes provided that the approach is well balanced in terms of proportionate balance between sizes of land and the development, consideration for quick traffic flow, less pollution, convenience of all other aspects that improve the standards of living.
- Strongly oppose the plan for the closure of the underpass leading to the A12 (Northbound).
- Closure will stop the flow of traffic impacting on the Aberfeldy Estate and will cause bumper to bumper rat-trafficking, will worsen the traffic pollution resulting in an increase of the number of cases of repertory diseases such as asthma, bronchitis, hypertension, cardiac disorders and other diseases.
- Journey time for working population of the estate who use their cars for work will be increased significantly to join the A12 via Leven Road.
- The closure of the underpass will attract more anti-social behaviour and increase criminal behaviour.
- It will take longer for local residents to get out and about and come back into the estate via the A12.

- Local residents will be negatively affected as this will cause a long-lasting and devastating impact on their lives.
- The high-rise blocks along the edge of the A12 and north-east of the former gasworks will engulf the houses on Leven Road and Abbott Road, blocking daylight.
- With the proposed high-rise buildings, the residents living in Abbott Road (177-195) and houses behind in Leven Road will receive very little to no sunshine. There will be very little or no light at all from 4pm (during the Spring) and 5.30pm (during the Summer) onwards meaning these houses will see 3-4 hours early sunset in the Summer and will hardly receive any daylight/sunlight in the Winter and early part of the Spring.
- The completion of the series of new high-rise blocks along the north bank of Leven Road will block the morning sunlight to the houses permanently.
- The proposal will create an unprecedented crisis of car parking, which has already reached its ceiling.
- It is suggested that the scheme should reduce and limit the heights of these proposed buildings up to 25m.
- Invest in current subways/underpasses to make them safe, secure and comfortable for people to walk through, by installing CCTVs and sufficient lighting.
- Alternatively create a safe footbridge over the A12 to link both sides of the A12.
- The current underpass used to be a two-way link and one lane can still be used for buses and cars as it is now and the other lane can be transformed into a safe lane for both bicycles and pedestrians linking to Jolly's Green.

Representations made to the Mayor of London

236. The Mayor took over the planning application for his own determination on 2 May 2023. Letters outlining that the Mayor of London will be responsible for determining this planning application instead of the Council were sent on 2 June 2023 to all those consulted by the Council, in addition to all those who had responded to the planning application thus far.

237. A consultation exercise took place on 16 November 2023 for 30 days in relation to the revisions to the scheme submitted by the applicant. Letters were sent to all those consulted by the Council, in addition to all those who had responded to the planning application thus far. A press notice was posted in the West London Gazette and site notices were erected.

238. At the time of writing, a total of 2,376 responses were received through the GLA's planapps website to both the notification letter (dated 2 June 2023) and the November 2023 consultations, of which 936 responses objected to the

application, 1,427 responses were in support and 13 responses were neutral representations. It is noted that there were a high number of duplicate representations made through the system, however the above represents the number of comments received through the website. There were also a number of emails and letters, both supporting and objecting to the planning application, submitted to the Mayor of London, Deputy Mayor for Planning, Regeneration and Skills, Jules Pipe MP, Assembly Member Unmesh Desai and GLA Planning Officers during the consultation of the revised application.

239. The petition that was submitted to Tower Hamlets Council, objecting to the proposal⁵, were also submitted to the Mayor of London in August 2023. An updated version of this petition, with an additional 550 signatures was submitted to the Mayor of London in December 2023, during the reconsultation of the revised planning application. The petition stated “We the undersigned are concerned residents, who urge The Mayor of London not to give permission to Popla Harca’s application submission in its current form. Until the residents, Police, Highway, Emergency services concerns are met and dealt with. This petition has been put together due to many residents demanding to take part in the consultation process and are unable to do so due to the lack of accessibility, such as internet, not internet savvy, old age, language barrier and not having sufficient or no knowledge of the Aberfeldy Master Plan or the mayor’s online consultation”.

240. There were also 3,105 ‘We Support Aberfeldy’ postcards submitted to the Mayor of London that stated “We hope as our Mayor of London you will support our hopes for better homes, safer streets, places to play, cleaner air, improved connections and better opportunities for all of us living in Aberfeldy. Please approve application PA/21/02377!”. It is noted that there were duplications in respect of the postcards and the representations received through the GLA planapps website in support of the planning application.

241. All these responses have been made available to the Deputy Mayor and have been taken into account in this report.

242. The issues raised in objection to the revised scheme are similar to those raised by the original application, and are summarised, as follows:

Loss of vehicular underpass & related transport issues

- Significantly increasing our journey times in and out of the Aberfeldy
- Increasing congestion
- Increased journey times (flawed modelling not seconds added its minutes)
Leven Road Gasworks, has been entirely ignored from this report and that

⁵ As noted in the above section of the report titled “Individual neighbourhood responses”, the petition submitted to Tower Hamlets Council comprised 583 signatories (updated from 488 signatories as originally submitted), with the lead petitioner submitted a further update to this petition in November 2022 with 728 signatures following the amendments submitted to the planning application.

this will bring about significant levels of traffic - this increase in traffic has deliberately not been factored into their modelling

- Increasing pollution
- Make it dangerous for children to play (or go near) near the proposed routes
- Reduce the quality of life for residents
- Roads liable to flood so transport plan is not comprehensive
- It will further isolate the area from the rest of London and make traffic within the area worse.
- It limits future public transport connectivity options - there is a lack of detail about how TfL will support the cumulative volume of development underway in the Aberfeldy - how many bus routes will there be for all of the developments with planning permission?
- Metropolitan Police have also raised concerns about this underpass being misused for drink, drugs, rough sleeping, moped delivery driver using it - an increase in drug crime,
- There are two existing walking underpasses, one of which links directly to the entrance of Culloden Primary School and is used by pupils and parents for school runs on a daily basis. Funds should be spent on improving these underpasses, instead of closing an arterial road and impacting the lives of many. Other options could include:
 - Improve the walkway path going through the vehicular underpass
 - Create a walkway/cycle bridge- if this is truly about connecting Aberfeldy to Jolly's Green
 - Add traffic calming measure – if it is truly about reducing traffic
 - It is a mis-use of policies designed to encourage the development of infrastructure.
 - Emergency services will not be able to access the area as easily as present
 - Increased traffic on Zetland Street
 - Removal of 309 bus route will be a disaster for people reliant on this service

Lack of public open space

- The development is not providing enough open space on its own site despite the cumulative impact of development in the area. It seeks to solve that by using open green space planned for another area and another neighbourhood (which is also seeing its own development).

- Lack of play facilities for proposed number of residents

Overdevelopment and tall buildings

- Tall buildings will result in unacceptable loss of sunlight and daylight
- Buildings are too tall for the area
- Overdevelopment and overcrowding will adversely impact on access to schools, GP's dentist (social infrastructure)

Affordable Housing

- New homes will not be affordable to local people and there are too many of them

Flawed consultation

- The only supporters are the residents of the existing properties and not the wider Aberfeldy population
- Local businesses, Church, Mosque, Aberfeldy Big Local, Tower Hamlets Aboricultural Officer, Tower Hamlets Parks, Highway Authorities, TFL, Metropolitan Police, 20th Century Society have all raised concerns about the so-called Masterplan (presented by Poplar HARCA and Eco World under the name Aberfeldy New Village LLP) and the Emergency services are yet to be consulted.

Other issues raised

- Need more shops and a nice pub
- Property prices will be adversely affected
- Would like to have reduced price car parking spaces
- Mayoral decision undermines local democracy

243. The matters raised in support to the revised scheme are summarised as follows

- New underpass and further housing supported.
- Improved amenities good for the community
- Regeneration will encourage more walking activities
- New shops, parks and community facilities is good for the area
- Welcome the provision of affordable workspace to support growth amongst small and start-up businesses, expanding on the success of Poplar Works.

- Excited by the proposed further investment in Aberfeldy Street which will be transformed into an exciting and vibrant destination, featuring new shops and workspace for local independent businesses.
- Welcome the new piece of strategic infrastructure the masterplan would deliver by repurposing the A12 vehicular underpass into an east-west walking and cycling route. Alongside the new bridges that are proposed as part of the regeneration of the Lower Lea Valley, this will help tackle the issue of severance and enable residents and businesses to be able to get around the area safely and quickly.
- Need more homes of a higher standard than existing properties
- Improved connectivity for cyclists
- Removal of underpass will remove heavy lorries and improve air quality

244. A number of businesses and organisations who work and/or operate in the local area, some alongside Popla Harca, wrote to the Mayor of London and/or the Deputy Mayor for Planning, Regeneration and Skills in support of the planning application. These include the following organisations: **The Trampery, Roar Lifestyle Sciences Ltd, Fitzrovia Noir Community Interest Company, Roots Barbers, UK Fashion & Textile Association, London Cycling Campaign, E14 Bikes, Hubbub Foundation, Tower Hamlets Wheelers, Better Streets for Tower Hamlets, The Fashion District, Bow Arts Trust, Zedify, The Aberfeldy Practice, Asthma and Lung UK, London College of Fashion, Tower Hamlets Carer's Association, Matchbox Day Nursery, Aberfeldy Football Club, LETTA, Aberfeldy Friends Association UK, Abertots Play, Bikeworks, Arbeit Studios, Aberfeldy Boxing Club, Aberfeldy Tailor and Fabrics, Umar Veg Grocery, Sustrans, R-Urban Poplar, Asthma and Lung UK, University of East London, Sustainability Research Institute, Imperial College London, Asmuss Clothing, Anna Grace Studio, Renew East London, Indiscipline Studio, Shek Leung, Oriana Capaldi Brush Europe, Wax Atelier, The People Speak, Barry's Newsagent, Britannia Pharmacy, Berkeley Homes and Post Carbon Lab.**

245. The reasons these organisations raised for their reasons for support are summarised as follows:

- **New homes:** High quality accommodation, and improvement on existing stock
- **New high street and new town square:** with its focus on supporting a diverse range of shops and independent, locally-grown businesses, creating new jobs and training opportunities.
- **Workspace:** A significant expansion of the Poplar Works scheme, creating over 2,600sqm of workspace providing further opportunities for fashion and creative enterprises to start and grow, and provide further training and employment opportunities in the local community.

- **Affordable workspace:** is a key factor in cementing London's status as a global fashion capital, welcome this expansion. The proposals for a revitalised Aberfeldy Street offer opportunities for visible fashion and making, connecting workspace with the public.
- **Improved connections:** The community in Aberfeldy has often felt cut off from the rest of London and across to Newham, with the A12 and A13 major barriers to getting around on foot or by bike. Welcome the creation of a new road junction and the re-purposing of the A12 Abbott Road vehicle underpass, creating a strategically important new pedestrian and cycling connection and mean a safer, greener route on and off the estate for businesses to access Aberfeldy and Poplar Works, alongside better connectivity to the rest of London, crucial for the businesses.
- **Green spaces:** The recent pandemic has highlighted just how important and cherished our open spaces are. Welcome planned improvements to the existing open spaces (Braithwaite Park, Leven Road Open Space, Millennium Gren and Jolly's Green), which will help reduce residents' and school children's exposure to air pollution through additional tree planting, whilst promoting healthy living, with new gym and play equipment. New green spaces will also be created which focus on community health and wellbeing, providing areas for people to socialise and relax, and will give more opportunity for children and young people to play safely and for residents to enjoy greener routes around the area.
- **Air quality:** the area suffers from poor air quality, with school children at higher risk of developing asthma and respiratory diseases from exposure to air pollution. The latest data from the Department of Environment, Food and Rural Affairs (DEFRA) shows that Tower Hamlets remains among the four local authorities that are still in breach of legal limits for NO2 in the UK in 2022. The new east-west walking and cycling link will deter rat-running and vehicle idling on Abbott Road, providing a safe and convenient route off the estate, linking up to Langdon Park and Chrisp Street Market.

Representation received from Apsana Begum MP (September 2023):

- **Social housing and gentrification:** Local residents have contacted me about prioritisation of creating units for private sale over the provision of social housing. There is an acute housing crisis locally – with rising rates of homelessness, insufficient social housing, soaring rents, and problems with poor-quality housing. Development should focus on solving the housing crisis and driven by the interests of local people. The proposal is going to increase housing density and have significant impacts without addressing the local housing crisis in any constructive manner and it could exacerbate existing problems. The application does not meet the Local Plan. It is concerning that the proposal seeks to create a development of predominately market housing - going from 75% social rent to around 25% (in terms of units). This increase in market housing will be unaffordable to people currently living locally and would change the priorities and needs of the local area. The application in this aspect does not meet the local need or

plan for housing tenure. Gentrification - whereby the character of a working-class urban area is changed by wealthier people moving in - leads to negative impacts such as forced displacement and discrimination. This has been shown to disproportionately impact those on low-incomes and Black Asian and Minority Ethnic (BAME) communities.

- Concerned that the social housing commitments of the development are very low – even more so, given that the figures provided (whether it be per unit or per room) include “affordable housing”, which many local people do not find affordable given that it is driven by market rents. Current residents are concerned about how all current social housing onsite will be re-allocated i.e., that they will not be provided “like for like” given that re-provision may be on a room basis.
- Worry about holding the developers to the current social housing commitment. The role of Viability Assessments in pushing down affordable housing delivery is well known throughout the planning and housebuilding industries – as are the obvious problems caused by allowing developers to produce their own Viability Assessment. It would be helpful if there could be an independent assessment accordingly.
- The profit margins proposed in the Viability Assessment indicates a proposed profit margin of 17.5%. Whilst this is within the required range, there are problems with this approach in and of itself. Constituents have contacted me that while they are facing their homes being demolished, housing is already being advertised internationally. Furthermore, seek assurance that the viability of the application has taken into consideration the impact of the condition of the estate ballot that all current residents wishing to remain in Aberfeldy have the option to do so, in a like-for-like home on the same tenancy terms and rent levels. Would like investment in the local area that prioritises local people and urge consideration of regenerating the site with that focus, i.e. a focus on building sustainable social housing and high-quality local spaces for local people.
- Given that the hybrid proposal involves public money, it would be helpful to have a distributional analysis (including an assessment of the impact on local people); equality impact assessment (including an assessment on our local diverse communities); fire safety assessment (given the problems regarding cladding in the area), and a comprehensive independent environmental impact assessment (including air quality impact assessment). Furthermore, a full breakdown of the community and social infrastructure floorspace would be important to see.
- **The impact of overdevelopment and overcrowding:** Concerns have been raised with me regarding overdevelopment and overcrowding in the area and pressure on infrastructure. The proposal constitutes a large increase in units (more than 300%) in the area. Presumably this means the size of housing units will be reduced? Overcrowding is a significant issue in Tower Hamlets, as was a factor in the spread of Covid-19 during the pandemic leading to disproportionate rates of deaths amongst people of Bangladeshi

heritage. Likewise, our local area already has significant pressure on our public services – our hospitals, schools, GP surgeries, dentists, etc. – and public spaces. Concerned regarding the proposal's environmental impact as well as its impact on overcrowding and its failure to address the lack of infrastructure to support the proposed level of housing.

- **Underpass:** A key concern of some residents is the proposed pedestrianisation of the underpass that connects the B125/Abbot Road to the A12 and to Jolly's Green on the other side of the A12. It is widely felt that the Aberfeldy Estate is isolated from the rest of the borough and access into the area is limited, especially by car. Residents are concerned that if this underpass is closed to cars, the traffic will be diverted into minor roads through a residential neighbourhood which did not appear to me to be adequate for the level of traffic currently using the underpass. Journey times out of the estate could therefore increase significantly, causing congestion and air pollution. The residents pointed out two other underpasses for cyclists and pedestrians nearby.
- **Consultation:** Residents have put together a petition signed by around 2000 against the development. Whilst developers may point to their own recent ballot as an indication of resident approval, there is lots of research that shows the difficulties with estate ballots in which residents are only given a choice between no investment into their estate and the redevelopment of estate with no other options around estate regeneration without demolition. Further consultation with local people is needed. Request that you or a member of your team meet with residents in the estate, to better understand their concerns.
- **Conclusion:** Local investment is urgently needed – supporting local efforts to address the complex needs of an area with one of the highest rates of child poverty in the entire country. Many of my constituents struggle with the near-impossible situation of having soaring monthly rents, which all too often mean that people—particularly those on low incomes—face an increased risk of homelessness. Having lived in the area all my life, I am acutely aware of the strong local feeling that developers should be accountable to residents and that local communities must be empowered and centrally involved in decision-making processes around local planning and building regulation.

Further representation received from Apsana Begum MP (January 2024):

- Has received further representations from constituents, particularly on the matter of the GLA's online consultation, highlighting concerns regarding the consultation, including:
 - a. instances of multiple responses being submitted under the same name
 - b. no stipulation that those responding be from the local area,

- c. a number of positive consultation responses from people that local residents allege are employees of Poplar Harca,
 - d. some responses to the proposal , which based on the contents seem to be objections, were registered as “support”. This may be because the response type is set to “support” as default, and residents may have not noticed this and failed to change the response type to “object”.
 - e. The number of local residents who either were not aware of the consultation; lack digital literacy or do not use the internet; or cannot understand and respond to a consultation in English.
- Due to concerns about residents being unaware of and unable to complete the consultation, residents under the name Aberfeldy Voice collected around 550 signatures of residents that object to the proposals, which have been submitted to the GLA. Request that these be taken into consideration as part of the consultation response, and for the above factors being given due consideration.

Joint representation received from Tower Hamlets Lansbury Ward Councillors (Councillor Iqbal Hossain, Councillor Ohid Ahmed and Councillor Jahed Choudhury)

- As elected representatives of residents who will be affected by the proposed development on the Aberfeldy Estate, write in support of the objections made by residents and hope you will give them the weight they deserve.
- Whilst in principle we welcome regeneration plans which would reduce the 20 000+ waiting list in Tower Hamlets and the serious overcrowding problem in the borough, we oppose this Aberfeldy Regeneration Proposal in its current form, because a development should not create foreseeable problems which will affect the quality of life of residents for decades. For example, closure of the vehicular underpass will have an irreversible lasting impact on the lives of residents as it will restrict access and exit, increase travelling time and create havoc on a daily basis. Learning from the Grenfell experience, we urge that residents’ voices should be given serious consideration as that tragedy could have been avoided if the representations by residents had not been ignore. We welcome provision of additional affordable housing but it is important that critical points made by local people are addressed.
- As the borough with the highest number of high-rise buildings, recreation space including green space and community provision need to be an integral part of any regeneration proposal. Unfortunately, the proposed development fails to meet the minimum expectations of residents as set out by Aberfeldy Campaigners (see representations from Save Aberfeldy and Aberfeldy Voice).

Representation received from Tower Hamlets Ward Councillor (Lansbury Ward): Councillor Iqbal Hossain

- I am a local resident also one of the local Ward Councillors. I spoke as an objector to this plan at the SDC that took place on 23rd February 2023 the LBTH Council Chamber, for the following reasons:
 1. The consultation conducted by Poplar Harca during the pandemic, was flawed because the majority of the participants were their decant residents.
 2. Inadequate affordable housing provision
 3. Adverse daylight and sunlight impacts due to erection of a row of high-rise apartments on the West of Aberfeldy.
 4. Inadequate green space. Yes, they tried to use jolly's Green, outside the red line in Teviot Estate, and council land.
 5. All traffic modelling was done subject to underpass being open and not closed,
 6. So closure of vehicular underpass will cause the residents suffering from irreversible lasting negative impacts.
 7. The proposed pedestrianised underpass will become an attractive safe heaven for drug related crimes, the estate that is already known as hotspot for drugs and crimes.
- 7. The closure of underpass will significantly increase travelling time getting and out of the estate including the emergency services (police, ambulances, firefighters).
- 8. The closure of underpass to vehicles was suggested to mitigate against tall building outside tall building zone.
- A development of this scale is meant to bring new infrastructures, more green spaces, increased provision for children and adults, NOT taking away the existing provisions in place.
- Finally, I trust London Mayor Mr Khan will rank the public interest higher over the interest of a developer (Harca), by upholding the almost unanimous decision taken by the SDC of LBTH. 8 members from all parties voted down the plan and 1 member remains abstained.

Representation received from Tower Hamlets Ward Councillor (Lansbury Ward)
Councillor Ohid Ahmed:

- Submitted the representation from the Save Aberfeldy Campaign Group (see below) to recognise the flaws in this proposal and to reject it. The underpass closure would have dire consequences for the community. It would create significant disruptions and chaos in an already densely populated area. How one can support halting traffic flow and diverting traffic into an area already burdened with health issues. This goes against the

Mayor's Low Traffic Neighbourhood (LTN) policy and carbon reduction strategies. Furthermore, the Lansbury area is already grappling with high levels of health deprivation caused by the traffic from Blackwall Tunnel. Residents, particularly children and the elderly, already have asthma and respiratory problems. The proposed development and underpass closure would only exacerbate these issues, placing an even greater burden on the people in this area.

Representation received from Save Aberfeldy

- Every interaction around the regeneration shows clear intent of dishonesty, untrustworthiness, and a perversion of true engagement by Popla Harca for monetary gains, not for the residents' best interest.
- Significant concerns regarding the mayor's online consultation, including:
 - a. Same name used for multiple objections (These need to be omitted).
 - b. Misinformation provided by staff for the postcards (These need to be omitted).
 - c. Outsiders' representation and support for the projects generated by Poplar HARCA (These need to be omitted).
 - d. Objections registered as support due to the consultation default being "support" (what steps will the mayor take to ratify this).
 - e. Many residents that objected did not receive confirmation (what steps will the mayor take to ratify this).
- Would like the following to be added to the online consultation numbers: 2000 signatures petition, handed prior to the Mayor's consultation to be added, of which approximately 550 signatures were added (with accurate information regarding objections provided to residents) during the Mayor's consultation.
- Press for a legal reply for the Tower Hamlets SDC's rejection of the proposal, to be provided by the Mayor of London addressing all the issues raised by TFL, Emergency Services, local and regional stakeholders, local businesses, Faith groups (Church and Mosque), Aberfeldy Big Local, Tower Hamlets Parks, Highway Authorities, Metropolitan Police, and the 20th Century Society. If unable to provide answers for the concerns raised by the above organisations, it will cement Tower Hamlets rejection of the proposal, as done through due process.
- Finally the fiasco, unfolded in Jura House where non-residents and Poplar HARCA staff orchestrated a media campaign showing the residents of Jura house supporting the regeneration, where they were challenged by Jura house residents of the noise and false narrative created by Poplar HARCA. Showing that Jura House resident supported the regeneration, where none of the residents were present or knew about it.

- Hold the Mayor of London to account by bringing attention to these matters.

Representation received from Aberfeldy Voice:

- Raised three major concerns with the Aberfeldy Masterplan, as follows:

1. Flawed Consultation
2. Underpass Closure
3. Over development in a very small area

- **Flawed Consultation:** Poplar Harca's consultation focused on Poplar HARCA properties and left out surrounding properties owned by other housing associations and private owners. Leaflets sent out were not distributed to non-Poplar HARCA properties inviting residents to consultation events/meetings. Poplar HARCA used its youth workers to carry out consultation and mislead and influenced young people to support their regeneration plans. It also used its community development staff to do the same and mislead people. An example of this was selecting residents whose houses had been listed for demolition. These residents are already living in overcrowded households with poor living conditions and were desperate to be rehoused. Poplar HARCA provides them with a romanticised version of the development.
- Aberfeldy is made up of several housing associations, not just Poplar HARCA residents, as well as private properties. It is misleading for Poplar HARCA to simply state that 89% of residents voted for and support the regeneration plans, as this is not 89% of all residents living in Aberfeldy, simply those whose homes are due for demolition. So, Poplar HARCA claiming 89% of people of Aberfeldy voted for the regeneration, is a farce and misleading. It does not even include people living in a block next to the blocks being demolished and new ones built. Any other professional body would be forced to state who was included in the survey to demonstrate a fair representation of the public who are consulted, and such misleading practices would result in companies being reprimanded and/or action taken against them. Wharf View for instance is not a Poplar HARCA property and no consultation was undertaken, yet due to the demolition; their access was adversely affected. Similarly, residents in Franklin House who were not only adversely affected by the noise, dust and demolition over many years; they were not consulted. The people who will be decanted and voted in favour of the plans, will not be impacted by any local issues that they would be leaving behind. Due to decades of underinvestment in their homes, the conditions that many are living in are dire, from overcrowding to severe damp and mould, so it is no surprise that they voted positively for the regeneration plans. Given the overwhelming concerns against this plan raised by stakeholders, and the unanimous rejection by the SDC panel members, how can they possibly claim to have received a 89% / 93% support in favour of their plans? The number of those who have signed the petition against these plans is significantly more than the 7% that they claim oppose their plans.

- Over 2,000 local residents have expressed strong views against these plans. The majority of the local residents were not made aware of these plans until Poplar HARCA's consultation was completed. We put our petition forward to Poplar HARCA who failed to carry out any type of open consultation, to address our specific concerns.
- The Chief Executive of Poplar HARCA was written to directly with the signatures of over 800 local residents initially in November 2021; he refused to acknowledge our concerns. We presented our case at the LBTH full council meeting (March 2022) and yet, Poplar HARCA still refused to engage with us. A second round of petitions were collected with over 1,400 residents raising serious concerns about the Masterplan. Again, these were presented to the local council and Poplar HARCA. We made several attempts to reach out to Poplar HARCA to discuss these plans, however they chose not to engage with residents.
- On the week of the SDC, instead of engaging with us, they barged their way into a residents' meeting to bully us, cause havoc and starting fights amongst the locals; so that we could not discuss common concerns about the underpass that we wanted to be presented at the SDC. This is an example of the bullying, harassment and under-handed tactics that they have been using throughout this process. Police were called and we were eventually given the space to carry on with our meeting. Tower Hamlets Council is aware of Poplar HARCA's history of using these unprofessional, disingenuous strategies to achieve their goals.
- Local businesses (Poplar HARCA being their landlord), spoke of bullying and blackmailing by Poplar HARCA, that they were not allowed to support residents against the master plan; even though it also had a detrimental impact on their businesses. However, the local businesses were relieved, expressing their gratitude to us and were happy about the outcome of the SDC meeting.
- During our meeting with HARCA's Project Director May 2022, when asked about the alternatives to the underpass, he said "No Underpass, No Mosque". Resident's representatives had further meetings with the Director of Communities and Neighbourhood (Babu Bhattacharjee), who echoed that same message 'No Underpass, No Mosque'. This is playing with people's emotions and religion.
- The local mosque (again the landlord being Poplar HARCA), were constantly being threatened that their promise of a £1.4m reduction to the cost of relocating to a new premises would be withdrawn as a result. In addition to this, the mosque have disallowed any meetings at the mosque to discuss issues against the Masterplan. The mosque recently announced that Poplar HARCA have since followed through on this threat and the mosque have been now asked to find an additional £1.4m to move premises due to us taking signatures outside the Mosque; against the masterplan. The mosque committee members has specifically stated that this withdrawal

was related to not giving Poplar HARCA a written endorsement from all committee members prior to the SDC.

- The vast majority of the locals did not know what the plans for the Aberfeldy were, with no idea of the number of homes being developed, details of what roads were being converted to pedestrian-only routes or what the new bus route will look like, if the local services are going to be adequate, as each of these things are always changing.
- **Closure of the Aberfeldy (A12) Underpass:** Aberfeldy is already isolated from the rest of the borough, and access in and out of the area is limited, especially by car. The underpass allows connection to the rest of Tower Hamlets avoiding traffic of the Blackwall Tunnel, connecting us to other parts of the borough. The underpass closure (repurposing to a pedestrian walkway) has been 'sold' to the locals as a means of connecting two communities on either side of the A12 (Jolly's Green and Aberfeldy), a greener, safer and healthier walkway. However, there are already 4 underpasses in place – one less than 40 metres away from the proposed repurposed underpass. Culloden school parents, as well as special needs residents (who rely on their vehicles), and other residents have told us that they have no time for detours – this underpass takes them directly to the school entrance; as well as connecting them to the other side of the road. Both Aberfeldy and Jolly's Green residents told us that they cannot see what additional benefits the proposed underpass will bring to their lives.
- Why is the underpass so important to the proposal? At SDC, Poplar HARCA stated the purpose of the underpass was to build a tower block. As without they cannot build properties at the density that they want to; which includes the tallest building under the Masterplan. This underpass makes this project a 'strategic development', a high rise building to be built outside the high-rise building area, by showing there is ample space, but in reality there's no space. In truth, the area will not be able to handle the larger volumes of homes.
- Poplar HARCA will also not have to commit to providing a certain level of social/affordable homes.
- The other reason why Poplar HARCA want to close the underpass to vehicles is not to enable them to incorporate Jolly's Green (open park) on the other side of the A12, into the masterplan area. This would enable them to artificially demonstrate the open space for the development (which will not add any value to the residents), but it will take away value and increase traffic; that (inevitably) Aberfeldy will not be able to handle. LBTH policy and documents recommended 2.8 hectares of open space for the increasing population. Poplar HARCA is proposing 0.35 hectares which would include Jolly's Green Park. This is an artificial, arbitrary inclusion of this park into the development and is misleading. Even with this inclusion of this park, the density proposed and the lack of genuine open space, will leave the area overpopulated, under resourced. There will be a lack of infrastructure and

will contribute towards obesity and other health-related issues, which are already acute issues in Tower Hamlets.

- We are concerned the proposal will have a detrimental impact on the lives of existing and future residents of the Aberfeldy, by significantly increasing our journey times in and out of the Aberfeldy, increasing congestion, pollution and already acute parking issues, make it dangerous for children to play (or go near) near the proposed routes, reduce the quality of life for residents and restricting emergency accesses.
- In December 2022, parts of the Abbotts Road was flooded and it meant that the locals were forced to take the route that HARCA intend to reroute us under their plans. This caused an immense level of traffic that stretched the entire length of Abbotts Road, to levels that residents have never experienced in 10 years of living in Aberfeldy. This is exactly what we were concerned would happen on a daily basis, if rerouted, as there would be no alternate infrastructure will be in place to manage the traffic.
- This is a superfluous example of a planning proposal that is manipulated, data misrepresented for profit gains allowing private developers to take the majority of the houses built, and local residents getting the short end of the stick.
- Poplar HARCA suggests that this rerouting will simply add an additional 42 seconds to our journey based on their road testing. It took residents over 40 minutes just to leave/exit the Aberfeldy during the flooding. There is a conflict of interest in accepting Poplar HARCA's own findings of traffic timing (as they are not independent) and have not been independently verified. The highway authorities have stated that an entire new development project currently underway (Leven Road Gasworks Development for 2,800 new homes), has been entirely ignored from this report and the report states that this project will bring about 'significant levels of traffic'. This increase in traffic has deliberately been omitted from their modelling. By driving through the proposed route today, at a time where there is no traffic, it will take longer than what has been quoted by Poplar HARCA in the report. You then need to factor in the local population increasing by 5-folds, if we are to go by the masterplan. Apart from Poplar HARCA, every stakeholder and professional body involved have all raised this issue around congestion and traffic building up in the area, which have been rubbished and ignored with the party that benefits from this development going through – Poplar HARCA. Poplar HARCA are aware that this will increase local traffic and are misinforming the locals by promising that they would open the traffic onto the A12 (near Lochnager) to free up traffic. However, this cannot be undertaken with the agreement of TFL. TFL has refused any changes that would add further pressure to the already busy traffic entering the Blackwall Tunnel.
- The Metropolitan Police have also raised concerns about this underpass being misused for drink, drugs, rough sleeping and the potential for moped delivery drivers using it as a segway. These recent developments have all

seen an increase in drug crime. The reason for this is the police cannot get to them with roads being closed off to them.

- The underpass has been positioned to the locals as a safer alternative than the existing 4 underpasses. The TH Arboriculture Officer has stated that the new underpass only gives a perception of safety, there are no guarantees it will be safe 24 hours a day and it is not deliverable.
- The Metropolitan Police have raised concerns about crime and ASB. With the underpass closed, this will restrict emergency services getting in and out – this issue has not been addressed. The underpass would be misused for drink, drug and rough sleeping offences, as well as by moped delivery riders for cutting through the area; en-route to drop off venues. Crime figures have previously been provided that show the area is subject to significant volume of crimes. Recent development project carried out by Poplar HARCA in the borough have all had an increase in drug crime.
- The highway authorities are not convinced that another underpass is the best option and are concerned about the delays that this will cause locally – they agree with the concerns of the residents as well as other bodies. However, this is the only option put forward.
- **Conclusion:** We are pro-regeneration and have advocated for and supported other regeneration programmes in the area. We understand the need for more homes and better parks, provided the existing residents don't suffer disproportionately as a result of it, and our opinions are taken into consideration. So we ask the applicant to work with the local residents.
- The Masterplan brings more harm than good to the locals and there is no justification for major parts of the plan particularly the underpass – are all bundled into a hybrid application, combining what we need (more homes); with what they want (a huge land-grab). Request that this application is rejected in the current form and shape.
- The unanimous rejection of the application by cross party councillors at SDC demonstrates there is widespread unhappiness among residents.
- It is shocking that that such a flawed planning application, of this significance which will impact the lives of many, can be brought to a panel for approval. This application should not be entertained, and how it has made its way to the Greater London Assembly is truly beyond comprehension.
- Aside from the issues raised in this letter, there are many other issues that have been raised about the plans, that Poplar HARCA simply hope can be brushed aside, including: the scheme will result in overcrowding and add to significant infrastructure pressure on local amenities and services such as GP practices, dentists, and schools; there is a material reduction to daylight and sunlight received to neighbouring properties; there is insufficient car parking to accommodate the development; and there are non-compliant levels of children's play space.

- Having spoken to many residents, local organisations, and businesses, if the plans to repurpose the underpass were to be omitted from the application, this would mean that the local residents and the applicant can come to a solution that works for all.
- The roads belong to Tower Hamlets Council and TFL, so the Council should carry out their own consultation and come to their own conclusion. This will ensure a true reflection of the residents and users of Aberfeldy. We are confident that Tower Hamlets' findings (alongside TFLs), will match what we know: this application does not help the local residents.
- There are two existing walking underpasses, one of which links directly to the entrance of Culloden Primary School and is used by pupils and parents for school runs on a daily basis. Funds should be spent on improving existing underpasses, instead of closing an arterial road and impacting the lives of many. Other options could include improving the walkway path going through the vehicular underpass, creating a walkway/cycle bridge, and adding traffic calming measure.

246. The statutory consultee responses are summarised, below:

- **Tower Hamlets Council:** The Local Planning Authority have reviewed the amended planning application and consider that whilst amendments to the scheme to largely improve fire safety are supported and welcomed, the amendments do not alter the Local Planning Authority's position on the application following Members of the Strategic Development Committee's resolution to refuse planning permission on the 23 February 2023. The Local Planning Authority therefore confirms that the reasons for refusal of the planning application still stands.
- **Met Police:** Noted that the Met Police have previously supplied comments and raised concerns regarding crime and anti-social behaviour along with areas of vulnerability through this proposed scheme to which we have also provided guidance on how these could be managed or the risk reduced. Request a secured by design condition and informative. GLA Officer comment: Condition and informative are recommended.
- **Marine Management Organisation:** Works activities taking place below the mean high-water mark may require a marine licence in accordance with the Marine and Coastal Access Act (MCAA) 2009. Any works within the Marine area require a licence from the Marine Management Organisation. It is down to the applicant themselves to take the necessary steps to ascertain whether their works will fall below the Mean High Water Springs mark. Applicants should be directed to the MMO's online portal to register for an application for marine licence: <https://www.gov.uk/guidance/make-a-marine-licence-application>
- **London City Airport:** Proposal has the potential to conflict with London City Airport's safeguarding criteria. If the local planning authority are of a mind to approve this application, then London City Airport suggests the

conditions contained in this letter are added to any future approval. GLA Officer comment: Conditions are recommended.

- **NATS Safeguarding:** The proposal has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, no safeguarding objection to the proposal.
- **London Fire Brigade:** No observations to make. The London Fire Commissioner (the Commissioner) is the fire and rescue authority for London, and is responsible for enforcing the Regulatory Reform (Fire Safety) Order 2005 (as amended) in London. If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office (water@london-fire.gov.uk) to discuss the proposed provision. If there are any deviations to Brigade access and facilities, then this information needs to be provided to Fire Safety Regulation (FSR-AdminSupport@london-fire.gov.uk) to review the proposed provision.
- **Environment Agency (EA):** No objection. The site is located within Flood Zone 3 and is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. The EA's latest flood modelling shows the site would be at risk if there was to be a breach in the defences or they were to be overtopped.
- The EA is satisfied that the developer has assessed the risk from a breach in the Thames tidal flood defences using the latest modelled tidal breach data, and the developer has not proposed any sleeping accommodation below the modelled tidal breach flood level.
- The proposal does not have a safe means of access and/or egress in the event of flooding from all new buildings to an area wholly outside the floodplain. However, safe refuge within the higher floors of the development has been suggested. To improve flood resilience, recommend that, where feasible, finished floor levels are set above the 2100 breach flood level. Advice regarding a range of other matters was also provided as part of the EA's comments. GLA Officer comment: A condition is recommended securing further details in respect of drainage, include requiring the applicant to demonstrate that floor levels are to be raised above the 2100 flooding peak and a minimum of 0.15 metres above adjacent ground levels.
- **Transport for London:** With this submission there is a Statement of Conformity for Transport and Waste, and it is agreed the small reduction in the number of homes will not materially change the impacts or the conclusions of the reports previously submitted and present a robust assessment since they account for development that would generate marginally higher levels of trips in comparison to the revised scheme.
- The revised drawings for the detailed phase to incorporate second stairs do not make any changes to the location and quantum of cycle parking.

- The majority of issues TfL has previously raised at previous consultation stages have been addressed through the Heads of Terms as reported at LBTH committee and further drafting of all the necessary consents for the package of highway and structural works which are proposed on TfL assets, and highway modelling work, to be addressed through further drafting of obligations such as the S106 agreement and planning conditions. There are some further comments however, as detailed as follows:

Bus impact

- A contribution of £400,000 (to be secured through the S106) towards bus priority measures to mitigate the impact of delays to bus journey times is set out in the revised planning statement, which is accepted on the basis of other proposed interventions and modelling work which identifies bus journey time and performance improvements in the wider modelled area.

Design code and bus access

- The Design Code states at paragraph 3.3.10 “Internal site highways must be suitable for buses to operate and accommodate bus stops and bus stands.” is supported and welcomed, however this conflicts with the statement at 5.2.17 “The carriageway of Abbott Road should be narrowed to 6m wide” Abbott Road rather than being reduced to 6.0m would need to have a highway width of 6.5m to allow two buses to pass one another. The widths of other roads suitable for buses to pass one another (and other large vehicles) and to call at bus stops and bus stands will need to be addressed, such as through highway works agreements and reserved matters applications. It is considered this can be addressed through a suitably worded planning condition to address this such as to set out that Abbott Road shall be designed to have a highway width of 6.5 metres.

Tree replacement

- The DAS and Design Code sets out the proposals for removal and replacement of trees. There are 10 trees which are within the responsibility of TfL within the proposed development site boundary, identified as trees T30, G3 (1 tree), T126, T127, T128, T129, T130, T131, T137 and T138 within the report. Four are identified for removal, these are trees T30 (Asset 10560013), T137 (Asset 200302824038), T138 (Asset 200302824037) and the one tree within G3 (Asset 10560014), these for trees have a combined CAVAT value of £169,785 according to Maximo our asset management system.
- There is a variation in TfL’s values and those identified by TMA, however both values are now considered out of date due to a recent update in the CAVAT methodology. TfL have recalculated the amount to bring up to date. Using the revised full method, the total costs for the four trees is £141,976.00. Relevant compensation is sought which can be adjusted if necessary once details of replacement planting is supplied and agreed at relevant reserved matters stage.

- Six trees at present are shown to be retained and within the development area – conditions for a detailed arboricultural method statement and tree protection plan will be required prior to any works around trees in consultation with TfL. The removal, replacement and compensation must be secured.
- To summarise, subject to completion of planning obligations to mitigate the impacts and secure all the necessary consents for further work TfL would not object to this application being approved.

247. The following organisations were consulted, however no response was received.

- **Southwark Council:** No response received.
- **City of London:** No response received.
- **Greenwich Council:** No response received.
- **Hackney Council:** No response received.
- **London Underground infrastructure:** No response received.
- **London Overground Infrastructure:** No response received.
- **Historic England:** No response received.
- **Historic England - Archaeology (GLAAS):** No response received.
- **Garden History Society:** No response received.
- **Natural England:** No response received.
- **Sport England:** No response received.
- **Network Rail:** No response received.
- **Thames Water:** No response received.
- **UK Power Network:** No response received.
- **Cadent Gas:** No response received.
- **S Eastern Railways:** No response received.
- **National Grid:** No response received.
- **Health and Safety Executive (HSE):** No response received.
- **DLUHC (SoS):** No response received.
- **Active Travel England:** No response received.

- **The Canal and River Trust:** No response received.
- **Theatres Trust:** No response received.
- **Port of London:** No response received.
- **Maritime Greenwich World Heritage Co-Ordinator:** No response received.
- **National Amenities Society:** No response received.
- **The Gardens Trust:** No response received.
- **Historic Royal Palaces:** No response received.
- **London Transport Property:** No response received.
- **London Bus Service Ltd:** No response received.
- **London Legacy Development Corporation:** No response received.
- **Newham Council:** No response received.
- **Lewisham Council:** No response received.
- **Lea Valley Regional Park Authority:** No response received.
- **Healthy Urban Development Unit (HUDU):** No response received.
- **20th Century Society:** No response received.
- **Tower Hamlets Assembly Member (AM) Unmesh Desai:** No response received.

Environmental Impact Assessment

248. Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 are termed “EIA applications”. The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an application for EIA development and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

249. The Council issued an EIA Scoping Opinion (PA/21/01820) on 08/09/2021.

250. The applicants submitted an EIA Scoping Report (submitted August 2021) outlining the scope of the Environmental Statement (ES) prior to the submission of the application to Tower Hamlets Council. Following consultation with the

relevant consultation bodies, Tower Hamlets Council issued a Scoping Opinion on 8 September 2021 (Tower Hamlets reference: PA/21/01820).

251. The submitted ES is divided into three volumes covering the 1) main assessment text; 2) the townscape and visual impact assessment, and the built heritage assessment; and 3) technical appendices. The statement includes qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

252. Following changes to the proposals, the ES was subsequently amended in April 2022, which included an addendum to the ES.

253. It is noted the submitted ES was reviewed by Temple, as appointed by Tower Hamlets Planning Officers.

254. Following a resolution to refuse planning permission by the LBTH Strategic Development Committee (SDC) in February 2023, the Proposed Development was called in by the Mayor of London and the GLA is now acting as the local planning authority for the purposes of determining the planning application.

255. Following the call in of the planning application, the Applicant submitted further minor changes to the Proposed Development in November 2023, mainly to accommodate second stair cores in all the buildings proposed over 18.0 metres in height. These changes were accompanied by a “Environmental Statement of Conformity” (ESoC) which concluded: “It is considered that the proposed amendments do not identify any new significant effects when compared to the assessments or conclusions identified within the Submitted ES, and the findings of the Submitted ES remain valid in the context of the proposed amendments. It is therefore considered that the likely significant effects associated with the revised Amended Proposed Development (as altered by the proposed amendments set out on Page 1) are entirely understood and are fully assessed within the Submitted ES”.

256. GLA Officers appointed Arup & Partners Ltd. (Arup) to undertake a technical review the ESoC, to consider the robustness of its conclusions and whether the effects of the proposed amendments alter the assessment of the Proposed Development as reported in the October 2021 ES and April 2022 ES Addendum.

257. In summary, Arup advised that they agree with the approach taken to the assessment i.e. that it is appropriate for the changes to be accompanied by an environmental compliance statement, and that the overall conclusions of the report and the proposed amendments do not materially alter the conclusions of the Submitted ES which will remain valid for the purposes of decision-making.

258. Arup’s review sets out the following points:

- The proposed amendments will not impact the approved building parameters of the Blocks within the outline elements of the Reviewed Amended Proposed Development, other than where Block A3 will be

removed. The parameter plans have been updated accordingly to reflect the removal of Block A3.

- The illustrative landscaping masterplans have been updated to demonstrate how the former Block A3 area can accommodate additional landscaping and open/play space. The overall quantum of additional open space and play space is not considered significant in the context of the overall provision of the Revised Amended Proposed Development.
- The updated Planning Statement and addendums to the Design and Access Statement submitted in November 2023 encapsulate all the changes which have been made since the original planning application was submitted. These changes in combination are not considered to materially alter the 'project' or description of development as assessed in the Submitted ES.
- The proposed amendments are not of a nature or scale that will alter the significant effects of the Revised Amended Proposed Development or result in any new significant effects when compared to the assessments or conclusions reported within the Submitted ES.
- The likely significant effects of the proposed amendments and the Revised Amended Proposed Development, and any associated mitigation as reported within Chapter 17 of the Submitted ES, remain valid for the purposes of decision making.
- Overall, the findings and conclusions of the November 2023 ESoC are considered robust and appropriate and there will be no resulting new or different significant environmental effects requiring the submission of additional information under the EIA Regulations.
- A more detailed review and commentary on the likely effects of the proposed amendments and conclusions in the November 2023 has been undertaken on a topic-by-topic basis and is presented in Table 1.

259. GLA Officers agree with the above conclusions presented by Arup.

Principal planning issues

260. Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are.

- Estate regeneration and equalities;
- Land use principles (including policy designations, employment, housing, retail and social infrastructure);
- Affordable housing (including tenure, affordability, viability assessment and viability reviews);

- Urban design (including design scrutiny, surrounding character, layout & public realm, height & massing, protected views, residential amenity, fire safety, designing out crime and inclusive design);
- Heritage (including the significance of the existing buildings on site, and impacts to the significance of designated and non-designated heritage assets including archaeology, which may be affected by development within their setting);
- Surrounding amenity impacts (including daylight, sunlight & overshadowing, privacy, solar glare, light pollution, noise & vibration, basement development and wind microclimate);
- Green infrastructure and the natural environment (including trees, biodiversity, ecology and urban greening);
- Sustainability and climate change (including sustainability strategy, air quality, energy, waste, the circular economy, flood risk and drainage);
- Transport (including healthy streets and vision zero, vehicle access and parking, cycle parking, deliveries and servicing, demolition and construction, travel plan, environmental impacts);
- Socio-economic impacts;
- Mitigating the impact of development through planning obligations; and,
- Planning balance.

261. These issues are considered in the following sections of this report.

Estate regeneration

262. As the development proposes the demolition of existing affordable housing, the proposal is subject to strategic policies and planning guidance relating to the replacement of existing housing and estate regeneration, which are set out within Policy H8 of the London Plan. Further guidance is also provided in the Mayor's Affordable Housing and Viability SPG and the Mayor's Good Practice Guide to Estate Regeneration (GPGER).

263. Policy H8 of the London Plan seeks to resist the demolition of affordable housing unless it is replaced by an equivalent amount of affordable housing floorspace. The policy also seeks to ensure that replacement affordable housing is integrated into the development to ensure mixed and inclusive communities.

264. As set out in the London Plan, all estate regeneration schemes in London should take into account and reflect the following key principles set out in the GPGER:

- like for like replacement of existing affordable housing floorspace;

- an increase in affordable housing;
- full rights of return for any social housing tenants;
- fair deal for leaseholders/freeholders; and
- full and transparent consultation and involvement.

265. Tower Hamlets Local Policy D.H2(5) requires that estate regeneration development schemes (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.

266. Part 6 of Local Plan Policy D.H2 also requires estate regeneration schemes to undertake thorough and inclusive public consultations proportionate to the nature and scale of development and submit a consultation statement detailing these activities.

267. There are 330 residential units located within the subject site, comprising 252 socially rented units (880 habitable rooms) and 78 homes (279 habitable rooms) in leaseholder/freeholder ownership.

Consideration of alternative options

268. London Plan Policy H8 states that before considering demolition of existing estates, alternative options should first be considered, and the potential benefits associated with the option to demolish and rebuild an estate set against the wider social and environmental impacts.

269. In respect of considering alternative options, Appendix A of the submitted circular economy statement sets out alternative options to redevelopment, including refurbishment of the existing buildings, and the application details that these options were ruled out on the basis that the refurbishment of the existing buildings alone would not resolve 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. Specifically, the circular economy statement sets out that the existing buildings on site were primarily constructed between 1956 and 1977, and that issues associated with the existing estate, include:

- Existing buildings are generally of poor quality both internally and externally;
- Existing buildings are small in scale and unsuited to modern living;
- Layouts of existing buildings are unlikely to make suitable provision for disabled residents;
- Existing buildings are inefficient in energy terms and improvement of thermal performance of the buildings is required, presenting significant

technical challenge in terms of condensation and thermal bridging. The existing balcony design means that significant thermal bridging issues may remain after any other works to improve performance are carried out;

- The existing estate provides limited good quality public realm, with streets that prioritise drivers over pedestrians and cyclists; and
- The material quality of the existing buildings would require significant repair and remediate work if retained, including to improve fire performance on parts of the site.

270. The planning statement detail that these fundamental issues would not be resolved through refurbishment, and any ambition to retain structures would be impractical and uneconomical. In addition, it is noted that refurbishment would result in significant disruption for existing residents, with limited benefit as generally the options that were considered as part of the pre-demolition audit resulted in a limited uplift in the number and quality of new homes and would not deliver on some of the key aims of the masterplan. There are also some newer properties included within the site boundary that are proposed for demolition, including low-density (terraced) housing built in 2002 on Balmore Close and Findhorn Street. While it is noted that the existing housing on these streets does not present the same issues of quality as elsewhere within the site boundary, the demolition of these homes is required to deliver the key aims of the masterplan including the provision of new housing, new affordable housing and workspace, activation of the street, improvements to the permeability of the estate, upgraded public spaces and opportunities for active travel.

271. It is also noted that 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. Specifically, there are 87 homes within phases 4, 5 and 6 of the Extant Permission that have approval for demolition, specifically the following blocks: Heather House, Jura House, Tartan House, Thistle House, Aberfeldy St 25a-55a West and Aberfeldy Street 36a-50a East.

272. The submitted EIA also sets out in more detail the disadvantages of the “Do Nothing” scenario and the advantages to the estate and wider area of total redevelopment. Specifically, the EIA sets out that the “Do-Nothing / No Development Alternative” refers to the option of leaving the site in its current state. The EIA sets out that Aberfeldy is one of the most physically and geographically segregated parts of the borough of Tower Hamlets, with the A12 and A13 road networks splitting the estate from the rest of Poplar and Blackwall. The EIA asserts that the “Do-Nothing” would not be desirable as the existing housing estate is in a poor state of repair and need in need of improvement and has therefore not been considered in further detail as the Site represents an opportunity to be redeveloped to provide much needed housing and public realm enhancements to the Aberfeldy Estate.

273. The EIA goes on to set out that the regeneration will lead to both new residential floorspace and employment opportunities which leads to other direct and indirect socio-economic benefits that would otherwise not be realised should

the site be left in its current state. In addition, connected open space areas are limited within the existing area of Poplar. The Proposed Development, through the construction of new public open space, the pedestrianisation of the vehicular underpass and a new Healthy Street connecting new and existing open spaces will result in new areas for existing and proposed residents as well as facilitating pedestrian movement from the east to the west of Poplar.

274. In line with Policy H8 of the London Plan, the applicant has considered potential benefits associated with the option to demolish and rebuild an estate set against the wider social and environmental impacts. The rationale for redevelopment is accepted by GLA Officers, and it is noted that a ballot of residents has been undertaken which supports comprehensive redevelopment, which is positive.

Like-for-like replacement

275. As set out above, the loss of existing affordable housing should be resisted unless it is replaced by an equivalent amount of affordable housing floorspace (with no overall net loss). Policy H8 of the London Plan confirms that replacement affordable housing must be provided at social rent levels, where it is being provided to facilitate a right of return for existing social rent tenants. Parts B and C of Local Policy D.H2(5) require protection of the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels, as well as an uplift in the number of affordable homes.

276. The requirement for like for like replacement affordable housing floorspace applies to the 252 social rent units located on the existing site. The hybrid proposals incorporate a minimum of 38.8% affordable housing, by habitable room. The 'like-for-like replacement' assessment, set out in Tables 9-11 below, demonstrates that there would be a net increase in terms of social rented accommodation, intermediate housing and overall affordable housing by all metrics (units, habitable rooms, and floorspace), including floorspace which is the key criteria applied by H8 of the London Plan.

Table 9: Existing affordable housing

	Units	Habitable rooms	Floorspace
Social rent	252	880	18,112 sq.m. (NIA)
Intermediate	0	0	0

Table 10: Proposed affordable housing, indicative only using maximum unit parameters

	Units	Habitable rooms	Floorspace
Low-cost rent (including social rent, London Affordable Rent or Tower Hamlets Living Rent Housing)	372	1,520	43,508.2 sq.m. (NIA)

Intermediate (London Shared Ownership or London Living Rent Housing)	79	189	4,943 sq.m. (NIA)
Total	451	1,709	48,451.2 sq.m. (NIA)

Table 11: Net change in affordable housing by tenure (indicative only using maximum unit parameters)

	Units	Habitable rooms	Floorspace
Low-cost rent (including social rent, London Affordable Rent or Tower Hamlets Living Rent Housing)	+120	+640	+25,396.2 (NIA)
Intermediate (London Shared Ownership or London Living Rent Housing)	+79	+189	+4,943 sq.m. (NIA)
Total	+199	+829	+30,339.2 sq.m. (NIA)

277. The quality of the accommodation proposed would also be substantially enhanced.

278. As detailed in this section, and the affordable housing section of this report, below, the proposals also protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels, and provide an uplift in the number of affordable homes, in line with Policy D.H2(5) of the Local Plan and H8 of the London Plan.

Right to return

279. The GPGER seeks to ensure that social tenants have a full right to return to a property on the regenerated estate of a suitable size, taking into account levels of overcrowding or under-occupancy within each household, and at the same or similar rent level, with the same security of tenure.

280. A decant strategy has been provided with the planning application which states that each social rent 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.

281. The landlord offer submitted with the original application details that rent levels for HARCA tenants will be the same as if residents hadn't moved, and that current Poplar HARCA tenancy rights will stay the same. This is supported in accordance with GPGER principles.

282. GLA Officers understand that part of the site that sits within the approved outline scheme site is already mostly decanted. The proposed phasing strategy and approach to redevelopment enables all residents the opportunity to move only once and stay within the wider Aberfeldy Estate should they so wish. It is

noted that the wider Aberfeldy Estate includes the built phases of the existing masterplan scheme, as well as the St. William Poplar Riverside development, which is located to the north of Abbott Road, which sit outside the site boundary.

283. It is noted that there were also homes within Aberfeldy Street homes that were occupied by several LBTH homeless tenants who are contracted on short-life tenancy agreements. Poplar HARCA has worked closely with LBTH to move these residents to new homes throughout the borough and they are now all relocated.

Fair deal for leaseholders

284. There are 78 homes in leaseholder/freeholder ownership within the existing site, which constitutes leaseholder accommodation for the purposes of the key principles set out in the Mayor's GPGER.

285. The submitted decant strategy states that resident leaseholders will be offered full market value for their existing home plus a 10% 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.

286. In respect of non-resident leaseholders and freeholders, the submitted decant strategy states that Poplar HARCA will buy their property at full market value and pay an additional 7.5% home loss payment. Costs for additional services such as removals will be reimbursed.

287. The Mayor's GPGER sets out the principle that leaseholders affected by estate regeneration are treated fairly and fully compensated, in accordance with statutory duties. Whilst these detailed matters are subject to non-planning statutory requirements, GLA Officers consider that the overall approach outlined accords with the key principle set out in the Mayor's GPGER in term of the fair treatment and compensation for leaseholders.

Full and transparent consultation

288. The London Plan and GPGER sets out the Mayor's aspirations for full and transparent consultation and meaningful ongoing involvement with estate residents throughout the regeneration process to ensure resident support. As noted above, Policy DH.2(6) of the Local Plan also requires proposals for estate regeneration to be subject to thorough and inclusive public consultation, proportionate to the nature and scale of development.

289. The Mayor requires any landlord seeking GLA funding for estate regeneration projects which involve the demolition of existing affordable or leasehold homes to demonstrate that it has secured resident support for their proposals through a ballot, subject to certain specified exemptions and transitional arrangements. In

this instance, grant funding has been sought from the Mayor of London to fund the schemes. A residents' ballot carried out in September 2020 resulted in a 91 per cent turnout and 93 per cent support of regeneration.

290. A Statement of Community Involvement has also been provided which details the applicant's engagement and pre-application consultation events with stake holders and local residents. This includes engagement with residents since the Mayor of London has called in the planning application for his determination.
291. As set out above, it is noted that some representations received by members of public, as well as from Aberfeldy Big Local and Aberfeldy Voice, objected to the applicant's consultation that was undertaken in respect of the proposed scheme on the basis that it was not inclusive. The GPGER sets out that consultation should be transparent, extensive, responsive and meaningful. Notwithstanding the objections that set out some residents felt they were not consulted in a way that aligns with the Mayor's GPGER, it is also noted that there were a number of representations from members of the public that supported the applicant's approach to consultation and resident engagement. GLA Officers are satisfied that the consultation and ballot have been carried out appropriately.
292. The length of the construction period is indicatively twelve years (from March 2025 until February 2037) and the detailed proposals for Phases B, C and D is currently unknown. The Statement of Community Involvement sets out that the Applicant is committed to ongoing engagement with the local community, including through regular updates to the Residents Steering Group SG, newsletter bulletins from Poplar HARCA to the wider community, and that the Commonplace website will also be updated in line with key project milestones. The application further details that the meanwhile use strategy will be expanded upon and carried out in partnership with the Aberfeldy Big Local throughout the determination and construction period.
293. In addition, an obligation will be secured within the S106 agreement that requires the applicant to undertake a post-occupancy survey of all occupiers of residential units in respect of the design of the units and provide details in relation to how the survey has informed the design of new units as part of each reserved matters application.
294. The Statement of Community Involvement demonstrates there has been direct engagement and consultation events, in general accordance with the principles set out in the Mayor's Good Practice Guide to Estate Regeneration and demonstrating compliance with Part 6 of Local Plan Policy D.H2.

Conclusion – estate regeneration

295. The proposed development would ensure the re-provision of all 252 social rented units at a social rented tenure, as well as a significant increase in the level of affordable housing (both low-cost rent and intermediate tenures) in terms of floorspace, therefore complies with the relevant requirements of Policy H8 of the London Plan, as well as key principles set out in the GPGER. Suitable planning obligations are recommended as part of the associated S106 agreement, to

secure the uplift in affordable housing in addition to the replacement affordable housing.

296. The proposal therefore complies with the relevant requirements of the London Plan and the Mayor's key principles for estate regeneration schemes, and as such, the redevelopment proposals scheme are supported in principle.

297. It is noted that the Local Plan requirement in respect estate regeneration development schemes protect and enhance existing open space and community facilities (Part A of Local Plan Policy D.H2(5)) is addressed in a subsequent section of this report.

Equalities

298. London Plan Objective GG1 highlights the diverse nature of London's population and underscores the importance of building inclusive communities to guarantee equal opportunities for all, through removing barriers to, and protecting and enhancing, facilities that meet the needs to specific groups and communities. More generally, the Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The Act defines protected characteristics, which includes age, disability, gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

299. During the processing of the planning application, GLA Officers stated that an equalities impact assessment must be provided with the planning application, given the proposed redevelopment of the residential estate which includes the demolition of homes and the redevelopment of a place of worship and the demolition of the existing Aberfeldy High Street (which includes a number of local, independent businesses).

300. The applicant has submitted an equalities impact assessment which concludes that "Overall, the Proposed Development is not considered to have any negative impacts on the equalities of different protected groups. Potential impacts affecting vulnerable groups relating to the protected characteristics defined in the Equality Act 2010 are summarised in Table 8.1 along with specific reporting and monitoring requirements for future design stages. Therefore, no further mitigation is required beyond measures already proposed and identified in this assessment". GLA Officers have reviewed Table 8.1 of the submitted equalities report and it is noted that negligible to positive impacts are identified to the following vulnerable groups: children, young people, older people, disabled

people, ethnic minority people, pregnancy and maternity, religious groups (particularly minority ethnic groups) and LGBTQ+ people.

301. It is noted that there were objections from members of the public in relation to the quality of the equalities assessment provided.

302. Notwithstanding the equalities statement submitted by the applicant, GLA Officers are of the view there a range of other potential impacts that could impact protected groups, including:

- **Impacts on neighbourhood amenity:** Including air quality, noise and vibration impacts during construction and operational phases, noting the characteristics of those living in the affected neighbouring properties are not known, and the effects may be differential, for example children or older residents who tend to spend more time at home. Similarly, daylight and sunlight impacts on neighbouring properties may be disproportionate depending on the characteristics of those living in the affected properties. Air quality, noise and vibration impacts during construction and operational phases are recommended to be controlled by conditions.
- **Phasing:** The proposals include the relocation of the GP surgery and mosque, and as such, relevant conditions or obligations would be required to ensure potential impacts on protected groups are mitigated. The S106 has secured an obligation requiring the Replacement Faith Centre to be provided prior to the closure of the existing Faith Centre and the demolition of any building within Plot H3 in Phase A of the Development. It is noted that the GP Practice will be relocated to a new larger Health Centre (up to 960sq.m.) currently being constructed under Phase 3b of the extant planning permission.
- **Access:** The need for temporary and partial closures of routes next to the site for construction access could result in impacts, which may be disproportionate noting the characteristics of those impacted are not known. Notwithstanding, such construction activities could have a disproportionate impact on persons with protected characteristics of age, disability, pregnancy, and maternity. GLA Officers recommend that such impacts are mitigated through suitable construction management conditions.
- **Meanwhile and community uses during demolition and construction:** The S106 legal agreement has secured the submission of strategy detailing meanwhile and community uses to be carried out during demolition and construction. The strategy must consider in particular the needs of children, older people, people with disabilities, people from ethnic minority groups, minority faith groups, LGBTQ+ persons, pregnant women and parents accompanied by young children.

303. As noted in the submitted equalities statement, the scheme would also result in a range of negligible to positive impacts for those who share these relevant protected characteristics, and a range of mitigations has been recommended including securing local employment and skills opportunities within a Section 106

agreement, provision of an access management plan and requiring further details for future outline phases of the scheme via reserved matters stages.

304. In conclusion, equalities implications arising from the proposed development have been considered by GLA Officers i, and should be taken into account in determining this application, in accordance with the public sector equality duty.

Land use principles

Policy Background

305. The NPPF provides the Government's overarching planning policy framework. A key component of the NPPF is the presumption in favour of sustainable development. In terms of decision making, this means approving applications that accord with the development plan without delay; or, where there are no relevant development plan policies, or where such policies are out-of-date, granting permission unless either: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where NPPF policies that protect areas or assets of particular importance (including designated heritage assets) provide a clear reason for refusing a proposed development.

306. The London Plan 2021 is the Spatial Development Strategy for Greater London. Within the London Plan, the Mayor's overarching objective is to meet London's housing and development need by making the best use of land, whilst safeguarding the Green Belt and designated open spaces. This is reflected in the objectives on 'Good Growth' GG1, GG2, GG3, GG4, GG5, and GG6, which support intensified, high-density, mixed-use and mixed housing developments, particularly on sites well connected by existing or future public transport, walking and cycling connections; development on brownfield land, particularly in Opportunity Areas and on surplus public sector land; promotes industrial and employment space in the right locations; and new and improved green infrastructure.

307. The proposed development seeks to redevelop an existing housing estate, located within an opportunity area, to deliver up to 1,565 homes including 451 (indicative) affordable homes plus a variety of retail uses and workspaces with new landscaping, public realm, and improvements to existing open spaces.

308. Specific land use considerations are outlined in the sections below.

Poplar Riverside Opportunity Area

309. The London Plan seeks to ensure that Opportunity Areas fully realise their growth and potential and has identified Poplar Riverside Opportunity Area as having an indicative employment capacity for 3,000 new jobs and the potential for 9,000 new homes and improved connectivity in a part of the borough with significant infrastructure challenges.

310. As above, the site is identified within the Poplar Riverside Opportunity Area as a 'Strategic Area for Regeneration', which the London Plan identifies as having

the potential to promote inclusive growth that increases opportunity for all Londoners. Policy SD1 seeks to ensure that opportunity areas contribute to regeneration objectives by tackling spatial inequalities and environmental, economic and social barriers that affect the lives of people in the area, especially in Local and Strategic Areas for Regeneration.

311. The London Plan sets out that as the Popular Riverside Opportunity Area crosses the boundary of the River Lea into the London Borough of Newham, there are opportunities to provide both intensified employment uses and residential development, with cross-boundary working required to maximise investment of the Housing Zone funding and the development potential of upgrades to Canning Town station and the arrival of the Elizabeth line at Custom House. The London Plan sets out that significant local transport improvements are needed to allow better pedestrian and cycle accessibility over the River Lea via footbridges and to remove the severance effect of major infrastructure such as DLR lines and the A12 at Gillender Street.

Housing

312. Chapter 5 of the NPPF promotes a significant increase in the supply of new homes, particularly affordable homes and maintaining supply and delivery.

313. Policy H1 of the London Plan strongly supports the redevelopment of highly accessible, brownfield, former publicly owned sites for housing. Table 4.1 of the current London Plan establishes a ten-year target (2019/20-228/29) for net housing completions for Tower Hamlets Council of 34,730 units, which would correspond to 3,473 homes per year if annualised.

314. Policy S.H1 of the Tower Hamlets Local Plan sets out that at least 58,965 new homes across the borough (equating to at least 3,931 new homes per year) will be secured for delivery between 2016 and 2031. It is noted that this figure of 3,931 units per annum (including conventional and non-self-contained supply and long-term vacants returning to use) corresponds to the target that applied between the former plan period (2015-2025) 2019 and 2020 was as detailed in the former London Plan (2016) Policy 3.3.

315. Policy S.H1 also sets an overall target for 50% of all new homes to be affordable, to be achieved through, among other measures, requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more new residential units. This target is also set out Table 6 of the Tower Hamlets Local Plan.

316. Tower Hamlets has the highest London Plan housing supply target of all local planning authorities in London. While the net completion figures have fallen slightly short of achieving this target during recent years, they exceeded their target during 2021/22 and have achieved 89% of their target for the previous four years of monitoring, as set out in Table 2 below. The Council is generally performing well in terms of meeting its housing supply targets. It is noted that the Housing Delivery Test presumption in favour of development is not triggered.

Table 2: Tower Hamlets housing supply in terms of net housing completions and affordable housing supply (2019/20 to 2022/23). [Source: Planning London Datahub (GLA London Datastore), Residential completions dashboard⁶].

	2019/20	2020/21	2021/22	2022/23	Total	Delivery
Housing target	3,931	3,931	3,473	3,473	14,808	89%
Net housing completions	3,791	3,192	3,366	2,763	13,112	
Affordable homes target	1,966	1,966	1,737	1,737	7,406	40%
Net affordable completions	994	495	962	513	2,964	

317. While the information presented above sets out the position in terms of recent delivery against the Council's development plan targets (i.e. in terms of new build completions), Table 12 below sets out the Council's performance in terms of planning approvals for housing and affordable housing in the borough, against the London Plan target. While the Council has surpassed its housing targets in terms of net housing approvals for the past four years, it falls below its target in terms of net approvals of affordable homes.

Table 12: Tower Hamlets housing and affordable housing supply in terms of planning approvals against housing targets (2019/20 to 2021/23)⁷

	2019/20	2020/21	2021/22	2022/23	Total	Percent
Housing target	3,931	3,931	3,473	3,473	14,808	120%
Net housing approvals	7,599	2,262	5,470	2,366	17,697	
Affordable homes target	1,966	1,966	1,737	1,737	7,406	60%
Net affordable homes approvals	2,023	590	1,259	563	4,435	

318. The proposals would deliver up to 1,565 new homes including 451⁸ affordable homes (including reprovided social rent homes). The development would contribute approximately 4.5% towards meeting this 10-year target or 45% of the annualised housing target.

319. The proposed development would deliver a maximum of 134,276 sq.m. of residential floorspace (up to 1,565 residential units), including 451 units

⁶ <https://data.london.gov.uk/dataset/residential-completions-dashboard>

⁷ Source: London Datastore <https://data.london.gov.uk/dataset/residential-approvals-dashboard>

⁸ Based on "maximum parameters indicative housing mix".

indicatively provided as affordable housing (38.8% by habitable room, of which, excluding the reprovided housing and affordable housing, 25.6% would be an uplift in affordable housing). The provision of up to 1,565 residential units equates to 4.51% of the borough's 10-year London Plan target of 34,730 net housing completions.

320. While it is noted that the borough is generally performing well against the London Plan housing targets, in the context of London's overall housing need, the proposed development would significantly contribute towards the delivery of housing, in line with London Plan Policy H1. Specifically, the provision of 451 affordable homes (indicative), would contribute towards the Mayor's strategic target of 43,500 affordable homes per year. The proposed development would be equivalent to 1.04% of London's annual affordable housing need, which is not considered to be an insignificant amount on a single site. The proposed tenure mix of 89.2% low-cost rent and 10.8% intermediate tenures would make a significant contribution towards the targets set out in London Plan Policy H4.

321. Accordingly, the nature and scale of the proposal, including its potential contribution to the delivery of housing and affordable housing at a borough and London-wide level is such that it is, therefore, a development which would have an important and significant impact on the implementation of the London Plan in terms of provision of new homes and affordable homes.

Retail

322. While the site is not located within a designated town centre, the Local Plan recognises Aberfeldy Street as a "neighbourhood centre". Policy SD8 of the London Plan sets out that local and neighbourhood centres should focus on providing convenient and attractive access by walking and cycling to local goods and services needed on a day-to-day basis. Tower Hamlets Local Plan policy S.TC1 requires that development supports the role and function of the borough's town centre hierarchy, and the provision of town centre uses, in line with relevant principles. Specifically, for neighbourhood centres, the Local Plan sets out a requirement to provide a range of shops and services to meet the needs of their local catchments, and to ensure development is appropriate to the nature and scale of each individual centre. Furthermore, Policy D.TC2 (Part 5) of the Local Plan requires that within Neighbourhood Centres, the proportion of units with A1 retail use should not fall below 40% of all units within the designated centres. New development should also be appropriate to the nature and scale of the individual Neighbourhood Centre/Parade.

323. As noted in the site description section of this report, the existing site mainly comprises residential land uses (approximately 29,490 sq.m.), as well as some retail land uses (approximately 1,514 sq.m. GIA) and community facilities (approximately 577 sq.m. GIA). The Commercial Strategy submitted with the application recognises Aberfeldy as a local centre with a functioning High Street that serves the local population.

324. The proposed scheme provides up to a total of 2,440 sq.m. (GEA) of retail land use. Specifically, 1,324 sq.m. (GEA) of retail (Use Class E) is proposed within

Phase A of the development and the outline proposals include up to 1,116 sq.m. (GEA) of Use Class E floorspace.

325. Table 13, below, comprises the land use provision across the detailed phase (Phase A) and a breakdown of the proposed land uses by use class for the outline proposals is provided within Table 14:

Table 13: Proposed floorspace (detailed proposals)

Land use (Use Class)	Plot F	Plot H	Plot I	Plot J	Total GEA (sq.m.)
Retail (Class E)	253	1,072	-	-	1,324
Temporary marketing suite (Sui Generis/E)	317	-	-	-	317
Residential (Class C3)	9,552	12,031	5,456	3,200	30,239
Total GEA (sq.m.)	10,112	13,103	5,456	3,200	31,881

Table 14: Proposed floorspace (outline proposals) by phase

Land use (Use Class)	Phase B	Phase C	Phase D	Maximum GEA Cap (sq.m.)
Retail (Class E)	395	-	721	1,116
Workspace	895	1,707	-	2,602
Residential (Class C3)	56,651	57,296	20,329	134,276
Podium parking	697	1,900	-	2,597
Total GEA (sq.m.)	58,638	60,904	21,050	140,591

326. The detailed proposals will deliver retail provision within Block F, Block H1, H2 and H3, comprising:

- **Block F:** 492sq.m. (GIA) (of which 294.90sq.m (GIA) will be used as a temporary marketing suite for the development).
- **Block H1/H2:** 572.3 sq.m. (GIA)
- **Block H3:** 379.3 sq.m. (GIA)
- **Total:** 1444 sq.m. (GIA)

327. The temporary marketing suite included in Plot F will convert to retail once the sale of the final private residential home has completed. To ensure the provision of a range of shops and services to meet the needs of their local catchments, GLA Officers recommend that this is secured by condition.

328. GLA Officers are generally satisfied that the existing retail provision is being reprovided within the new scheme, and conditions are recommended to secure the proposed provision with the development. It is noted that a condition is recommended requiring that at least 40% of the total commercial units within Aberfeldy Street retains Class E(a) (Display or retail sale of goods, other than hot food), to ensure compliance with Policy D.TC2 (Part 5) of the Local Plan.

329. Notwithstanding the above, it is noted that the Council's committee report sets out that the principle of the redevelopment of the Neighbourhood Centre has essentially been established by the extant planning permission and this particular plot within the new wider masterplan also falls within Phase 4 of the extant planning permission.

330. It is further recognised that the Commercial Strategy sets out that the retail provision is intended to serve the needs of the future development, without impacting on wider retail provision in the area. Noting there is a diverse range of specialised and independent occupiers within the existing Aberfeldy High Street, as part of GLA Officers Stage 1 consultation response on the originally submitted scheme, GLA Officers stated that "In line with Policy E9 of the London Plan, GLA Officers would support commitment to be secured within the S106 for the provision of shops for small or independent retailers and a proportion of affordable retail space to strengthen and promote the retail offer". While affordable retail space has not been included within the scheme, it is noted that GLA Officers have worked with the applicant to secure affordable workspace and a business relocation package as part of S106 discussions. This matter is further discussed in the business relocation strategy section of the report, set out below.

331. The S106 also secures a requirement to practically complete all retail units in a phase before occupation of that phase to ensure that the retail floorspace is delivered at appropriate stages of the development.

Workspace and affordable workspace

332. The proposals also include 2,602 sq.m. of workspace (maximum GEA cap).

333. Policy E3 of the London Plan sets out the requirements for affordable workspace, which can be used to generate a wide range of economic and other opportunities, to ensure that London is a fairer, more inclusive and more equal city.

334. It is noted that this provision of workspace and retail space has decreased since the scheme was considered by LBTH planning committee, due to changes in fire safety as a result of the increase in the area required for core and circulation spaces associated with the fire safety changes following the Secretary of State's announcement on 24 July 2023. Specifically, additional space has been included in the scheme for larger cores at Ground Floor level, and for new escape routes separated from residential entrances, and so the residential GIA and GEA has increased at the expense of other Ground Floor uses including Workspace and Retail space.

335. The S106 agreement secures 10% of all Class E(c) and Class E(g) floorspace to be provided as affordable workspace for at least 15 years with rents at a 25% discount. This will be controlled by the submission of affordable workspace details prior to commencement of Phase A and with the reserved matters applications for Phases containing E classes, as well as the restriction on occupation of any commercial unit or (where there are no commercial units) 40% of the residential units in a Phase until the affordable workspace in that Phase is practically complete and fitted out.

336. The S106 also secures provisions relating to the marketing of the affordable workspace, monitoring reports and payment of an affordable workspace contribution where it has not been possible to agree terms for the provision of affordable workspace.

Business relocation strategy

337. The existing Neighbourhood Centre is contained to the southern portion of Aberfeldy Street and consists of 24 commercial units (including 'original tenants' and 'meanwhile tenants'), comprising a diverse range of specialised and independent occupiers within the existing Aberfeldy High Street.

338. The applicant is seeking to relocate businesses where possible as part of their meanwhile proposals with an ambition to see these businesses establish themselves and grow in order to be capable of transferring back into the new development. Poplar Harca have engaged with all current operating businesses and community uses to discuss future opportunities, including possible relocation to a new meanwhile use within the wider site and located temporarily within the future Phase D (to come forward as a separate standalone planning application).

339. The Council's committee report provides a detailed assessment in respect of the redevelopment of the Aberfeldy Street Neighbourhood Centre, including the decant strategy for commercial units.

340. GLA Officers understand there are potentially 10-11 businesses that will need to be accommodated in the new meanwhile use, and the Applicant has advised that it is intended that the rental strategy for Meanwhile 2 will be similar to existing i.e., an affordable rent ladder that escalates towards more commercial rents in the future as and when businesses are able to support these.

341. The S106 secures the submission, approval and compliance with a business relocation strategy setting out how existing businesses will be supported with relocation to new premises in the Development, including relocation advisory support and discounted rent when the units are first let.

342. The S106 also secures the submission, approval and compliance with a meanwhile strategy setting out how the developer will support businesses with temporary relocation to meanwhile units in the Development, including discounted rent.

Loss of public house

343. Policy HC7 of the London Plan states that applications that propose the loss of public houses with heritage, cultural, economic or social value should be refused unless there is authoritative marketing evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future.

344. Policy D.CF4 of the Local Plan seeks to protect public houses and requires that where the loss of a public house is proposed, under Part A) evidence must be provided that all reasonable efforts have been taken to preserve the facility as a public house, under Part B) evidence that the public house has been marketed

for at least 12 months as a public house at a reasonable market rent and there is no realistic prospect of continuing its current use and under part c), marketing evidence demonstrating there has been no interest in the property for an alternative community use over further 12-month period following the marketing period under Part B).

345. In this case, there is an existing public house on site called Tommy Flowers public house located within the existing Neighbourhood Centre, which was granted planning permission on a temporary 3-year basis until 16th January 2023. As the Tommy Flowers public house falls under the Sui Generis category, the public house would not be able to occupy any of the units within the new Neighbourhood Centre, resulting in a loss of a public house from the site. However, as the public house was granted a temporary permission that was never intended to be permanent, and that permission has now expired, GLA Officers consider that it is reasonable that the provisions of London Plan Policy HC7(B) and Local Plan Policy D.CF4 would not apply as the current use is no longer the lawful use.

346. Notwithstanding this, GLA Officers understand discussions are being undertaken between the Applicant and the public house with regards to a possible relocation as part of the meanwhile use strategy for the site. In the spirit of Policy HC7(B), GLA Officers welcome the potential relocation of the public house to a new meanwhile use as part of the development, and to this end, it is noted that the Section 106 includes the Tommy Flowers Public House as an existing business, to be offered a unit with the meanwhile use scheme, of which a meanwhile use strategy has been secured.

Social infrastructure

347. Paragraph 97 of the NPPF states that in order to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should plan positively for the provision and use of community facilities to enhance the sustainability of communities.

348. Policy S1 of the London Plan sets out that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported. Social infrastructure covers a range of services and facilities that meet local and strategic needs and contribute towards a good quality of life. It includes health provision, education, community, play, youth, early years, recreation, sports, faith, criminal justice and emergency facilities. Policy S1 of the London Plan further resists the loss of social infrastructure unless suitably replaced.

349. Policy S.CF1 of the Tower Hamlets Local Plan states development which seeks to protect, maintain and enhance existing community facilities will be supported. Policy D.CF2 (Part 1) of the Local Plan requires existing community facilities to be retained unless it can be demonstrated that:

- Under Part A), there is no longer a need for the facility or an alternative community use within the local community, or

- Under Part B), a replacement facility of similar nature that would better meet the needs of existing users is provided.

Aberfeldy Neighbourhood Centre

350. The site includes the location of the former Aberfeldy Neighbourhood Centre, a single storey community centre, which is proposed to be demolished as part of the proposals.

351. The Aberfeldy Neighbourhood Centre has been re-provided and delivered by the Applicant under Phase 3 of the Extant Permission, and has opened under the name "Feldy". On this basis, there is a no loss of social infrastructure floorspace associated with the demolition of the former Aberfeldy Neighbourhood Centre.

The Aberfeldy Islamic Cultural Centre

352. The Aberfeldy Islamic Cultural Centre and Mosque is located within the site at 36-38 Aberfeldy Street. Due to the phasing and construction programme linked to the extant planning permission, the Aberfeldy Islamic Cultural Centre and Mosque was temporarily relocated to Aberfeldy Street. The building at 36-38 Aberfeldy Street is proposed to be demolished as part of the proposals, the proposals include the relocation of the Aberfeldy Islamic Cultural Centre and Mosque to 2a Ettrick Street, to premises currently occupied by a GP practice (which will also be relocated).

353. The Section 106 agreement associated with the extant planning permission includes an obligation to re-deliver the Faith Centre, and the current application includes the relocation of the Faith Centre to 2a Ettrick Street, to premises currently occupied by a GP practice (which will also be relocated).

354. As part of the Section 106 agreement for the current application, a planning obligation will be secured for the reprovision of the Aberfeldy Islamic Cultural Centre and Mosque, prior to the closure of the existing premises, and prior to the demolition of any building with Plot H3 of Phase A of the development.

355. It is noted that the use of 2a Ettrick Street as a place of worship would be subject to a separate planning application for the change of use of the premises and that the change of use application is not included within this planning application as the Applicant is currently working with the Aberfeldy Islamic and Cultural Centre to understand their requirements.

Social infrastructure conclusion

356. In conclusion, the proposals comply with Policy S1 of the London Plan and Policy S.CF1 of the Local Plan.

Allotments

357. There are existing informal allotments on site, that are proposed to be developed and expanded into a new interactive and functioning community garden.

358. Policy G8 of the London Plan sets out that in Development Plans, boroughs should protect existing allotments and encourage provision of space for urban agriculture, including community gardening, and food growing within new developments and as a meanwhile use on vacant or under-utilised sites identify potential sites that could be used for food production.
359. The Local Plan sets out that open space means 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. This includes allotments, whether or not they are accessible to the public. Policy D.OWS3 of the Local Plan relates to open space, and part C sets out that development of community allotments, gardens and pocket parks will be encouraged, particularly where they bring into use vacant developable land on a temporary basis.
360. The informal allotment site is proposed to be enhanced as part of Phase A, with improvements to the allotments to be provided before occupation of Phase A. Access, use and maintenance of allotments is to be governed by an approved allotments strategy, which includes a requirement to demonstrate how the Allotments will support food growing in the community in line with London Plan Policy G8.
361. It is noted that the quantum of open space is considered further below in Section **TBC** of this report, below.

Housing and affordable housing

Affordable housing and housing mix

362. The NPPF states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
363. Policy H4 of the London Plan, as well as the Mayor's Affordable Housing and Viability SPG set a strategic target of 50% affordable housing in all new developments. The Mayor's Affordable Housing and Viability SPG and Policy H8 of the London Plan set out 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.
364. Policies H4, H5 and H6 of the London Plan promote the maximisation of affordable housing delivery and ensuring that supply is genuinely affordable.
365. Policy H6 of the London Plan and the Mayor's Affordable Housing and Viability SPG set out a preferred tenure split of at least 30% low-cost rent, with London Affordable Rent as the default level of rent, at least 30% intermediate (with

London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the borough as low-cost rented homes or intermediate based on identified need. There is a presumption that the 40% to be decided by the borough will focus on low-cost rent, however in some cases a more flexible tenure may be appropriate, for example to achieve mixed and inclusive communities. In this case, locally, Tower Hamlets Local Plan sets a strategic target to achieve 70% of affordable housing as rented homes, and 30% as intermediate. The local plan sets out that of the 70% rented element, 50% should be London affordable rents and 50% should be Tower Hamlets living rent.

366. Policy H10 seeks to ensure that developments deliver a range of unit sizes. The mix should be based upon robust evidence of need, the requirement to deliver mixed and balanced communities, the uses and tenures within the scheme, the location of the site, optimising housing potential, reducing pressure on existing stock and the need for family housing.

367. Locally, Policy S.H1(2) of the Tower Hamlets Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through, amongst other things, setting an overall target for 50% of all new homes to be affordable, to be achieved through, among a range of measures requiring the provision of a minimum of 35% affordable housing on sites providing 10 or more new residential units (subject to viability), requiring a mix of unit sizes and tenures to meet local needs on all sites providing new housing, and supporting a variety of housing products in the market and affordable tenures which meet local need.

368. Policy D.H2 of the Local Plan requires development to maximise the provision of affordable housing. Policy D.H3 of the Local Plan requires development to provide affordable housing which is not externally distinguishable in quality from private housing. Policy LS2 of the Regulation 18 version of the Leaside Area Action Plan under Part A stipulates that proposals for schemes that include the demolition of existing affordable rented housing are expected to replace any existing affordable housing that will be demolished and provide a minimum of 35% affordable housing on the uplift in housing numbers on the site, subject to viability. The re-provision of existing affordable housing will not count towards the minimum requirement for affordable housing.

Evolution and assessment of the affordable housing offer

369. Table 15, below shows the maximum housing mix of the scheme at the time of the Council’s committee (February 2023), with the numbers presented in brackets representing the change in housing numbers since submission of original application in November 2021:

Table 15: Superseded housing mix

Unit type	No. of Market Units	No. of intermediate units	No. of low-cost rented units	Total

Studio	138 (+24)	-	-	138 (24)
1-Bed	409 (-67)	48 (+3)	58 (-33)	515 (-97)
2-Bed	562 (-22)	31 (-5)	95 (+5)	688 (-22)
3- Bed	26 (+4)	-	149 (+13)	175 (+17)
4-Bed	-	-	61 (+32)	61 (+32)
5-Bed	-	-	-	-
6-Bed	-	-	5	5
TOTAL	1,135 (-61)	79 (-2)	368 (+17)	1,582 (-46)

370. In the original planning application, the scheme proposed 35% affordable housing with a tenure split beyond the social rent reversion requirement of 70:30 between affordable rent and intermediate on a habitable room basis. Following various amendments to the proposals, at the time of the Tower Hamlets planning committee, the scheme proposed 132,701sq.m. of residential floorspace (indicatively 1,582 residential units) with a provision of 38.8% affordable housing, by habitable room, equating to an uplift of 23.5% in affordable housing. This was indicatively calculated as 447 affordable housing units. The proposed tenure split of the scheme was 89.2% low-cost rented accommodation (comprising a mix of social rent, London Affordable Rent, Tower Hamlets Living Rent) and 10.8% intermediate tenures (including shared ownership).

371. The revised outline scheme proposes 1,565 units (based on maximum parameters), based on the mix set out in Table 16, below:

Table 16: Revised outline scheme housing mix -based on maximum parameters (Nov 2023)

Unit Size	Total Units	Market Housing		Intermediate		Social Rented	
		Units	%	Units	%	Units	%
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
TOTAL	1,565	1,114	100%	79	100%	372	100%

372. The revised detailed proposes 277 units, based on mix set out in Table 17, below:

Table 17: Revised housing mix, Phase A detailed scheme (Nov 2023)

Unit Size	Total Units	Market Housing		Intermediate		Social Rented	
		Units	%	Units	%	Units	%
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%
TOTAL	277	181	100%	11	100%	85	100%

373. Following the “call-in” of the application by the Mayor of London, on 24 July 2023 the Secretary of State for Levelling Up, Housing and Communities announced the intention to mandate second staircases in new residential buildings above 18 metres in height. In order to improve fire safety and ensure that the proposals accord with emerging guidance, the applicant reviewed all buildings above this threshold and revised the design of the buildings to include a second staircase. This resulted in the number of units included in the maximum parameter scheme reducing from 1,582 to 1,565 units (and the number of units included in the illustrative masterplanned scheme reducing from 1,556 to 1,539 units and the number of habitable rooms reducing from 4,406 to 4,305).

374. Policy H8(D) of the London Plan requires that 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. The policy states that 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.

375. Following the resolution by Tower Hamlets planning committee to refuse the planning application, GLA Officers worked with the applicant team to secure a commitment to re-provide all existing Social Rent homes (252 units, 880 habitable rooms) within a Social Rent tenure, regardless of whether these units are facilitating a right of return to existing residents. Noting that Social Rent is a more affordable low-cost tenure than London Affordable Rent, the securing of this is considered to be an improvement of the scheme secured as part of the call-in process.

376. It is further noted that the securing of the 252 low-cost rent homes within a Social Rented tenure aligns with paragraph 3.1.2 of the Draft Affordable Housing LPG which sets that “The Mayor’s strong preference is for the delivery of Social Rent homes, which are best placed to address current housing need. Unlike London Affordable Rent (LAR), Social Rent homes are eligible for grant funding under the London Affordable Homes Programme (AHP) 2021-26. As such, Social Rent should be assumed to be the main product to satisfy the requirement for low-cost rent homes”.

377. The overall affordable housing provision within the proposed development comprises 38.8% affordable housing by habitable room. As per the maximum parameter proposals submitted with the application, the delivery of up to 1,565 new homes indicatively includes 451 affordable homes (including reprovided social rent homes). The proposed tenure split, including re-provided 252 social rent homes (880 habitable rooms), equates to approximately 89:11 in favour of low-cost rent accommodation, over intermediate tenures.

378. The profiling of the affordable housing provision has been secured within the S106 agreement so it can be provided on a rolling basis (i.e. the cumulative

minimum provision across all the phases of the scheme will be 38.8% affordable housing). It is noted this requirement to provide 38.8% affordable housing will apply at the completion of each phase and across the development.

379. It is noted that one of the Council's reasons for refusal, in summary, says that "the proposed development does not therefore maximise the opportunity to address the acute need for affordable housing in the borough and to deliver mixed and inclusive communities". While GLA Officers recognise that the proposal does not provide 50% affordable housing as sought via Policy SH1 of the Local Plan, nor the 35% on the uplift of housing, as sought via Policy LS2 of Regulation 18 version of the Leaside Area Plan (due to the emerging status of the Leaside Area Plan, it is noted that this plan is only given limited weight), the GLA Viability Team have considered the viability of the scheme and can confirm that the affordable housing offer represents the maximum viable amount. It is also noted that LBTH Planning Officers in their committee report stated that "Officers consider that the proposed development would provide the maximum reasonable amount of affordable housing". As discussed further below, early, mid and late-stage viability review mechanisms have been secured, that will maximise the affordable housing provision across the lifetime of the scheme. On this basis, GLA Officers consider that the proposed development provides the maximum reasonable amount of affordable housing. In addition, as noted above in the estate regeneration section of this report, the proposed development would ensure the reprovision of all existing 252 social rented units at a social rented tenure, as well as a significant increase in the level of affordable housing (both low-cost rent and intermediate tenures) in terms of floorspace, units and habitable rooms, therefore complying with the relevant requirements of Policy H8 of the London Plan, as well as the Mayor's key principles for estate regeneration schemes as set out in the GPGER.

Tenure

380. This on-site provision of 38.8% (by habitable room) affordable housing is proposed at a tenure split of 89.2% low-cost rent comprising a mix of social rent, London Affordable Rent and Tower Hamlets Living Rent) to 10.8% intermediate housing (comprising London Shared Ownership and London Living Rent).

381. While the split does not explicitly align with local policy in terms D.H2 which seeks development with an affordable housing tenure split of 70% rented and 30% intermediate tenure, noting the pressing need for Social Rent homes in this Borough and in London, the Council's Committee Report stated that the split is supported by the Tower Hamlets Affordable Housing Team. Similarly, the proposed offer, strongly in favour of low-cost rent, is supported by GLA Officers for this estate regeneration scheme.

382. Within Phase A, on-site provision is proposed of a minimum of 49% (by habitable room) of residential units in Phase A as affordable housing, at a tenure split of 92.2% low-cost rented to 7.8% intermediate and at a specified unit mix. All of the Low-Cost Rent affordable homes (85 residential units and 376 habitable rooms) in the detailed phase will be provided as Social Rent, and this is secured within the S106 agreement. It is noted, however, that if the Block J land has not

been acquired before submission of the first reserved matters approval, an alternative strategy may be submitted which, if approved, would allow the requirement to be staggered with 38.8% (by habitable room) of residential units in Phase A to be provided as affordable housing and the balance needed to meet the 49% requirement being provided in Phase B. The balance must be provided before commencement of Phase C and must be in the same size mix as the units proposed in Block J. This will be secured in the S106 agreement.

383. The proposals would deliver a maximum of 1,565 new homes, indicatively including 451 affordable homes (including reprovided social rent homes), based on the maximum parameters indicative housing mix. The development would contribute approximately 4.5% towards meeting this 10-year target or 45% of the annualised housing target.

384. The tenure of the remaining affordable housing units will be secured in Reserved Matters Applications and may depend on grant funding programmes applicable at that time, although, as noted above, the S106 Agreement secures the minimum of 252 residential units (880 habitable rooms) in the development social rent housing, and further prioritises seeking grant for and delivering Social Rent units, meaning that a minimum of 59.2% of the low-cost rented provision within the scheme will be provided as social rent.

385. The provision of the intermediate housing is secured within the S106 as Shared Ownership or London Living Rent, which, as set out in the Mayor's the Draft Affordable Housing LPG, are the Mayor's preferred intermediate products.

386. Figure 8 below, provides an indicative plan indicating the distribution of tenures across the site.

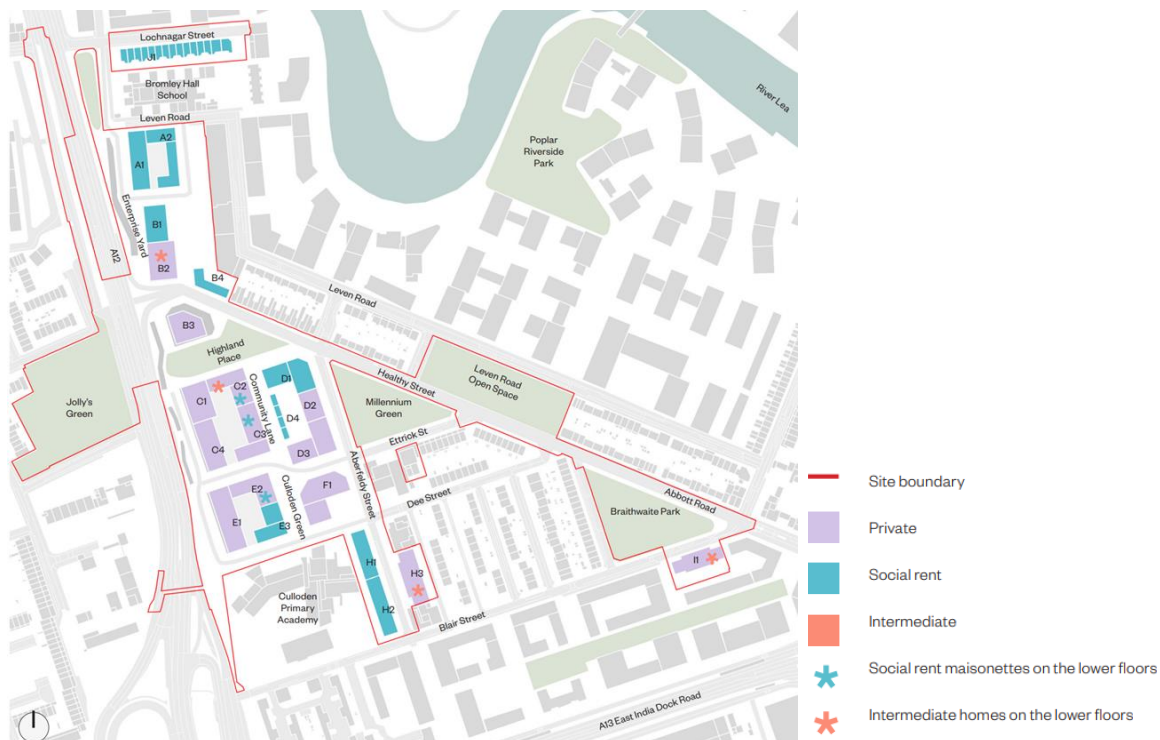


Figure 8: Distribution of tenures (indicative only)

387. While the exact mix housing mix and distribution of tenures across the scheme will be determined through the future submission and assessment of reserved matters applications for the outline phases, the detailed scheme secures the provision of social rent, intermediate and market tenures, in a range of different housing sizes (as discussed below), including accessible and adaptable homes. On this basis, the proposal comprises a mixed and inclusive community, noting that the scheme sees the total re-provision of the existing social rent housing (252 units, 880 habitable rooms), and noting that the GLA Viability Team have considered the viability of the scheme and confirmed the affordable housing offer represents the maximum viable amount, GLA Officers considered the affordable housing offer acceptable.

Review mechanisms

388. As the proposals have followed the Viability Tested Route, early implementation, mid-stage and late-stage viability reviews are required, in accordance with Policy H5 of the London Plan, GLA Officers have secured these requirements within a S106 agreement. Specifically, an early-stage review will take place if the scheme has not been substantially implemented within 25 months of planning permission, and two mid-stage reviews have been secured within the S106 agreement. The total (100%) of any surplus identified at these reviews will be dedicated to the provision of additional affordable housing on-site.

389. A late-stage review on occupation of 85% of the units has been secured. The surplus will be split 60/40 between the LPA and developer with 60% of any surplus identified will be provided as a financial contribution for the provision of additional affordable housing. This accords with paragraph 3.65 of the Affordable Housing and Viability SPG.

390. The reviews will be carried out on a whole scheme basis, with all costs and values, excepting the existing use value of the existing Social Rent units on site and the target developer return of 11% on GDV, being the subject of reappraisal. The availability of additional grant funding will also be captured by the review mechanisms.

391. GLA Officers consider that review mechanisms that have been agreed will maximise the affordable housing provision across the lifetime of the scheme. The GLA Viability Team agreed reductions to the Benchmark Land Value and target developer return which will increase the prospect of securing additional affordable housing through the review mechanisms.

Affordability and eligibility

392. Policy H6 of the London Plan and the Mayor's Affordable Housing and Viability SPG set out the Mayor's priority to deliver genuinely affordable housing.

393. In terms of the proposed low-cost rent housing, the S106 agreement secures that 59.2% of the low-cost rent housing proposed will be Social Rent with the remainder needing to comprise of Social Rent, London Affordable Rent or Tower Hamlets Living Rent, with this to be determined with reference to grant funding programmes available at the time the tenure is being defined, with a priority

applied to Social Rent. The proposed intermediate housing is secured as London Shared Ownership and London Living Rent. Any affordable housing delivered through the viability review mechanisms is also secured for delivery in London Plan policy compliant tenures.

394. The Mayor's strong preference is for the delivery for Social Rent homes which are best placed to address current housing need. Social Rent units are proposed and prioritised through the S106, including 252 reprovided social rent homes, and constitute a low-cost rent product for households with low incomes.

395. The Council will have 100% nomination rights in respect of all social rented housing units earmarked for returning tenants but not taken up by a returning tenant, as well as all other affordable housing units delivered as part of the development.

396. All intermediate units would be subject to the eligibility and household income requirements, to ensure that annual housing costs (including mortgage payments, rent and service charge) do not exceed 40% of net household income, with the gross income upper limits applied for the London Shared Ownership housing, as follows:

- One-Bedroom: £65,000;
- Two-Bedroom: £80,000;
- Three-Bedroom: £90,000.

397. Each London Living Rent or London Shared Ownership unit will be marketed exclusively within Tower Hamlets for the first three months.

398. The proposed affordable housing complies with requirements of the London Plan and guidance in terms of eligibility and affordability. GLA Officers are satisfied that the development maximises the delivery of affordable housing on-site, as required by Policy D.H2. While it is noted that there are elements of Policy D.H2 that the scheme does not explicitly comply with, as discussed below in the Housing size/mix section of the report, as well as noting that the low-cost rented homes are prioritised for delivery at social rent tenure, not provided at London Affordable Rent nor Tower Hamlets Living Rent which are sought by the local policy. However, noting the scheme is a estate regeneration scheme, and that there are also social rent re-provision requirements set out by Policy D.H2 of the Local Plan (notably that estate regeneration development schemes are required to protect the existing quantum of affordable and family units, with affordable units re-provided with the same or equivalent rent levels), Policy H8 of the London Plan, with the "like for like" re-provision also set out by the Mayor's GPGER, and the Affordable Housing and Viability SPG, and the strong preference for the delivery of Social rent homes highlighted in the draft Affordable Housing LPG. On the basis of the above and noting that London Affordable Rent nor Tower Hamlets Living Rent tenures can be provided for the low-cost rent homes beyond the reprovided element of 252 social rent homes, the affordable housing provision is acceptable.

Housing size / mix

399. Policy H10 of the London Plan states that schemes should generally consist of a range of unit sizes having regard to local evidence of need; the requirement to deliver mixed and inclusive neighbourhoods; delivering a range of unit types at different price points; mix of uses proposed; range of tenures proposed; nature and location of the site; optimising housing delivery; reduce pressure on conversion elsewhere; and need for family housing.

400. Locally, Policy S.H1(2) of the Tower Hamlets Local Plan states that development will be expected to contribute towards the creation of mixed and balanced communities that respond to local and strategic need. This will be achieved through amongst other things, requiring a mix of unit sizes (including larger family homes) and tenures to meet local need on all sites providing new housing. Locally specific targets (based on the Council's most up to date Strategic Housing Market Assessment, 2017) for unit mix and sizes are set out in Part 3 of Policy D.H2 of the Local Plan. Specifically, local plan D.H2(3) in respect of housing mix sets out that Development is required to provide a mix of unit sizes (including larger family homes) in accordance with local housing need, outlined in Table 18, below:

Table 18: Housing mix sought by Policy D.H2 of Tower Hamlets Local Plan

	Market	Intermediate	Affordable rented
1-Bed	30%	15%	25%
2-Bed	50%	40%	30%
3-Bed	20%	45%	30%
4-Bed			15%

401. The application for Phase A comprises the following mix included in Table 19, below:

Table 19: Revised Housing mix (Nov 2023)

Unit Size	Total Units	Market Housing		Intermediate		Social Rented	
		Units	%	Units	%	Units	%
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%
TOTAL	277	181	100%	11	100%	85	100%

402. The unit mix for the detailed phase does not wholly comply with Part 3 of Policy D.H2 of the Local Plan noting:

- In the market tenure, there is an over provision of studio and 1-bed units combined (+22.5%) over a policy target of 30%, there is a under provision of

2-bed units (-7.5%) and 3 and 4-bed units (-15%) against a policy requirement of 20%.

- In the Intermediate tenure, there is an under provision of 1-bed units (-5.9%) against a policy target of 15% and an over provision of 2-bed units (+50.9%) over a policy target of 40%. There are no 3-bed plus units proposed for which there is a policy requirement of 45%.
- In the Social Rent tenure, there is an under provision of 1 bed units (-13.24%) against policy targets of 25%, and an over provision of 3 and 4 bed units (+5.29% and +2.6%) over policy targets of 30% and 15% respectively.

403. While the unit mix for the detailed phase would not be policy compliant, this phase provides a substantial amount of family sized units, 3-bedrooms and above, in Social Rented tenure equating to approximately 58% (49 units), including 15 x 4-bedroom units and 4 x 6-bedroom units. On balance GLA Officers consider the Phase A unit and tenure mix to be acceptable.

404. As included in the above section of the report describing the changes proposed within the November 2023 scheme, the applicant has submitted a revised indicative housing mix for the outline masterplan scheme, as well a revised indicative housing mix based on maximum parameters. These indicative housing mixes provide for a range of unit sizes (including studios, 1-beds, 2-beds, 3-beds, 4-beds, 5-beds and 6-beds) in both the market housing and affordable housing (Low-Cost Rent and Intermediate) tenures. The mix for the outline scheme (based on maximum parameters), is set out in Table 20, below:

Table 20: Indicative outline scheme mix, based on maximum parameters:

Unit Size	Total Units	Market housing		Intermediate		Social Rent	
		Units	%	Units	%	Units	%
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
TOTAL	1,565	1,114	100%	79	100%	372	100%

405. Specifically, the housing mix for the outline scheme (based on maximum parameters) does not wholly comply with Policy D.H2 of the Local Plan, noting:

- In the Market tenure, there is a combined overprovision of studio and 1-bed units (+19.7) over a policy requirement of 30%, there is a under provision of 2-bed units (-1.9%) against a policy requirement of 50%, and there is a under provision of 3 and 4 bed units (-17.8%) against a policy requirement of 20%.
- In the Intermediate tenure, there is an overprovision of 1-bed units (+45.8%), there is a under provision of 2-bed units (-0.8%) and there is an

under provision of 3-bed and 4-bed units (-45%) against a policy requirement of 45%.

- In the social rent tenure, there is an under provision of 1-bed units (-4.6%) against a policy requirement of 25%, there is an under provision of 2 bed units (-5.8%) against a policy requirement of 30%, and there is an overprovision of 3+ bed units (+10.4) against a policy requirement of 45%.

406. While there no certainty secured as part of this application in terms of how the mix for the scheme will come forward for each individual phase within the outline scheme, an obligation is included within draft S106 requiring the outline scheme as a whole (Phases B-D) to provide a minimum mix of low-cost rent homes, as set out in Table 21, below. This secures, at a minimum, that Phases B-D as a whole will deliver low-costed rent units in a range of housing sizes, including, 1-Bed homes, 2-Bed homes, 3-Bed homes and 4-Bed homes, providing for a range of housing need at the Low-Cost tenure.

Table 21: Minimum Tenure Mix for the Outline Scheme

Phase	Unit size	Low-cost rent housing %
B - D	Studio	0
	1 Bed	10
	2 Bed	15
	3 Bed	31
	4 Bed	12

407. It is also noted that Policy D.H2 of the Local Plan requires the protection of the existing quantum of affordable and family units. The existing estate comprises affordable and family units. In line with Policy D.H2 of the Local Plan, the proposal has demonstrated that the mix of the social rented homes within the existing estate will be protected within the proposed scheme. Notably, the provision for the 4-bed, 5-bed and 6-bed social rented units is secured within Phase A, and the indicative mix provided for the outline phase (by way of both the maximum parameters scheme and also the illustrative masterplan mix) has shown an increase in social rented 1-bed, 2-bed and 3-bed units. In terms of the mix of the existing leaseholder and freeholder family homes, the applicant has demonstrated that reprovision of the 3-bed family-sized units can be provided through the outline scheme (as set out in the housing mix for the maximum parameters outline scheme, which provides for a total of 24x 3-bed homes in market tenure, as well as the illustrative masterplanned housing mix which provides 25x 3-bed homes in the market tenures). It is noted however that neither the maximum parameters scheme nor the illustrative masterplanned scheme provide 4-bed homes in market or intermediate tenures, and this is non-complying with Part 5(b) of Local Plan Policy D.H2.

408. As noted above, the proposal does not wholly comply with Policy D.H2 of the Local Plan. Notwithstanding, noting that there the opportunity to review the mix for future phases against the Local Plan policy requirement as part of the submission and assessment of reserved matters applications, including the requirement to deliver mixed and inclusive communities, and noting that a minimum tenure mix for the low-cost rented housing has been secured within the

S106 agreement providing for a range of housing sizes, GLA Officers are satisfied that, on balance, the proposed housing mix is acceptable.

Urban design

409. The NPPF (at paragraph 131) states that good design is a key aspect of sustainable development. Paragraph 139 states that, in determining applications, significant weight should be given to outstanding designs which promote high levels of sustainability or help raise the standard of design more generally in the area, so long as they fit in with the overall form and layout of their surroundings.
410. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, chapter 3 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. London Plan Policy D4 sets the overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to: optimising site capacity (Policy D3); inclusive design (Policy D5); housing quality and standards (Policy D6); public realm (Policy D8); tall buildings (Policy D9); basement development (Policy D10); designing out crime (Policy D11); and fire safety (Policy D12).
411. At the local level, Policy S.DH1 of the Local Plan echoes strategic objectives and requires developments to meet the highest standards of design, layout and construction which respects and positively responds to its context, townscape, landscape and public realm at different spatial scales. To this end, amongst other things, development must be of an appropriate scale, height, mass, bulk and form in its site and context. Policy D.DH2 of the Local Plan requires developments to contribute to improving and enhancing connectivity, permeability and legibility across the Borough. Policy D.DH4 of the Local Plan requires developments to positively contribute to views and skylines that are components of the character of the 24 places in Tower Hamlets. Intrusive elements in the foreground, middle ground and backdrop of such views will be resisted.

Design scrutiny

412. The scheme was presented to GLA and Tower Hamlets Council planning officers at pre-application stage. The scheme was also presented to the LBTH's Conservation and Design Advisory Panel (CADAP) on 12th July 2021 and 9th August 2021. The engagement with a design review panel accords with Policy D4 of the London Plan which expects boroughs and applicants to make use of design reviews to assess and inform design options and confirms that development proposals referable to the Mayor should undergo at least one design review before a planning application is made. The feedback from the Design Review Panel should be provided to GLA Officers in order to demonstrate how the design review process contributed to the evolved detailed design of the scheme.
413. The proposal has been subject to extensive design scrutiny at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the Council in reporting the application to Committee.

414. The GLA Stage 1 response considered that the layout principles underpinning the scheme are rational and the range of different character areas within the masterplan is broadly positive. Noting the dense development, GLA Officers recognised that the new and improved connections, in particular the new and improved underpass connection, is vital to its success and stated that the movement strategy through the site is logical, and places great emphasis on cross A12 connections. Overall, GLA Officers supported the masterplan principles and ‘threads’ of the scheme, the inclusion of commercial uses in a number of locations within the scheme, including along the High Street for providing activation of public areas, and the visualisation of the different character areas within the masterplan is supported. GLA Officers recognised that the site is not identified in the development plan as suitable for tall buildings; however stated that subject to addressing the criteria in Policy D9(C), the proposed tall buildings could be acceptable on balance.

415. Tower Hamlets Council’s committee report set out that Tower Hamlets Officers consider that in urban design terms, the proposed site layout is considered to positively respond to the site constraints, opportunities and local context and through the establishment of different character areas aspires to provide a development with place-making at the centre, encouraging sustainable and healthy lifestyles and responding to the local character. The proposal strengthens and enhances the existing street pattern within the Aberfeldy Estate thus improving connectivity and legibility.

Masterplan and layout

416. The Design and Access statement sets out six key ‘threads’ of the development, which inform the layout of the development. These threads, shown in Figure 9, below, include:

- Repurposing the existing vehicular underpass as a new pedestrian and cycle route, creating a connection to the west (outline scheme, Phase B);
- The upgrading of the pedestrian underpass that connects Dee Street to the west of the A12, adjacent to Balfron Tower (outline scheme, Phase C);
- Transforming Abbott Road into a Healthy Street and a vital pedestrian and cycle friendly connection (outline scheme, Phase B);
- Improving permeability and connections through the Site with two new north-south routes: Community Lane and Enterprise Yard, and the upgrading of the existing north-south route Aberfeldy Street;
- Improving east-West permeability by reinstating the Victorian street pattern of Dee Street, Etrick Street and Blair Street; and
- A child-friendly neighbourhood that focuses on health and play, creating a network of connected green space.

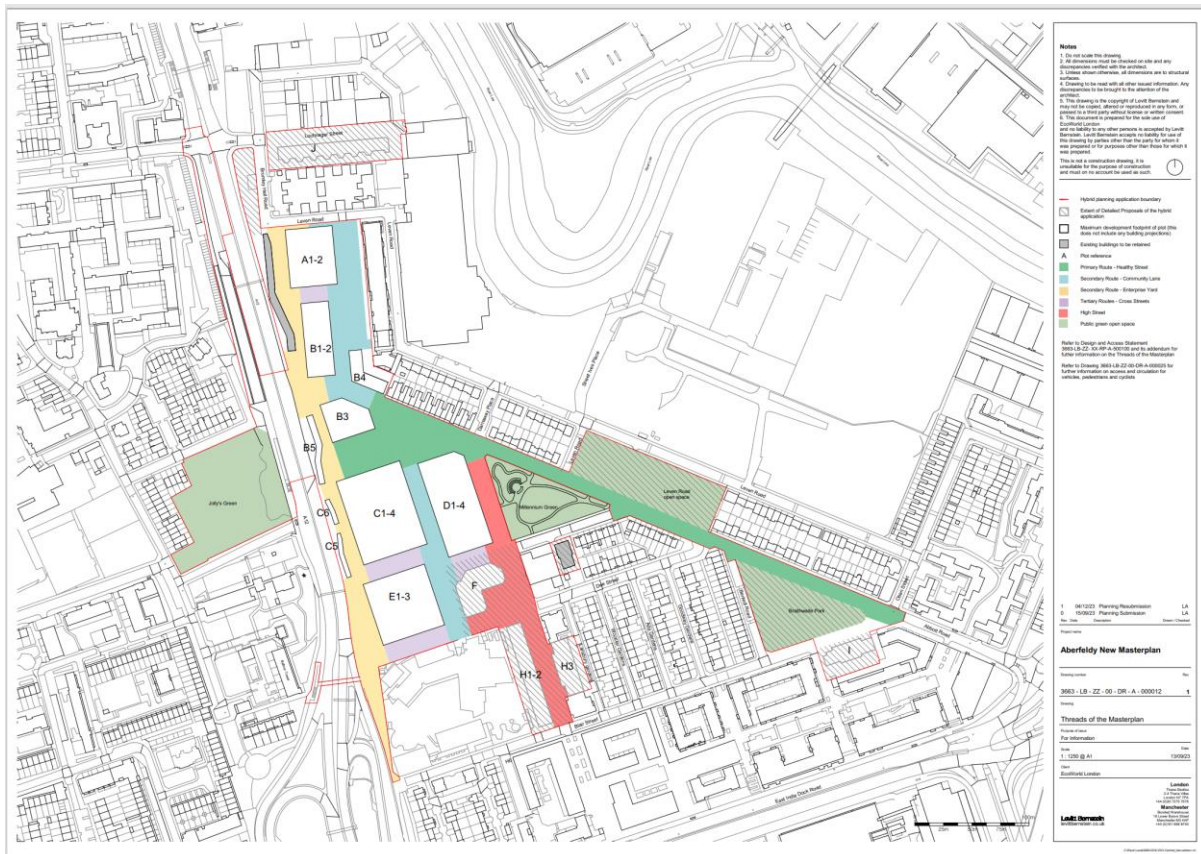


Figure 9: Threads of the masterplan

417. The proposal comprises a dense development, and the new and improved connections are vital to its success. The movement strategy through the site is logical, and places great emphasis on cross A12 connections. It is noted that GLA Officers would have supported the delivery of the improved connections provided by the underpass improvements within the first phase of delivery, however it is noted that the first phase of development does not exceed the existing quantum of residential accommodation located within the site.

418. Noting the impact of the underpass on the deliverability, quality and quantum of the public space proposed within the scheme, as well as the access and permeability of the site, and accordingly the impact on the quantum of development that could be delivered by the proposals, an obligation has been included within the Section 106 that restricts the delivery and occupation of the residential development within outline phases pending to the delivery of the underpass improvements and A12 bus-gate junction. There are no alternative measures secured should it transpire that the A12 and Abbott Road underpass proposals cannot progress.

419. The proposed package of highway works is also critical to delivering the masterplan both in terms of placemaking and supporting active travel and these have also been secured within the S106 agreement.

420.

421. Overall, the masterplan principles and ‘threads’ of the scheme are supported. The inclusion of commercial uses in a number of locations within the scheme, including along the High Street are supported as they provide for activation of public areas. The visualisation of the different character areas within the masterplan is supported. It is noted that detail is limited in respect of the underpass as the underpass element of the proposal is in outline only. Notwithstanding, this, along with the other outline elements of the scheme will be subject to further scrutiny as part of the submission of future reserved matters applications. Suitable detail is secured through conditions, obligations and within the design code to deliver the high-quality scheme that is envisioned through the Design and Access Statement and illustrative masterplan.
422. The inclusion of new public spaces on Highland Place, a new town square within Phase A and changes to Aberfeldy Street are supported, and the design is considered to be a significant, transformational improvement. The supporting documentation shows the introduction of high-quality landscaping and public realm within both Phase A and the outline phases, the details of which will come forward as part of reserved matters submission.
423. Details of management strategies for the public space have been secured by way of planning conditions and Section 106 agreement in line with London Plan Policy D8 and the Mayor’s Public London Charter.

Public realm

424. According to London Plan Policy D8, proposals involving the creation of new public realm should be well designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. They should maximise the contribution that public realm makes to encourage active travel and discourages travel by car. Public realm should create a sense of place and function day and night and throughout the week/ year, reflective of desire lines and a mutually supportive relationship between the space, surrounding buildings and their uses to enhance amenity and vibrancy. Developments should provide natural surveillance and consider the impact of microclimate.
425. The proposed green links would play an important role in softening the existing urban landscape, contributing to urban greening and public open space, and creating a permeable surface. The proposed green links are critical to the success of the masterplan in order to support the quantum of development proposed within the scheme. The increase in soft landscaping and mature trees is a significant public benefit of the scheme as the area is currently deficient in green open space.
426. The design code provides consideration to security and surveillance along the Abbott Road underpass and Dee Street subway and the need for a connection from the Abbott Road underpass into Jolly’s Green as part of the creation a clear west-east route. As this element of the scheme is proposed within Phase B, this matter will be subject to further consideration as part of any reserved matters submission.

427. Lighting, safety and wayfinding measures are also considered within the design code, and conditions are also recommended to improve movement and legibility throughout the site, the wider master planned development, development and facilities to the west of the A12, and the wider Leaside area.

428. Appropriate management and maintenance arrangements have been secured by obligation within the S106 agreement to maximise public access and minimise rules in accordance with the Public London Charter. Conditions also secure the provision of green infrastructure and sustainable drainage; street furniture drinking water fountains and the provision of relevant safety and security measures.

429. Requirements for public art within the scheme are secured through the design code.

Tall buildings, scale and massing

430. Policy D9 of the London Plan states that based on local context, development Plans should define what is considered a tall building for specific localities, 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. The Council's Local Plan (Policy D. DGH6) 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.

431. The detailed proposal includes buildings between 5 and 11 storeys in height (up to 42.73 metres in height), and the outline scheme includes buildings up to 100 metres in height (illustratively up to 28 storeys in height). Maximum AOD and storey heights for each of the proposed blocks is shown in Table 22, below. As such, the proposal includes tall buildings, as defined by the local plan. Specifically, it is noted that the majority of plots within the masterplan include tall buildings, within the exception of six plots (namely Plot J, Plot H3, Plot B4, Plot B5, Plot C5 and Plot C6). Within Phase A (the detailed proposals), tall buildings are provided in Plots I, H1-2, and Plot F.

Table 22: Proposed building heights

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

432. Figures 10 and 11, below shows the layout of proposed heights across the site, in the context of the surrounding built environment.



Figure 10: Illustrative images showing proposed height strategy across the site.

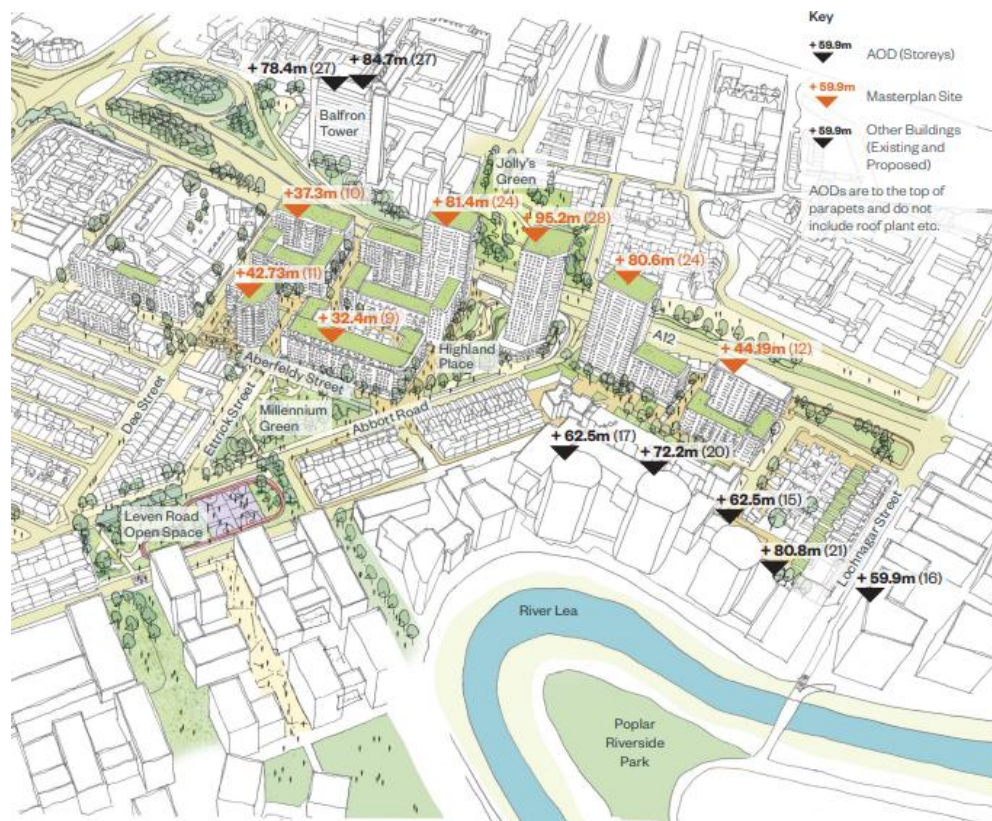


Figure 11: Illustrative axonometric view showing indicative AODs within the masterplan, as well as heights of some buildings close to the site.

433. Figure 7 of the Local Plan identifies seven 'Tall Buildings Zones' within the London Borough of Tower Hamlets, namely: Aldgate, Canary Wharf, Millwall Inner Dock, Blackwall and Leamouth, and Policy D.DH6(2) of the Local Plan states that Development of tall buildings will be directed towards designated Tall Building Zones and must apply relevant design principles, having regard to the Tall Buildings Study and other relevant policies.

434. The application site is not located specifically within any tall building zones designated in Figure 7 of the Local Plan, and therefore it cannot be stated that the tall building is proposed in a location that is clearly identified as suitable in the Development Plan. As such, the proposal does not comply with Policy D9 Part B.

435. All tall buildings are also subject to the criteria set out in Part C of Policy D9, relating to the visual, environmental, functional and cumulative impacts of tall buildings. The applicant has sought to address the criteria in Policy D9 within the submitted application through the provision of relevant technical reports (including the DAS, Environment Impact Assessment including chapters on wind microclimate, noise and vibration and built heritage, daylight, sunlight and overshadowing report, transport assessment and tall building statement), and these form the basis of assessment in the following section of this report.

436. In addition, there are other relevant material planning considerations in relation to the consideration of height. The site has an approved extant planning permission which allows for taller buildings (up to 10 storeys) on part of the masterplan site, and there are buildings up to 18 stories in height located within

the wider masterplan. As such, while it is recognised that the proposal includes buildings significantly taller than those previously approved, it is also recognised that the principle of tall buildings in this location has previously been accepted.

437. Furthermore, it is recognised that the increase in height and the provision of tall buildings within this locality would optimise the capacity of the site, contributing to housing need within the borough.
438. Relevant heritage and townscape views assessments are discussed further in the Heritage section of this report. In general, while GLA Officers consider that the protection of certain key views is necessary, the site's existing and surrounding context means that it is not highly sensitive to the impacts of tall buildings.
439. Noting these material considerations in relation to the site's context, GLA note that taller buildings can be justified in principle from an urban design perspective, despite the non-compliance with Policy D9(B). However, this is dependent on securing a high-quality design for the tall buildings, and also that they demonstrate compliance against the criteria outlined in London Plan Policy D9(C), which is set out below in terms of visual, function, environmental and cumulative impacts.
440. Specifically, Policy D9 sets out further requirements for assessing tall buildings (Part C) including addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets (or demonstrating clear public benefits that outweigh any harm); not causing adverse glare; and minimising light pollution. Functional impacts should be considered in relation to internal and external design; servicing; entrance capacity; area and transport capacity; maximising benefits to the area; and avoiding interference with communications. Environmental impacts should also be considered in relation to wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be addressed.
441. The criteria for assessing tall buildings set out in Tower Hamlets Local Plan policy D.DH6 details that developments with tall buildings must demonstrate how they will:
- 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 take account of the character of the immediate context and of their surroundings
 - b. achieve exceptional architectural quality and innovative and sustainable building design, using robust and durable materials throughout the building
 - 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

- d. provide a positive contribution to the skyline during both the day and night time
- e. not prejudice future development potential of adjacent/ neighbouring buildings or plots
- f. maintain adequate distance between buildings to ensure a high quality ground floor experience and enhanced residential environment
- g. demonstrate consideration of public safety requirements as part of the overall design, including the provision of evacuation routes
- 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
- i. provide high quality private communal open space, play areas and the public realm (where residential uses are proposed) for which occupants of the building can use and where appropriate provide shared facilities at the ground floor level to encourage social cohesion
- j. demonstrate that the development does not adversely impact on the microclimate and amenity of the application site and the surrounding area
- k. demonstrate that the development does not adversely impact on biodiversity and open spaces, including watercourses and water bodies and their hydrology, and
- l. comply with civil aviation requirements and not interfere to an unacceptable degree with telecommunications, television and radio transmission networks and river radar equipment.

Tall building outside a tall building zone

442. While it is noted that the provision of tall buildings in this location is included as a reason for refusal, it is also noted that Tower Hamlets planning officers set out in the officer's committee report that "the principle of tall buildings outside of a TBZ has been accepted as the scheme proposes the delivery of strategic infrastructure improvements by repurposing the Abbott Road vehicular underpass for pedestrians and cyclists and improving east-west connections".

443. This is relevant to the assessment of Policy D.DH6(3) of the Local Plan, which sets out that outside these tall buildings zones, tall building proposals will be supported provided they meet relevant tall building criteria (including how they will take account of the character of the immediate context and of their surroundings, enhance the character and distinctiveness of an area, provide a positive contribution to the skyline and present a human scale of development at street level) and can demonstrate how they will:

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

444. In relation to the overall assessment of this policy, in summary, LBTH Officers set out in the committee report that:

- a. **Be located in areas with high levels of public transport accessibility within town centres and/or opportunity areas:** Whilst the PTAL rating of 1b-4 varies across the site with some areas of poor accessibility, the proposed repurposing of the underpass between Highland Place and the west of the A12 into a pedestrian and cycle connection will bring further benefits and improve walking routes between the eastern and western side of the A12 addressing the barrier and severance caused by the A12 and better connect to the existing and proposed green spaces, local centres and transport hubs.
- b. **Address deficiencies in the provision of strategic infrastructure:** The Aberfeldy Estate is surrounded by the A12, A13 and the River Lea causing severance with its surroundings with the A12 being a significant physical barrier to east-west movement. The proposal addresses the severance caused by the A12 through the repurposing of the underpass. Connections also to new services and amenities within the previously approved extant permission (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 new east-west connection. At this new east-west connection point, the scheme will create new public open space in Highland Place. In addition, connections between new and existing open space provision will be improved by 'linking' the spaces of Millennium Green, Leven Road Open Space and Braithwaite Park, in addition to the proposed new Highland Place and the transformed Healthy Street (Abbot Road). This will create a green grid promoting and aiding accessibility to these spaces and encouraging active lifestyles. The enhanced east-west connection will also include a direct physical link to from the underpass into Jolly's Green; the public open space directly on the western side of the A12.
- 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: The location of tall buildings adjacent to the repurposed underpass will mark Highland Place as a significant area of new public realm and civic space for existing and future residents of the Aberfeldy Estate and the surrounding neighbourhoods. This space will offer play and amenity spaces, workspaces, retail opportunities and cafes, creating a hub of community activity within the masterplan.

- d. **Not undermine the prominence and/or integrity of existing landmark buildings and tall building zones:** The tallest buildings within the masterplan are located to mark Highland Place and the underpass however set away from the Grade II* listed Balfour Tower. Tall buildings within the masterplan that are within the vicinity of Balfour Tower will be lower and not undermine the impact of this significant building. By keeping buildings near Balfour Tower lower in scale, the sky space around Balfour Tower and the Balfour Tower Conservation Area will be protected, ensuring that the proposed development is read separately from nearby heritage assets. The tallest buildings, set around Highland Place, have been designed to take into account the 'Principles of Tall Buildings Clusters' as required by Local Plan Policy D.DH6 with the cluster of the tallest buildings located a significant distance from the Local Plan designated Tall Buildings Zones (notably Canary Wharf, Blackwall and Leamouth Tall Building Zones). Building heights step down significantly at the edge of the proposal albeit they would still be classified as tall buildings under the Local Plan, however the cluster of the tallest buildings around Highland Place (C1, B2 and B3) would be clearly defined thus avoiding the merging of tall building clusters. These three buildings will display variation in height and a hierarchy of importance. The tallest building (B2) which marks the entrance of the underpass will also act as a terminus to Abbott Road and will be expressed differently to buildings C1 and B3 both of which will be slightly lower. This would be a peak moment of height within the masterplan and remaining tall buildings within the masterplan are not proposed at heights that could undermine this cluster.

445. In their summary of the assessment of Part 3 of Policy D.DH6 the committee report sets out 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. It is apparent however, that critical to this masterplan is the delivery of the strategic infrastructure intervention that is proposed; namely the repurposed underpass and the significant east-west connectivity improvements that it will bring and the new public open space at Highland Place which is marked by the tallest buildings within this masterplan". The committee report further sets out that "Officers accept 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. Without these strategic infrastructure interventions, the height strategy for this proposal and the density proposed would be considered unacceptable and not justified against Policy D.DH6. The successful delivery of this masterplan is wholly contingent on the delivery of the public open space improvements at

Highland Place and the connectivity improvements from east-west links and the repurposing of the underpass”.

446. GLA Officers agree with Tower Hamlets officers assessment respect of Part 3 of Policy D.DH6. Other relevant criteria in relation to tall buildings below.

Visual impact

447. The applicant has submitted Townscape and Visual Impact Assessment (TVIA) and a Built Heritage Assessment (October 2021) and forms Volume 2 of the Environmental Statement which considers the proposal against 34 accurate visual representations (AVRs), including a range of immediate, medium and long-range views. The submitted TVIA and Built Heritage Assessment considers the proposed development within its urban context, including the buildings, the relationships between them, the different types of urban open spaces, including green spaces and the relationship between buildings and open spaces. The visual assessment considers the impact of the proposed development upon visual receptors, assessing how people will be affected by the changes in views and visual amenity at different places, including publicly accessible locations. On the basis of the AVRs provided, subject to securing relevant detail, GLA Officers have found the visual impact of the proposal acceptable.

448. This report does not provided a detailed assessment of all 34 AVRs, noting that the majority of the visual impacts shown through the AVRs are not significant in nature, nor impact on sensitive in nature. The views that are shown, highlight the more significant visual impacts arising from the proposal.

Immediate view

449. Figure 12, below, shows Block F, Phase A as a rendered image, as included in View 32 of the submitted TVIA (Volume 2, ES), showing an Immediate View of Phase A of the proposed development, as viewed from midway along Dee Street. The yellow line shows Phase C in outline.



Figure 12: This image shows Block F, Phase A as a rendered image, as included in View 32 of the submitted TVIA (Volume 2, ES), showing an Immediate View of Phase A of the proposed development, as viewed from midway along Dee Street. The yellow line shows Phase C in outline.

450. As shown in Figure 12, above, on the left side of the image, the distinctive red brick residential building with balconies on its chamfered corners sits at the junction of Dee Street and Aberfeldy Street/High Street. The scale and character of this part 7, part 12 storey Phase A building, which is applied for in detail, will emphasise its townscape role as a wayfinder, signalling the location of The Square. This public space, planned opposite St Nicholas Church, will perform an important civic and social function for the neighbourhood, and officers consider the visual impact arising this location to be acceptable.

Medium view

451. Figure 13, below shows a medium view located on Abbott Road, beside Leven Road Green, at the junction with Etrick Street (Source: View 3, TVIA, Volume 2, ES). The buildings of Phase A (applied for in detail) are shown rendered in this image, and appear centrally in the view. Those parts of the Proposed Development applied for in outline – Phases B, C, and D – are shown in wireline form (in purple, yellow and turquoise outlines respectively)



Figure 13: Medium view located on Abbott Road, beside Leven Road Green, at the junction with Ettrick Street (Source: View 3, TVIA, Volume 2, ES).

452. On the basis of Figure 13, it is clear that the proposal introduces a marked change to the character of the local townscape in a number of views presented as part of the application. Buildings proposed as part of Phases A, B, C, and D are visible.
453. On the far-right side of the image, the two proposed towers of Phase B are outlined in purple. The tallest of these, at 28 storeys, signals the proposed location of Highland Place, and the towers orientation also directs the viewer's eye to the underpass that will create a new pedestrian and cycle route under the A12 to Jolly's Green – a strategically important east-west route that is intended to help overcome the segregation of Poplar Riverside from the rest of Poplar.
454. The third tower within the Site's tall building grouping, located within Phase C, is indicated by the yellow outline seen to the right of centre in the image. It will rise to 24 storeys (the same height as the lower of the two towers in Phase B).
455. There is a sense of separation between the three towers, with clear sky gaps between them, and their relative heights suitably reflect their respective positions in the grouping's hierarchy, and the importance of their location within the masterplan.
456. The Design Code stipulates that the architecture of the tallest building in Phase B, the only stand-alone tower proposed, will be different to that of its immediate, lower neighbours to the north and south to help emphasise its importance in the hierarchy of buildings on the Site as the terminus to Abbot Road at Highland

Place, responding to Part B of Policy D9(C)(1), which requires that whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding. In particular, The location of tall buildings adjacent to the repurposed underpass will mark Highland Place as a significant area of new public realm and civic space for existing and future residents of the Aberfeldy Estate and the surrounding neighbourhoods. This space will offer play and amenity spaces, workspaces, retail opportunities and cafes, creating a hub of community activity within the masterplan. As also noted previously within this report, on this basis, GLA Officers are satisfied that the proposal complies with Part 3(D) of Local Plan Policy D.DH6, which requires that tall buildings outside of tall building zone 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.

457. The proposal will create a more urban character and appearance Etrick Street and Abbott Road. While it is recognised that this is a change from the existing environment, these streets will be close proximity to the revitalised Aberfeldy Street High Street and new town square. Abbott Road and Millennium Green will have a clearer identity and purpose as a local connection and local community green serving the expanded local population of Poplar Riverside. The experience of this street will change, with various measures put in place to favour the pedestrian and cyclist over the vehicle user (such traffic calming measures and new planting). Millennium Green will be seen to accommodate additional tree planting and other enhancements, and these improvements will be secured as part of the S106 agreement. A new mid-rise (9 storey) residential courtyard building will provide a new backdrop to the green in this view, as indicated by the turquoise outline; that building lies within Phase D. The park will benefit from both the activity of the retail uses lining the ground floor of that building, and the passive surveillance from the residential units on its upper floors.

458. Figure 13 also shows that the proposal will reduce visibility of Balfron Tower but its distinctive service tower will still be noticeable on the skyline. Carradale House will be obscured from view. This would be a significant change, as there is a reduced visibility of Balfron Tower in this view would be noticeable. The sky space around Balfron Tower is still evident in this view however, and it is noted that the proposed development is read separately from Balfron Tower. The heritage implications of this impact, as discussed in a subsequent section of this report.

Long-range view

459. View 24 of the TVIA, included within the submitted ES, includes the assessment of LVMF View 5A.1 (Panorama) – Greenwich Park Wolfe Statue, which is also included in Figure 14, below.

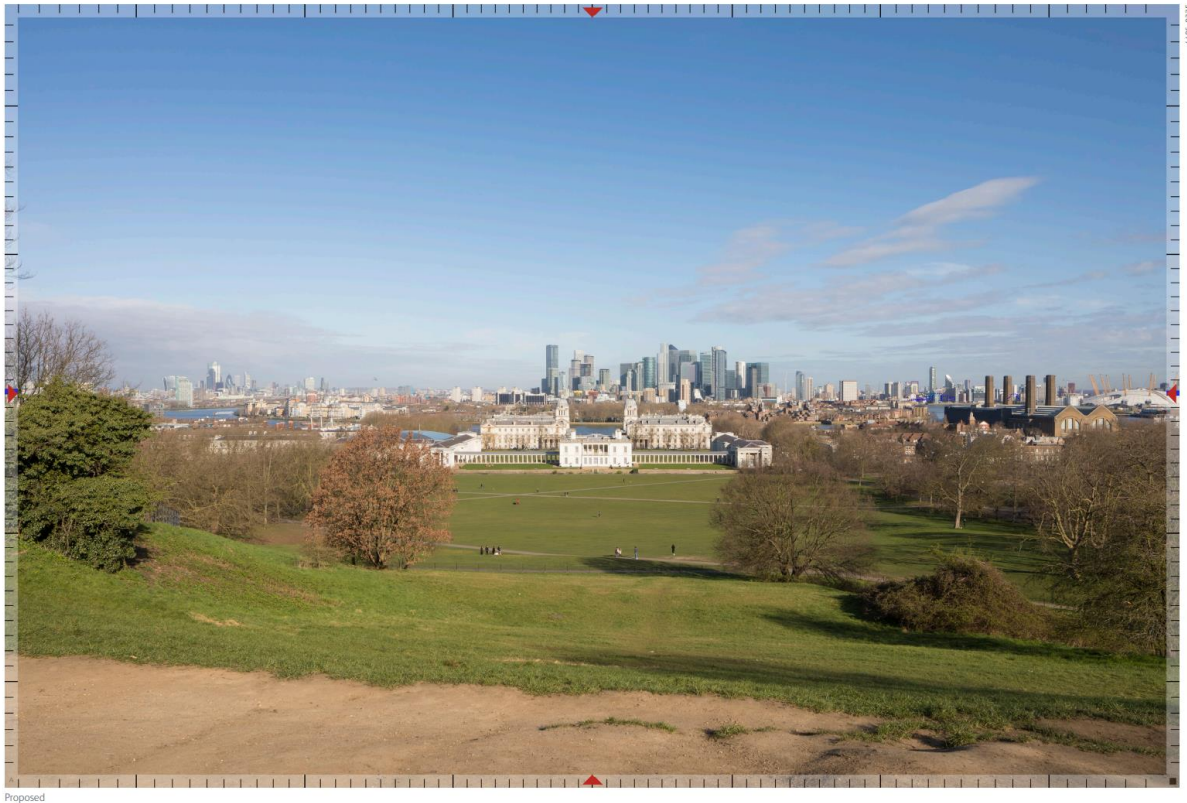


Figure 14: View 24 of the TVIA /LVMF View 5A.1 Greenwich Park Wolfe Statue Proposed

460. This panoramic view lies approximately 3.9 kilometres from the site and is also located within the Maritime Greenwich World Heritage Site and the Greenwich Park Conservation Area. The open green space of Greenwich Park dominates the foreground, sloping down to the Grade I listed Queen's House, which is also a scheduled monument, and Grade I listed Royal Naval College in the middle distance. The River Thames lies beyond, creating a significant sense of separation between the buildings of the Maritime Greenwich WHS and the Isle of Dogs beyond.

461. In this proposed view, the development would appear in the distance, beyond the towers of New Providence Wharf. The visible parts of the proposed development would have a minor visual presence in this view; they would not be especially noticeable at this distance from the site.

462. On this basis, the visual impact of the proposal has been demonstrated to be acceptable in long-range views.

463. Further discussion in respect of consideration of impacts on Strategic Views identified by the London View Management Framework SPG (2012) are discussed in a later section of this report.

464. The design code will secure quality of the proposal within the assessment views, as will conditions securing a high-quality materiality, as well as maintenance of the building, ensuring the appearance and architectural integrity

of the building is maintained through its lifespan, as required by Part C of Policy D9(C)(1) of the London Plan.

465. In relation to Part D of London Plan Policy D9(C)(1), heritage matters are considered in a subsequent section of this report. As per the heritage section, in relation Part E of London Plan Policy D9(C)(1), GLA Officers have concluded that there would be no harm to the significance to the Greenwich World Heritage Site arising from the proposed development. Due to the location of the proposal, which is not near the River Thames, GLA Officers do not consider Part F of London Plan Policy D9(C)(1) is engaged.

466. In relation to Parts G and H of Policy D9(C)(1) a condition regarding solar glare study and light pollution for outline phases, as well as materiality is recommended to be secured as part of the grant of any permission.

467. At reserved matters for any permitted scheme, further consideration would be required in relation to Policy D9 Part C in respect of the outline phases of the scheme. The applicant has demonstrated compliance in respect of visual impacts, as required by Part C of Policy D9 through the illustrative masterplan, and the submission of relevant reports, including the DAS and design code compliance.

Functional impacts

468. Policy D9(C)(2)(a) of the London Plan requires that the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants. As further discussed in the fire safety of this report, the applicant has demonstrated compliance with Policy D12, and relevant conditions are recommended to be secured in relation to these matters. Materials are also secured by condition.

469. Policy D9(C)(2)(a) of the London Plan requires that buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process. Conditions and obligations are recommended securing servicing, maintenance and building management arrangements.

470. In relation to Parts C and D of London Plan Policy D9(C)(2), the functional design of the buildings in terms of the quality of the public realm, entrances, active frontages and pedestrian and cycle access and deliveries and servicing is considered to be acceptable. Transport is discussed in detail in subsequent sections of this report. It is noted that the delivery of the underpass is linked to the quantum of development in terms of access to walking and cycling networks for people living or working in the development.

471. In line with Policy D9 Part C(2)(E) jobs, services, facilities and economic activity will be provided by the development and the design of the scheme has been informed by the regeneration potential so it maximises the benefits these could

bring to the area, and maximises the role of the development as a catalyst for further change in the area.

472. Finally, in relation to Part F of London Plan Policy D9(C)(2), in relation to aviation impacts, National Air Traffic Systems (NATs) Safeguarding has confirmed they have no safeguarding objection in relation to the proposal. There are no anticipated significant impacts associated with navigation, telecommunication and solar energy.

Environmental impact

473. A full assessment of environmental impacts is provided in the Environmental Statement (October 2021) and is discussed in detail in later sections of this report. Matters relating to air quality, wind microclimate, noise and daylight and sunlight assessment have been fully considered against London Plan and Local Plan policies.

474. In summary, GLA Officers consider that the proposed development would result in an acceptable environmental impact for detailed phases. Where harm has been identified, appropriate management plans and mitigation measures will be secured. Conditions have been recommended securing the submission of relevant assessments at reserved matters stage, requiring a full assessment of environmental matters as part of the design for the outline phases.

Cumulative impact

475. The EIA regulations require that, in assessing the effects of a particular development proposal, consideration should also be given to the likely significant effects arising from the cumulation with other existing or approved projects.

476. In this respect, the ES considers the effects of the Proposed Development in combination with the effects of 33 cumulative schemes within the surrounding area on the receptors identified within this ES chapter that could potentially be impacted by the Proposed Development, and the ES concludes by saying “No cumulative effects have been identified when the effects arising from all phases of the Proposed Development are considered together with the effects arising from the identified cumulative schemes”.

477. Overall, GLA officers are satisfied that the cumulative impacts have been considered and are acceptable and are in line with London Plan Policy D9 Part C.

Public access

478. Part D of Policy D9 states that free to enter publicly-accessible areas should be incorporated into tall buildings where appropriate, particularly more prominent tall buildings where they should normally be located at the top of the building to afford wider views across London. Whilst the scheme involves the provision of tall buildings, given that the development is predominantly residential and the provision of a high-level viewing gallery would necessitate an additional core, which would result in the loss of a significant number of units; this would not be in the interests of optimising housing delivery and therefore is not considered appropriate in this instance. It is noted that publicly accessible public spaces

have been provided at ground level, including Highland Place and the Town Square.

Conclusion - tall buildings

479. The application does not comply with the locational requirements for tall buildings set out Part B of London Plan Policy D9. The visual, functional, environmental, and cumulative impacts of the proposed tall buildings are acceptably addressed with appropriate conditions recommended to be secured, and the scheme complies with Policy D9(C). The policy conflicts are considered in the planning balance section of this report.

Architecture quality

480. The overall approach to the architecture, taking cues from the Balfour Tower's proportions and materials, is supported.

481. The varied architecture within Phase A, including the façade and ground floor design development for High Street, Lochagar Street and building framing the new public square (Block F) provide for interesting architecture, which forms a new character in this location.

482. High quality detailing and materials has been secured by condition throughout to ensure that a successful place is delivered.

483. Overall the development is of a suitably very high quality architectural design, in accordance with Policy D3 of the London Plan.

Strategic views

484. The Mayor has identified a list of strategic views within Table 7.1 of London Plan Policy which include significant buildings or urban landscapes which help to define London at a strategic level. Policy HC3 states that development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view. Policy HC4 of the London Plan seeks to protect these strategic views and requires proposals to make a positive contribution to the composition of the views and their landmark elements. The London View Management Framework (LVMF) SPG (2012) provides further guidance on the strategic views.

485. At the local level, Policy S.DH5 of the Tower Hamlets Local Plan requires developments to ensure that it safeguards and does not have a detrimental impact upon the OUV of the UNESCO world heritage sites: The Tower of London and Maritime Greenwich, including their settings and buffer zones. Proposals affecting the wider setting of the Tower of London and Maritime Greenwich or those impinging upon strategic or other significant views to or from these sites will be required to demonstrate how they will conserve and enhance the outstanding universal value of the world heritage sites. Policy D.DH4 requires development to demonstrate amongst other things, how it complies with the requirements of the LVMF and World Heritage Site Management Plans (Tower of London and Maritime Greenwich).

486. As noted in the tall buildings section of this report. View 24 of the TVIA, includes the assessment of LVMF View 5A.1 (Panorama) – Greenwich Park Wolfe Statue. In this view, the development would appear in the distance, beyond the towers of New Providence Wharf. The visible parts of the proposed development would have a minor visual presence in this view; they would not be especially noticeable at this distance from the site.

487. As further outlined in the Heritage section of this report, GLA Officers have also concluded that there would be no harm to the significance to the Greenwich World Heritage Site arising from the proposed development.

488. In summary, GLA Officers consider that the visual and townscape impacts would be acceptable, and the application therefore complies with London Plan Policy HC3, HC4, and Policy S.DH5 of the Tower Hamlets Local Plan.

Secured by design

489. London Plan Policy D11 relates to safety, security and resilience to emergency. This policy requires new development to provide legible, convenient and well-maintained movement routes and spaces which are well-overlooked and benefit from an appropriate level of activity, with private and communal spaces clearly defined to promote a sense of ownership. This is similarly reflected in Tower Hamlets Local Plan Policy D.DH2 which requires new developments to incorporate the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users.

490. It is noted that issues associated with safety and anti-social behaviour within the Abbott Road underpass, have been raised by both supporters and objectors in respect of both the existing and proposed Abbott Road underpasses.

491. The proposed underpass has been designed to be an active, attractive space which facilitates passive surveillance. The Building B3 parameter plan for basement sets out a non-residential frontage to face onto and activate Highland Place and the entrance to the underpass. New Poplar Works buildings are proposed that would screen Highland Place from the A12, thereby reducing noise levels. As also discussed in the transport section of this report, in addition to the direct connection to Jolly's Green, a stairway and re-graded ramp will connect the underpass to the western side of the A12 and the existing slip road. There would also be improvements to the Brunswick Street subway. While it is noted that the underpass and Brunswick Street elements of the proposal are in outline only, this, along with the other outline elements of the scheme will be subject to further scrutiny as part of the submission of future reserved matters applications.

492. Furthermore, a condition has been recommended in relation to Secured by Design (requiring design details of security measures) and landscaping details, and obligations are secured through the S106 agreement in relation to maintenance and management. These conditions and obligations, alongside the detail secured in the design code, will ensure the delivery of the high-quality scheme that is envisioned through the Design and Access Statement and illustrative masterplan, that provide new areas of public realm and improved

connectivity within the estate, as well as a variety of land uses at ground level to assist in activating the site and surrounding areas.

493. On the basis of the above assessment, the proposal complies with London Plan Policy D11 and Local Plan Policy D.DH2.

Residential quality

494. Policy D6 of the London Plan requires development to be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. This includes ensuring that certain qualitative aspects are adhered to relating to layout, form, outside space and usability; maximising dual aspect units; providing sufficient daylight and sunlight to new and surrounding housing whilst avoiding overheating, minimising overshadowing and maximising the usability of amenity space; providing ample storage for waste and recycling; with all housing adhering to the minimum private internal and external size standards as set out under Part F.

495. The space standards included in London Plan policy are also reflected at the local level by Policy D.H3 of the Tower Hamlets Local Plan which seeks to ensure that all new residential units meet the minimum standards prescribed within the London Plan.

496. The submitted Planning Statement confirms that all homes will be designed to exceed the Nationally Described Space Standards and therefore comply with the London Plan. All residential units will have private amenity space accessed directly from a living room, as either a garden, balcony/wintergarden or roof terrace. Officers are satisfied that all the residential units within the detailed component (Phase A) within Plots F, H (H1/H2 and H3), I and J meet the London Plan's space standards for internal GIA, bedroom sizes, ceiling heights, storage provision and private amenity space.

497. The internal layouts for Phase A present a high-quality standard of accommodation, with a good proportion of dual aspect units and adequate private amenity space and reasonable core-unit ratios.

498. In terms of the outline component, the design code and parameter plans generally demonstrate that a high-quality development can be achieved, and it is noted that the space standards for residential units in outline phases will be assessed in subsequent Reserved Matters planning applications.

508. Balcony types have been selected to respond to the environmental conditions around the Site and ensure the residents benefit from good quality, usable private amenity space. All balconies overlooking the A12 are recessed and have winter-gardens to provide a sense of enclosure and protection from the road and to form a liveable part of the home, ensuring uncompromised living environments. The taller buildings, B2, B3 and C1 also benefit from recessed balconies to reduce the impact of wind on high level amenity spaces. Where homes overlook quieter, more domestic spaces, such as Community Lane, Millennium Green and courtyard amenity spaces, projecting balconies are provided. These balconies

help to animate the public realm and shared spaces and overlook them, to support their safety and security.

Play space

499. In respect of play space provision, Policy S4 of the London Plan states that residential development should incorporate good quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child that is stimulating; can be accessed safely independently; is integral to the neighbourhood; incorporates greenery; is overlooked and not segregated by tenure. Furthermore, large scale public realm developments should incorporate incidental play space to make the space more playable. At the local level, Policy D.H3 of the Local Plan requires major developments to provide a minimum of 10sq.m. of high-quality play space for each child. The Tower Hamlet's child yield calculator should be used to determine child numbers in a development. The child yield required associated children's play and the provision proposed based on the maximum unit mix (1,565 units as set out in the Planning Statement).

500. The scheme does not provide a policy compliant level of children's play space; proposing only 2,937sq.m. of dedicated play across all ages against a policy target of 7,710sq.m. As such, it is recognised there is a conflict with London Plan Policy S4 and D.H3 of the Local Plan. However, the scheme proposes a combination of dedicated play and playable landscape which in total across the outline scheme would equate to 7,600sq.m (1,269 sqm in Phase A).

501. The design and access statements include provision for high-quality play space across the outline scheme, with dedicated play and playable landscape provide stimulating environments weaved into areas accessible by all members of the community. This high-quality provision shown in the design and access statement is secured through the submitted design code, with further review for outline phases at reserved matters submission, when full details of the proposed housing mix will be submitted for relevant plots. Full details of all play space is recommended to be secured by condition, and a play strategy for each phase has been secured within the S106 agreement. The play space is to be publicly accessible and no play space is to be segregated by tenure, as required by Policy S4 of the London Plan.

502. As such, whilst the provision of dedicated play space within the falls significantly short, noting the applicant has demonstrated that the combined strategy of dedicated play and playable landscape would provide a high-quality environment for children and young, GLA Officers consider the proposal acceptable in this regard.

Open space

503. Policy G1 of the London Plan requires that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G4 of the London Plan sets out that development proposals should not result in the loss of protected open space, and where possible create areas of publicly accessible open space,

particularly in areas of deficiency. Whilst there is no requirement under the Local Plan to provide a specific quantum of open space for this site, Policy S.OWS1 requires proposals to provide or contribute to the delivery of an improved accessible, well-connected and sustainable network of open spaces and Policy D.OWS3 requires strategic development to contribute to the delivery of new publicly accessible open space on-site. The quantum of new public open space provision proposed is not considered to be commensurate with the scale and density of development coming forward as a result of this scheme. Whilst the scheme identifies areas of new public open space within the masterplan, there are only two new areas that provide any meaningful quantum: Town Square and Highland Place with other areas being smaller, weaved around areas of playable landscape and localised across the masterplan.

504. Highland Place is a key component of the masterplan, however it is the only meaningful 'green infrastructure' within the proposals and comprises 1,171sq.m. of the overall provision. It provides a mixture of character areas comprising areas of dedicated play, seating and footpaths to facilitate the connectivity and movement that this focal point unlocks. Town Square which has also been highlighted as a focal point in the masterplan would be completely hard surfaced in character and this quantum of 1,043sq.m. of public open space would equate to 29% of the overall new public open space provision. Town Square does not provide a 'green' form of social infrastructure one would typically associate with public open space however, it is acknowledged that a public square constitutes public open space as defined by the Local Plan. The masterplan also relies heavily on improving areas of existing open space equating to 5,984sq.m. which would be a substantially greater quantum than any new provision proposed (3,573sq.m.).

505. It is acknowledged that the improvements proposed to existing areas of open space are proposed to an exceptionally high standard in particular to Leven Road Open Space which currently largely incorporates a mound and an enclosed MUGA court, restricting the opportunities for how this space could be used and providing a visual barrier. However, it must be recognised that these areas of public open space would not only serve the proposed development but also the wider community which includes new developments coming forward in the Lower Lea Valley area thus undoubtedly placing considerable pressure on these existing spaces.

506. The proposed development would deliver 3,573sq.m. or 0.35 hectares of new public open space which would fall substantially below the 2.8 hectares which based on the Open Space Strategy would be an appropriate quantum of public open space to support this development. It is noted that the Open Space Strategy includes publicly accessible play space and space for outdoor sport for the purpose of assessing quantum. If the proposed quantum of dedicated children's play provision (2,937sq.m. of dedicated play and not including play proposed on existing public open space or playable landscape) was taken into account the scheme would still only provide 0.61 hectares of publicly accessible open space.

507. However, it is recognised in urban areas there are constraints to development, and it would be extremely difficult to secure 2.8 hectares of public open space without fundamentally compromising the ability to optimise site capacity. The

scheme seeks to provide significant improvements to the existing public open spaces. The new proposals would open up opportunities to the wider community and will cater for adults, children and families as a whole, offering a multitude of opportunities for recreational use. The proposed new areas of public open space have also been designed to improve the quality of these spaces ensuring that these spaces are robust, durable, visually interesting and stimulating. The improvements to the existing areas of public open space and the proposed new areas will collectively offer and support a range of activities from recreation, play and sporting.

508. The quantum of new public open space is not proportionate to the scale and density of development proposed, and it is thereby it is duly noted that there is an element of conflict of with Policies G1 and G4 of the London Plan and Policies S.OWS1 and D.OWS3 of the Local Plan. However, it is also recognised that the proposal does positively seek to create a network and hierarchy of spaces (existing and new) and improve the site's permeability and connection to the surrounding network of streets and to new streets within the masterplan. All of the spaces have been designed to be universally accessible to promote inclusiveness, safety and security, encourage a multitude of activities and create physical and visual connections to aid wayfinding, legibility and connectivity throughout the development and as such find the proposal to be acceptable in this regard. As such, taking a balanced view, officers consider that the quantum of new public open space is acceptable.

Inclusive access

509. Policy D5 of the London Plan requires that all new development achieves the highest standard of accessible and inclusive design and, among other requirements, can be entered, used and existed safely, easily and with dignity for all. Policy D7 of the London Plan requires that 90% of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and 10% meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

510. The planning statement sets out that 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

511. It is recommended that compliance with Policy D7 of the London Plan is secured by condition, in respect of ensuring that 90% of units within the scheme are delivered as M4(2) 'accessible and adaptable dwellings' and that 10% of units within the scheme meets Building Regulation requirement M4(3) 'wheelchair user dwellings'.

512. For the outline phases it is noted that this will be subject for further review and consideration at reserved matters stage, enabling assessment to ensure wheelchair accessible and adaptable homes are provided across a variety of

housing typologies, tenure and locations within the scheme to give disabled and older people similar housing choices to non-disabled people.

513. The S106 agreement secures the provision of at least ten per cent (by Habitable Room) of the low-cost rented housing in each phase will be provided as Accessible Residential Units, meeting the requirements of M4(3)(2)(b) of part M of the Building Regulations 2010.
514. The design of the public realm and building access will be fundamental to how inclusive the development will be for many people. There are level changes through the site, including proposed across the underpass. Inclusive access and appropriate level changes (e.g. ramp levels) are detailed in the design code, which is recommended to be secured. It is noted that inclusive access for the outline phases will be subject for further review and assessment as part of the submission of any outline phase. The provision of wheelchair accessible car parks is considered in the transport section of this report, below.
515. As detailed in the Fire Safety section of this report, a minimum of at least one lift per core (or more subject to capacity assessments) has been secured as a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

Fire safety

516. Policy D12 of the London Plan states that major applications should be accompanied by a fire statement, prepared by a suitably qualified third-party assessor, demonstrating how development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.
517. Further to the above, Policy D5 of the London Plan seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users, with fire evacuation lifts suitable to be used to evacuate people who require level access from the buildings. Policy D12 is supported by the draft Fire Safety LPG, which provides additional guidance on what information should be included within Fire Strategies.
518. In line with Policy D12 of the London Plan, the applicant has submitted three Fire Strategies (one for Block J, one for Blocks F, H and I, and one for Blocks A, B, C, D, and E) which have been prepared by a suitably qualified third-party assessor. Specifically, the strategies have been prepared by an Associate Principal and Fire Engineer at Introba Consulting Limited, who is a Member of the Institution of Fire Engineers (MiFireE). The author's experience is detailed in the submitted fire strategies.
519. Each of the submitted fire strategies include a section titled "Declaration of Compliance" that states, "*In the interests of fire safety, the proposed technical design content produced for the planning application complies with all the relevant legislation and requirements of London Plan Policy D12 and D5(B5)*".

520. Prior to Tower Hamlet’s Council’s resolution to refuse the application, the scheme was amended to include additional staircases within Phase A Plots F and I (which are 39.38 metres AOD and 42.73 metres AOD in height, respectively) to respond to fire safety requirements of proposed changes to Building Regulations in relation to staircases. The HSE were satisfied with the information provided with the application including the Fire Statement.

521. Following the “call-in” of the application by the Mayor of London, on 24 July 2023 the Secretary of State for Levelling Up, Housing and Communities announced the intention to mandate second staircases in new residential buildings above 18 metres in height. The applicant reviewed all buildings above this threshold and revised the design of the buildings to include a second staircase.

522. More specifically, in respect of the detailed phase, noting that Buildings F & I had already been amended in January 2023 to accommodate a second staircase, Buildings H1 and H2 were revised by adding a second staircase following the announcement on 24 July 2023. In respect of the outline proposals, Figure 15, below, shows the proposed buildings within the illustrative masterplan (excluding detailed phases) that have been amended to include additional second staircases and protected lobbies since the application was initially submitted in November 2021. Specifically, the following buildings within the outline phases have been amended: Buildings A1, A2, B1, B2, B3, C1, C2, C3, C4, D1, D2, D3, E1, E2 and E3.



Figure 15: Proposed illustrative masterplan (excluding detailed phases) showing buildings with the top floor of the accommodation over 18 metres in height shown in a terracotta-coloured overlay, and the buildings with the top floor of the accommodation over 30 metres in height shown in the blue overlay.

523. In respect of the Outline component of the application, a condition requiring the submission of a policy compliant fire statement with reserved matters applications for future phases of any permitted scheme is recommended.
524. In respect of Policy D5(B5) of the London Plan, as requested at Stage 1, the submitted fire statements for Blocks F, H and I, and Blocks A, C, C, D, E state at paragraph 1.4.4 that “to assist with the evacuation of disabled occupants as recommended in the London Plan dated March 2021, one evacuation lift will be provided alongside the firefighting lift to provide a dignified escape for disabled occupants within the buildings. For Plot J, the fire statement says to assist with the evacuation of disabled occupants as recommended in the London Plan dated March 2021, one evacuation lift will be provided to provide a dignified escape for disabled occupants within the apartment block. A condition is recommended to secure the delivery of the evacuation lift, ensuring compliance with Policy D5(B5) of the London Plan.
525. In summary, the proposal, including the submitted fire safety strategies for the detailed phases, alongside the future submission of policy compliant Fire Safety strategies for the outline phases, and details demonstrating the provision of a fire evacuation lift in all buildings where lifts are installed, as secured by conditions, demonstrate compliance with Policies D12 and Policy D5(b5) of the London Plan.

Planning Gateway One

526. As this application was submitted to Tower Hamlets Council after 1 August 2021, specifically it was validated on 10 November 2021, there is a legal requirement for the applicant to produce a Fire Statement to consult the Health and Safety Executive (HSE) in respect of Planning Gateway One.
527. In advance of resolution on the scheme by Tower Hamlets Council, the Applicant had provided a detailed response to HSE Gateway One which includes confirmation that the detailed design shall ensure compliance with Approved Document B of the Building Regulations and the additional comments provided by HSE Gateway One including providing duplex apartments with a protected hallway/stair which will provide all occupants with a route to the front door thus negating the need for further exits, ventilated corridors at all levels including where access is provided to a roof terrace and committing to fire resisting doors where required. The HSE Gateway One subsequently confirmed to Tower Hamlets Council that they were satisfied with the information provided.
528. Since the reconsultation of the revised plans on the scheme, HSE has not provided further comment, and it is noted the London Fire Brigade had no observations to make.

Conclusion on urban design

529. The layout principles underpinning the scheme are rational and the range of different character areas within the masterplan is broadly positive. The design and layout principles of the scheme are well-considered, appropriately optimise the development capacity of the site. Notably, due to the density of the development, the delivery of the new and improved underpass connections,

providing infrastructure of strategic importance, are vital to its success. The design code and parameter plans demonstrate that a high-quality development can be achieved. While the application does not comply with the locational requirements for tall buildings, the visual, functional, environmental, and cumulative impacts of the proposed tall buildings are acceptably addressed, and appropriate conditions ensuring compliance are recommended to be secured.

530. The proposals have been subject to design scrutiny. The submitted design code and recommended conditions will ensure a high-quality development which sits comfortably within its surrounding context, and the scheme will contribute positively to the regeneration of the surrounding area. No harm would be caused to strategic views.

Heritage

Legislation, policy and guidance

531. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should “have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses” and, in relation to conservation areas, special attention must be paid to “the desirability of preserving or enhancing the character or appearance of that area”.

532. The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset’s conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset’s physical presence or its setting. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a proposed development will lead to ‘substantial harm’ or total loss of the significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that page 91 harm or loss. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal. The effect of development on the significance of any non-designated heritage assets should also be taken into account. In weighing applications that affect non-designated heritage assets, a balanced judgment will be required having regard to any harm or loss of significance to the asset.

533. Policy HC1 of the London Plan requires development proposals to conserve significance by being sympathetic to the assets’ significance and appreciation within their surroundings and avoid harm and identify enhancement opportunities by integrating heritage considerations early in the design process.

534. At the local level in Policy S.DH3 of the Local Plan requires proposals to 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 24 places. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where amongst other things, they safeguard the significance of the heritage asset, including its setting, character, fabric or identity and they enhance or better reveal the significance of assets or their settings.

Heritage assets, designations, significance and direct impacts on site

535. The site is not in a conservation area and does not contain any nationally listed buildings or other nationally designated heritage assets.

536. The existing buildings on site consist of the remaining parts of the Aberfeldy Estate, which are not of heritage interest and are not Non-Designated Heritage Assets and the demolition of all the existing buildings on site is proposed and this is acceptable in conservation terms.

Heritage assets, designations, significance and indirect impacts

537. This section considers the designated and non-designated heritage assets whose settings may be affected by the proposed development. This includes consideration of their designations, their significance, the contribution made by setting to significance and the impact of the proposed development on that contribution. Where applicable, listed buildings are discussed in conjunction with the conservation area in which they are located. Where listed buildings are outside a conservation area and the assets are related, these are grouped for discussion.

538. Figure 16, below, identifies listed buildings and conservation areas in proximity to the application site.

Listed buildings and conservation areas

There are numerous listed buildings along the A12, to the north and west of the Site. The surrounding heritage assets are from a variety of time periods and have a diversity of architectural styles. Those listed are highlighted on the adjacent diagram.

The architectural approach of the Proposed Development draws from the existing buildings around the Site, and the proposed massing is respectful of the surrounding context, including the Balfron Tower Conservation Area.

- Conservation areas**
- A Balfron Tower
 - B Landsbury
 - C All Saints Church Poplar
 - D Nival Row
 - E Langdon Park
 - F Limehouse Cut
- Listed buildings**
- 1 Former Fire Station
 - 2 Bromley Hall
 - 3 Old Poplar Library
 - 4 Bromley Hall School
 - 5 Church of St Michael and All Angels
 - 6 War Memorial
 - 7 Glenkerry House
 - 8 Carradale House
 - 9 Balfron Tower
 - 10 Saint Nicholas Church
 - 11 Chrip Street Market Clock Tower
 - 12 All Saints Church with St Frideswide
 - 13 East India Dock House
 - 14 Dowgate Wharf
- Site boundary
 ★ Grade II Listed
 ★ Grade II* Listed
 ★ Heritage Asset of Local Importance
 ■ Conservation Areas

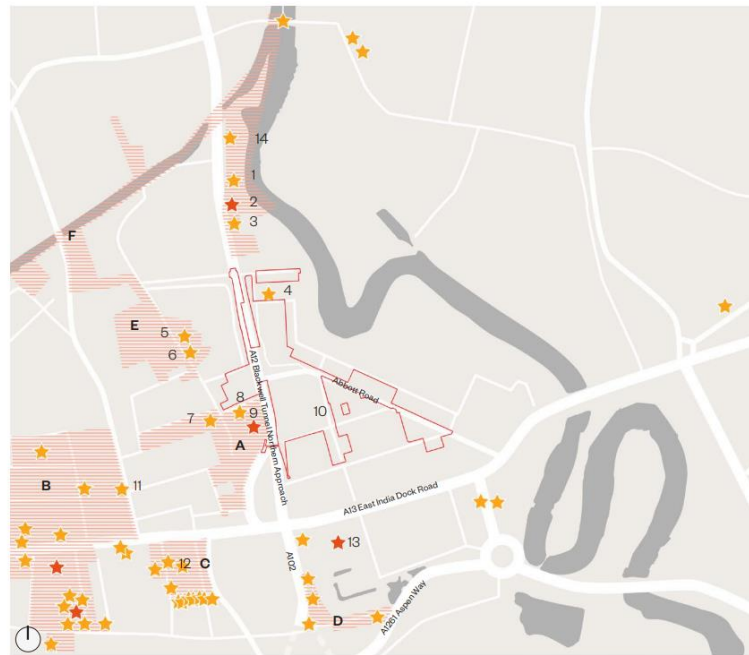


Fig.103 Plan showing listed buildings and conservation areas

Figure 16: Heritage assets

View shedding analysis

539. GLA officers have carefully reviewed the submitted information and note that the applicants and their consultant team have worked collaboratively with the LPA to establish viewpoints which relate to both the location of heritage assets and the Zone of Visual Influence is both appropriate and sufficient. Following this scoping, the assets below are considered for further assessment.

Summary table

540. Based on the information provided in the application (including the Design and Access Statements for both the detailed and outline proposals, the Built Heritage Assessment + Appendices and TVIA + Appendices submitted as part of the ES, as well the ES Addendum), GLA officers consider that the following levels of harm are caused by the proposed development (in all cases the assessment is based on the cumulative scenario):

541. The scale for extents of harm used is very low, low, low to middle, middle, middle to high, high and very high.

	Heritage asset	Category of harm	Extent of harm	View reference
1	Balfron Tower Conservation Area and associated assets including Balfron Tower, listed Grade II*,	Less than substantial	Low to middle	View 1, 2, 3, 5, 7, 8, 13, 15, 16, 17, 18, 20,

	Carradale House and Glenkerry House, listed Grade II			21, 23, 25, 26, 27, 28, 29, 30, 31, 32
2	St Frideswide's Conservation Area and associated assets including St Frideswide's Mission Hall, 18 Follet Street and 1 Lodore Street (Tabard Court), locally listed	Less than substantial	Low	View 16
3	All Saints' Church, Poplar Conservation Area and associated assets including All Saints' Church with St Frideswide, All Saints' Rectory, Numbers 1 to 3 and 24 Bazely Street and Numbers 5 to 11 Montague Place and The Greenwich Pensioner Public House, all listed Grade II	No harm	No harm	View 17, 18
4	St Matthias Church, Poplar Conservation Area and associated assets including the Church of St Matthias, listed Grade II*, War memorial to the children of Upper North Street School, listed Grade II*, St Matthias's Vicarage, Poplar Technical College, Coroner's Court, Old Poplar Town Hall and Council Offices, Former Pope John House, listed Grade II	No harm	No harm	View 19
5	Lansbury Conservation Area and associated assets including Calvary Charismatic Baptist Church, listed Grade II*, Susan Lawrence and Elizabeth Lansbury Schools, The Festival Inn, Chrisp Street Market Clock Tower, 153 East India Dock Road, DHSS 133 East India Dock Road and gate and end piers, 14-26 Upper North Street, Church of St Mary and Joseph, all listed Grade II	No harm	No harm	View 20, 21, 29
6	Langdon Park Conservation Area, and associated assets including the Church of St Michael and All Angels and War Memorial, listed Grade II and Langdon Park School SBL	Less than substantial	Low to middle	View 13

	building, Numbers 159-167 and 162 St Leonard's Road, locally listed.			
7	Limehouse Cut Conservation Area and associated assets including Bromley Hall, listed Grade II*, Poplar Public Library, Dowgate Wharf and the Former Fire Station, listed Grade II	Less than substantial	Very low	View 11, 12, 23
8	Naval Row Conservation Area, and associated assets including the East India Dock Pumping Station, Embankment Wall, Railings and Steps, East India Dock Boundary Wall, all listed Grade II	No harm	No harm	View 2
9	Three Mills Conservation Areas (LB Tower Hamlets and LB Newham)	Less than substantial	Very low	View 23
10	Bromley Hall School, listed Grade II	No harm	No harm	View 6
11	Listed buildings in the East India Dock group including East India Dock House, 240 East India Dock Road, listed Grade II*, Plaque on Modern Wall Facing West, East India Dock Road, Northern portal and parapet to the Blackwall Tunnel, listed Grade II, East India Dock Wall and Gateway and Entrance Gateway, all listed Grade II	No harm	No harm	View 2
12	Listed buildings in the Bromley by Bow Gasworks group including Gasholder No 1, 2, 4, 6, 7, 8 and 9, Twelvetrees Crescent Bridge, the Statue of Sir Corbet Woodhall and the War Memorial, all listed Grade II	No harm	No harm	View 23
13	Listed buildings in the Poplar Baths group including Poplar Baths and the Statue of Richard Green, listed Grade II	No harm	No harm	View 17, 19
14	Church of St Saviour, listed Grade II	No harm	No harm	View 22

15	Church of St Nicholas and All Hallows, non-designated heritage asset	Middle level of harm	Middle level of harm	View 3, 32
16	Former Poplar Bus Station, Leven Road E14, locally listed building	No harm	No harm	No view provided
17	Greenwich WHS	No harm	No harm	View 24

Balfron Tower Conservation Area and the listed buildings within it

Balfron Tower Conservation Area

542. The Balfron Tower Conservation Area boundary covers the listed Balfron Tower and Carradale House, and other buildings in the 'Brownfield Estate', including Glenkerry House, a community centre, shops and associated low-rise housing development. The Brownfield Estate (also known as the East India Estate) is now recognised as a fine example of planned 1960s social housing.

Balfron Tower, listed Grade II*

543. Balfron Tower was built as phase 1 of the London County Council Brownfield Estate. Significance is derived from a) its authorship, designed and planned by Ernö Goldfinger, b) architectural interest; c) materials and construction; d) planning interest, e) degree of survival, f) social and historic interest, g) group value, Balfron Tower has strong group value with the low-rise and high-rise elements of the estate, most notably with Carradale House, and the space within which it stands.

Carradale House, listed Grade II

544. Carradale House, 1967-8 also by the eminent modernist architect Ernö Goldfinger for phase 2 of the LCC Brownfield Estate. Significance is derived from the same elements a) to e) as Balfron Tower and f) social and historic interest.

Glenkerry House, listed Grade II

545. Glenkerry House is a block of flats, 1972-5 by Goldfinger. Significance is derived from the same elements a) to e) as Balfron Tower and f) social and historic interest g) group value, Glenkerry House has strong group value with the low-rise and high-rise elements of the estate.

Balfron Tower Conservation Area and the listed buildings - conclusion

546. The wider setting of the conservation area and the listed buildings within it is characterised by generally low-rise residential buildings, many of similar date. This townscape allows clear views from many directions of the Balfron Tower, Carradale House and Glenkerry House.

547. Because of its height, scale, location, and silhouette, Balfron Tower is the most iconic element of the group. The immediate setting of the Balfron Tower is the Brownfield Estate and the conservation area in which the buildings are located.

548. The setting of the building is a key element of significance, and the following elements are considered to contribute to the setting:

- Its visual singularity in views;
- The unimpeded nature of the existing views of its elevations, particularly those to the east and west;
- The building's outline and silhouette, particularly the dramatic and sculptural "ladder" effect of the relationship between the circulation core, linking walkways and the residential block itself.

549. The numerous viewpoints (in particular, Views 1, 2, 3, 5, 15, 16, 29, 30, 31, 32) show that the singularity of the Balfron Tower is impacted to varying degrees particularly by buildings proposed within Phases B and C, which include the tallest Highland Place element. For these reasons the GLA officers consider that the proposed development will cause less than substantial harm at various extents, ranging from very low, to low to middle, to the significance of the three listed buildings and the conservation area, because of the impact on their settings.

St Frideswide's Conservation Area

St Frideswide's Conservation Area

550. The St Frideswide's Conservation Area lies c.110m to the west of the closest site boundary of the Proposed Development. It was designated in September 1993. A small area, bounded by Follett Street, Lodore Street and St Leonard's Road, the Conservation Area the locally listed buildings. Significance is derived from the historical interest of the with the Oxbridge missions of the late 19th century to the East End and the architectural interest of the Queen Anne Revival buildings.

Lodore Street: St Frideswide's Mission Hall, 18 Follett Street E14; 1 Lodore Street (Tabard Court)

551. Part of the late-19th century philanthropic Oxbridge missions movement that operated in the poorest parts of London, the St Frideswide's Mission House opened in 1893.

552. The setting of the conservation area and the locally listed buildings makes a modest contribution to their significance to the extent that its low-rise nature allows the silhouettes of the grander elements to be appreciated in unobstructed views.

553. No view is provided from within this conservation area. It is likely that the impacts will be similar to those seen in nearby View 16. Based on the Zone of Visual Influence map (ZVI) it is likely that the proposed development will

backdrop the conservation area in some views and that a low extent of less than substantial harm will be caused.

All Saints' Church, Poplar Conservation Area

All Saints Church Poplar Conservation Area

554. This small conservation area lies approximately 280 metres to the southwest of the closest site boundary of the proposed development. It extends to the south to enclose a small group of low-rise early 19th century residential buildings on Montague Place and Bazely Street.

555. Significance is derived from the surviving early 19th century streetscape around the generous sized churchyard of All Saints'. The low-rise nature of the surviving 19th century streetscape on the northern side of East India Dock Road adds to this sense of historical homogeneity.

All Saints' Church with St Frideswide, listed Grade II

556. This is an impressive Portland stone church from the Regency period (built in 1817 from designs by J Hollis) in the Greek Revival manner and reminiscent of the work of John Nash and Sir John Soane. The slender spire is a local landmark. The church is set back from the East India Dock Road within an extensive churchyard and forms an attractive grouping with surrounding early-19th century buildings.

All Saints Rectory, listed Grade II

557. This is an early 19th century three storey rectory built in yellow stock brick, which sits within a large garden opposite All Saints' Church. Significance is derived from its historic and functional link with the church and its age and architectural interest.

Numbers 1-3 and 24 Bazely Street and Numbers 5, 6, 7, 8, 9, 10, 11 Montague Place and The Greenwich Pensioner Public House, listed Grade II

558. These early-19th century terraced houses form of a group with similar terraces making up Nos. 45-51 Bazely Street and the Greenwich Pensioner Public House. Significance is derived from their date and architectural interest and their contribution to the group around the historic churchyard.

All Saints Church Poplar Conservation Area - Conclusion

559. The setting of the conservation area and the listed buildings within it makes a modest contribution to their significance to the extent that its low-rise nature allows the silhouettes and skyline of the buildings to be appreciated in unobstructed views.

560. Views 17 and 18 illustrate that no harm is caused to the setting of this conservation area or the listed buildings within it.

St Matthias Church, Poplar Conservation Area

St Matthias Church, Poplar Conservation Area

561. The St Matthias Church, Poplar Conservation Area lies southwest of the application site. The Conservation Area is bounded by East India Dock Road to the north, the terrace group at Woodstock Terrace to the east, Tower Hamlets College along Poplar High Street to the south and Hale Street and Wade's Place to the west.

562. Significance is derived from the listed buildings within the conservation area and the generous green spaces of the churchyard and adjacent Poplar Recreation Ground which complement the setting of the church and the small 19th century houses of Woodstock Terrace.

Church of St Matthias, listed Grade II*

563. This is an interesting and important building rather than a beautiful one. The nave arcades are, unusually, formed with timber posts and the church and churchyard include monuments of significance. Significance is derived from its age, unusual nature, historical associations and the use of a major Victorian architect. The interior adds to the interest. The building is now in use as a community centre.

St Matthias' Vicarage, listed Grade II

564. This is an early 19th century vicarage, which features a central stone pediment with sculptured coat of arms of the East India Company and is of two storeys, with three windows. Significance is derived from its date, charming architecture, association with the church and the historical link with the East India Company.

Coroner's Court, listed Grade II

565. This is a purpose built Coroner's Court dating from around 1910, built of high-quality materials including red brick with stone dressings and stucco covered eaves. It features mullioned windows and a Tudor arched doorway. Significance is derived from its architectural merit, Edwardian date and civic function.

Old Poplar Town Hall and Council Offices, listed Grade II

566. This building dates from 1870, built on a corner site with octagonal tower capped by finialed copper dome holding the corner. It is constructed of stock brick with Portland stone dressings and some polychromy in a High Victorian free Gothic with some Venetian detailing. Significance is derived from its architectural merit, Victorian date, dramatic location and holding of the corner and its formerly important civic function.

Former Pope John House, listed Grade II

567. Now known as 'Blomfield House', this imposing red brick building was designed, in Tudor revival style, by Sir Arthur Blomfield and Son in 1892. Significance is derived from its bold form and material (including a corner tower and some dramatic detailing) and the association with a leading Victorian architect.

Poplar Technical College, listed Grade II

568. This Portland stone-faced building had a merchant navy cadet training emphasis. Significance is derived from its architectural expression and historical and communal use.

569. The conservation area includes the War Memorial to the Children of Upper North Street School, listed Grade II*. Significance is derived from its aesthetic and historic interest. The contribution made to significance by setting is limited to its location and grouping with related assets nearby.

St Matthias Church, Poplar Conservation Area - Conclusion

570. The setting of the conservation area and the listed buildings within it makes a modest contribution to their significance to the extent that its low-rise nature allows the silhouettes and skyline of the buildings to be appreciated in unobstructed views. View 19 illustrates that no harm is caused to the setting of this conservation area or the listed buildings within it.

Lansbury Conservation Area

Lansbury Conservation Area

571. The Lansbury Conservation Area lies c.450m west of the closest site boundary of the Proposed Development. It is an extensive area, covering much of the post-war redevelopment of Poplar, bounded by Canton Street, Lindfield Street and Cordelia Streets to the north, East India Dock Road to the south, Stansby Road to the west and Chrisp Street to the east. Significance is derived from this history, the pioneering and overall quality of the architecture and the group value of the assets. The conservation area includes the George Green's School building (1883, and a locally listed for its landmark quality).

Chrisp Street Market Clock Tower, listed Grade II

572. The Chrisp Street Market Clock Tower, was built 1951-52 to the designs of Frederick Gibberd. Part of the 'Live' architecture exhibition of the Festival of Britain between 1951-1954, significance is derived from its architectural form and communal and historical significance as part of the Festival.

The Festival Inn, listed Grade II

573. The Festival Inn, is a purpose built public house, to the designs of Frederick Gibberd, with the interior by R W Stoddart. Significance is derived from its role as the first permanent, modern, pub of the post war period, its influence as the prototype for the many pubs which followed in the course of post-war reconstruction.

153 East India Dock Road, listed Grade II

574. This is an early 19th century house in yellow stock brick, with low pitched slate roof with wide overhanging eaves. Significance is derived from its architectural interest as a well-preserved house of the period.

DHSS, 133 East India Dock Road, listed Grade II

575. The building dates from circa 1840 is of some scale (17 bays), with a stucco façade. It was originally built as a seamen's home by Richard Green. Significance is derived from its early date, locally important charitable function and its grand and striking architectural features, characteristic of the period.

Calvary Charismatic Baptist Church (formerly Trinity Methodist Church), listed Grade II*

576. This building is a church complex, including galleried church, attached hall, church rooms, residential accommodation, and boundary walls. Significance derives from its pioneering use of the modern Scandinavian style, and as an exceptionally well-preserved and early example of an English Nonconformist church.

14-26 Upper North Street, listed Grade II

577. This is a stock brick terrace with wide, wooden eaves soffit, dating from the early 19th century, with features including sash windows in slightly advanced brick panels running full height of the building and round headed doors with pilasters and fanlights. Significance derives from its early date, intactness and characteristic architectural features of interest for the period.

Church of St Mary and St Joseph, listed Grade II

578. This building is a striking modern design, and its significance derives from its architectural form and massing, and communal and historical significance as part of the Festival.

Susan Lawrence and Elizabeth Lansbury Schools, listed Grade II

579. The primary and adjoining nursery school with its significance deriving from their architectural form and communal and historical significance as part of the Festival.

Lansbury Conservation Area - Conclusion

580. The significance of many of these assets is interlinked through their group value and conservation area designation and the association with the Festival of Britain. The setting of the conservation area and the listed buildings within it makes a modest contribution to their significance to the extent that its low-rise nature allows the silhouettes and skyline of the buildings to be appreciated in unobstructed views.

581. Views 20, 21 and 29 illustrate that no harm is caused to the setting of this conservation area or the listed buildings within it.

Langdon Park Conservation Area

Langdon Park Conservation Area

582. The Langdon Park Conservation Area lies west of the application site. Langdon Park itself is an informal open space created during the post-war period for recreation.

Church of St Michael and All Angels and War Memorial, St Leonard's Road, listed Grade II

583. This former church is of significance as a High Victorian brick former church (now converted into residential accommodation). In the C13 style with polychrome detailing and a prominent tower which forms a local landmark.

584. View 13 is LB Tower Hamlets designated view 5: View from Langdon Park to Balfour Tower and Canary Wharf in the background. As shown in Figure 17, below, the proposed towers in Phases B and C will frame the tower and steeple of the listed Former St Michael and All Angels Church. This causes harm since the singularity and primacy of the church tower in the view will be eroded. In dynamic views, the church tower will be backdropped. This is considered to cause a low to middle extent of less than substantial harm to the listed church.



Figure 17: View 13 from the submitted TVIA, demonstrating impact of the proposal on the Grade II listed Church of St Michael and All Angels and Grade II listed Balfour Tower (Source: Volume 2, Environment Statement).*

Langdon Park School SBL building

585. This locally listed school opened as a School Board for London school known as Byron and Bright Street School before 1904.

Numbers 159-167 (odd) and 162 St Leonards Road E3

586. A series of locally listed terraces of c.1850 and the former St Leonard's Arms public house, now flats. They form a group with the listed Church of St Michael And All Angels and the war memorial.

Langdon Park Conservation Area – Conclusion

587. Although Langdon Park itself is modern, the area has coherence through the grouping of nationally and locally listed assets within the area. The setting of the conservation area and the listed and locally listed buildings within it makes a contribution to their significance to the extent that its generally low-rise nature allows the silhouettes and skyline of the buildings to be appreciated in unobstructed views. This is particularly the case for the church where the tower, spire and clock have a striking outline in the LPA's locally designated view across Langdon Park.

Limehouse Cut Conservation Area

Limehouse Cut Conservation Area

588. The Limehouse Cut Conservation Area lies north and west of application site. This extensive linear conservation area is closely drawn being focussed on the historic Limehouse Cut canal and its immediate hinterland, running south west from the River Lea to the Limehouse Basin and the River Thames. Significance is derived from the interesting buildings surviving within it, although it also forms the memory of the original civic high street existing before the current widening of the A12 highway.

Bromley Hall, listed Grade II*

589. Bromley Hall is the oldest building in Poplar and is thought to be the oldest brick house in London built in approximately 1485. It retains a large amount of original fabric and is now in use as a business centre. Significance is derived from its great age, early construction technique, original fabric and architectural interest.

Former Fire Station, listed Grade II

590. This former LCC fire station remains externally intact with its distinctive picturesque facade that successfully combines the formal qualities of the building type with a strong municipal presence. Significance is derived from its architectural form and massing and historical use.

Poplar Public Library, listed Grade II

591. Built with striking white ashlar masonry in a Beaux-Arts style, including a giant order of Ionic columns, its grandeur speaks of the philanthropic ambitions of its founders. Significance is derived from its architectural interest, date of construction, civic function and group value with the other Gillender Street buildings.

592. The conservation area includes the Dowgate Wharf, early 19th century, listed Grade II. This is a brick warehouse from the first half of the 19th century, featuring a heavy corbelled cornice and blocking course, it is part demolished for an entrance. Significance is derived from its early date, characteristic form and materials and group value with the other Gillender Street buildings. The contribution made to significance by setting is limited to its location and grouping with related assets nearby.

Limehouse Cut Conservation Area - Conclusion

593. In View 11, no harm is caused to the setting of the listed Former Fire Station, since it already stands in a context with modern tall buildings in the view and is not backdropped by the proposed development. A very low extent of less than substantial harm is caused to the listed Bromley Hall and Poplar Public Library

and this part of the Limehouse Cut Conservation Area because the proposed development appears out of scale and backdrops the assets. In Views 12 and 23 the proposed development appears in the distance, looking out from the setting of the conservation areas and causes a very low level of less than substantial harm through the introduction of buildings of a different scale and the intrusion into the skyline.

Naval Row Conservation Area

Naval Row Conservation Area

594. The Naval Row Conservation Area lies to the south of the of the application site is an extremely tightly focused area. The listed perimeter wall of the former East India Docks dominates but the southern edge of the Row is lined with historic buildings of interest including the listed hydraulic pumping station, which has been converted to residential use.

East India Dock Pumping Station, listed Grade II

595. This stylish and attractive mid-19th century, one storey, brick building in the Italianate manner. Significance is derived from its architectural form, historical use and functional link with the East India Dock, and group value with the other two assets in the conservation area.

Embankment Wall, Railings and Steps, listed Grade II

596. A 19th century stock brick wall with railings on top and supporting an embankment, with trees and paths, below East India Dock's boundary wall. Significance is derived from its historic interest as a surviving element of the East India Dock, and group value with the other two assets in the conservation area.

Naval Row Conservation Area - Conclusion

597. View 2 illustrates that no harm is caused to the setting of this conservation area or the listed buildings within it.

Three Mills Conservation Areas (in both LB Tower Hamlets and LB Newham)

Three Mills Conservation Areas (in both LB Tower Hamlets and LB Newham)

598. The Three Mills Conservation Areas lie to the north of the application site.

599. The setting of the conservation areas and the listed buildings within them makes a modest contribution to their significance to the extent that it provides a tranquil and riverine environment and the generally low-rise nature of local development.

600. In View 23 the proposed development appears in the distance and in the context of modern developments in the foreground, looking out from the setting of the conservation areas and causes a very low level of less than substantial harm

through the introduction of buildings of a different scale and the intrusion into the skyline.

Former Bromley Hall School

601. Built as a school for physically disabled children it later became a pupil referral unit for Tower Hamlets Borough Council, which closed in 2002. The has remained vacant since then. The building was listed Grade II in 2012 and is on Historic England's Heritage at Risk Register where its condition is judged to be 'Poor'. Significance is derived from its architectural quality.

602. View 6 shows the proposed development in the setting of the listed Bromley Hall School. The listed building gains little of its significance from the visual aspects of its setting: the significance here is mainly about the appearance, design, historical layout and function of the building. The significance from the setting is mostly historical and about the relationship with the nearby estate, which it would have once served (as well as a wider area). In View 6 the interesting roofs of the listed building LB are already backdropped by other development, so the outline and silhouette in this view are already lost. As such, this change is not considered to be harmful to the significance of the listed building.

Listed buildings in the East India Dock group

East India Dock House, former Financial Times Print Works, East India Dock Road, listed Grade II*

603. These assets are not located within a conservation area.

604. The former production and printing works for the Financial Times, 1987-88, by Nicholas Grimshaw and Partners converted to a data centre in the late 1990s.

605. This group of listed buildings includes the Plaque on Modern Dock Wall Facing West, East India Dock Road, listed Grade II; the Northern Portal and Parapet to the Blackwall Tunnel, listed Grade II; the East India Dock Wall and Gateway, listed Grade II; Entrance Gateway, listed Grade II. The contribution made to the significance of these four assets by setting is limited to their location, historic association with the East India Dock and grouping with related assets nearby.

606. View 2 illustrates that no harm is caused to the setting of this group of listed buildings.

Listed buildings within the Bromley by Bow Gasworks group

Gasholder No. 1, 2, 4, 6, 7, 8, 9; former Bromley-by-Bow Gasworks, listed Grade II

607. This group of Gasholders were built c.1871-72 to the design of the engineers Joseph Clark and Thomas Kirkham Significance is derived from being the most extensive known surviving group of Victorian gasholders in the world, with large and early examples of the type, along with their industrial and engineering interest.

608. This group also includes the Twelvetrees Crescent Bridge, the Statue of Sir Corbet Woodhall and the War Memorial, all listed Grade II.

609. View 23 illustrates that no harm is caused to the setting this group of listed buildings, since the proposed development will not backdrop the gasholders.

Poplar Baths group

Poplar Baths, listed Grade II

610. Poplar Public Baths were built in brick in the streamlined Art Deco style. Significance is derived from its architectural form and massing, particularly in its surviving internal spaces, as well as in its communal value.

611. No view is provided; however it is reasonable to assume, based on the ZVI map that no harm will be caused to the setting of Poplar Baths, especially since the principal view of the main elevation is to the south.

3.16 Church of St Saviours, listed Grade II

612. Significance is derived from its authorship and its town church design, embodying the separation of elements in the Puginian tradition as well as its interior features, which may have been lost in a fire in 2007.

613. The setting of the listed building makes a modest contribution to its significance to the extent that its generally low-rise nature continues to allow the silhouette and outline of the listed building to be appreciated in unobstructed views.

614. View 22 shows the proposed development in the setting of the Church of St Saviour's. The proposed development will appear in the distance, in the context of existing and proposed taller modern buildings. The church is not backdropped. No harm is caused to the setting of the listed building.

Designated heritage assets: other

615. There are no other designated heritage assets (for example Scheduled Monuments or Registered Parks and Gardens) nearby or relevant to the assessment.

Non-designated heritage assets including locally listed buildings

616. These buildings are not located within a conservation area.

Church of St Nicholas and All Hallows, Aberfeldy Street E14

617. This Anglican church is locally listed. The setting of the non-designated heritage asset makes a modest contribution to its significance to the extent that its generally low-rise nature continues to allow the silhouette and outline of the building, particularly its elegant tower, cupola and spire, to be appreciated in unobstructed views.

618. View 3 shows that the cupola and spire of the church will be backdropped by the proposed development, particularly Phase A Building H1. This detracts from appreciation of the cupola and spire against open sky. View 32 shows that the proposed Phases C and D buildings backdrop the cupola and spire of the church. These impacts cause a middle level of harm to the NDHA. GLA officers are grateful to the 20th Century Society for their information about the significance of this building.

Former Poplar Bus Depot, Leven Road, E14

619. This former bus depot was the last of London's tram depots to be converted for use by trolleybuses. It comprises of a collection of low-rise brick buildings - two single-storey large warehouses and a three-storey office building - the southern end of the warehouses are characterised by tall arches that at one time would have allowed trams or buses in and out.

620. The setting of the non-designated heritage asset does not contribute to its significance, which lies in its historical and functional associations with transport in the early 20th century.

Conservation conclusions

621. In a number of views Phase A Building H1 is the cause of harm to the setting of heritage assets, particularly Balfron Tower and the Church of St Nicholas.

622. The proposed development includes no heritage benefits.

623. The proposed development has sought to avoid and minimise harm during design development. Notably, in relation to Balfron Tower, GLA officers consider that adequate steps have been taken to avoid and minimise harm, through the location of the tallest proposed buildings to the north of the site. Noting that the singular nature of the Balfron Tower is such that any tall building in proximity to it will inevitably block at least one existing view, it is noted that the proposed development is at some distance from the Balfron Tower and will be read as a separate element in the views, that the proposed buildings do not crowd around the immediate setting of the Balfron Tower and that View 33 shows that the western elevation of the Balfron Tower will remain unobstructed in views.

624. The harm caused is considered to be justified by the public benefits of the scheme. National Planning Policy Framework Paragraph 208 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal..." The proposed development is assessed to cause harm to the heritage assets at the extents discussed above, including at a low to middle extent.

625. The harm caused to the Non-Designated Heritage Asset of the Church of St Nicholas and All Hallows, is considered to be justified by the public benefits of the scheme. National Planning Policy Framework Paragraph 209 requires a balance to be struck between the harm caused by proposals to a Non-Designated

Heritage Asset, the significance of the asset and the wider planning benefits of the scheme. The significance of the church is considered to be high (in NDHA terms) and the extent of harm to be at a middle level. This harm should be mitigated through the use of the brick colours suggested above for Phase A Building H1 and the later phase buildings which fall into Views 3 and 32. The materiality of the proposed buildings is secured by condition.

626. The proposed development is contrary to The London Plan Policy HC1 Heritage conservation and growth Part C: “Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings”, as well as Policy S.DH3 of the Local Plan.

Archaeology

627. London Plan Policy HC1 requires development proposals to identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Policy S.DH3 of the Tower Hamlets Local Plan requires developments that lies in or adjacent to an archaeological priority area to include an archaeological evaluation report and will require any nationally important remains to be preserved permanently in situ.

628. The site lies within Lea Valley Archaeological Priority Area (Tier 3) which has a known potential for remains of medium or high significance to be present.

629. The archaeological assessment has considered the potential effects resulting from the demolition and construction of the proposed development on buried archaeological remains. Impacts to buried archaeological remains that may be present underneath the site are limited to the demolition and construction phase works. Resulting effects will be permanent and would extend across the area of the site where excavation works occurs and where archaeology remains are present. Most effects may be mitigated by a programme of archaeological site investigations, prior to below ground demolition or construction works taking place, along with the potential publication of the results.

630. The ES advises however, that following the implementation of a programme of mitigation approved by the Greater London Archaeological Advisory Service (GLAAS), there would remain significant residual effects from the proposed piling and basement construction for extensive strata of peat or other organic materials and evidence of prehistoric occupation and prehistoric cut features, revetments etc. The residual effects on all other receptors once mitigation has been implemented, would result in an adverse effect that this Not Significant.

631. GLAAS in their consultation response to Tower Hamlet’s consultation of the planning application advised that the site lies in a potentially highly productive and well-preserved riverside landscape and includes buried gravel islands which would have been prominent dry spots along the Lea, making them attractive to human habitation. Waterlogged deposits connected with prehistoric and later activity can be expected. GLAAS have expressed no objections to the proposal subject to conditions which would secure a detailed pre-development geoarchaeological modelling, a stage of trial trenching, any appropriate wide area

investigations and a programme of public heritage outreach and presentation in the final scheme. GLAAS's suggested conditions will be imposed on the planning consent.

632. Subject to this condition, the proposed development would be consistent with Policies HC1 of the London Plan and S.DH3 of the Tower Hamlets Local Plan in relation to archaeology.

Summary conclusion of heritage impacts

633. The proposed development causes harm to the significance of a number of designated heritage assets through harmful impacts to their settings resulting in a minor conflict with Policy HC1 of the London Plan and Policy S.DH3 of the Tower Hamlets Local Plan. The development also causes harm to the setting of a non-designated heritage asset and NPPF Paragraph 209 is therefore engaged.

634. GLA officer consider this impact to be less than substantial harm (in a range from very low to low to middle) in terms of paragraph 208 of the NPPF.

635. Great weight must be attributed to the heritage harm arising from the development. In accordance with the NPPF, this harm has been weighed against the public benefits of the proposal. In summary, GLA officers consider that the public benefits, which are outlined in the Public Benefits section of this report below outweigh the less than substantial heritage harm to designated and non-designated heritage assets.

Neighbouring amenity impacts

636. This section assesses the impact of the proposals on the living conditions at neighbouring properties, including impacts on daylight/sunlight, overshadowing, sense of enclosure and privacy, noise and light pollution.

637. A core principle of the NPPF is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy D3 states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. In line with London Plan Policy D9, the impact of tall buildings on wind, daylight, sunlight penetration and temperature conditions around the building and neighbourhood must be carefully considered. Noise and light pollution impacts around the building should also not detract from the enjoyment of these spaces. London Plan Policy D14 specifically seeks to reduce and manage noise associated with development.

638. At the local policy level, Policy D.DH8 of the Tower Hamlets Local Plan requires new developments to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. To this end development should maintain good levels of privacy and outlook, avoid unreasonable levels of overlooking, not result in any material deterioration of sunlight and daylight

conditions of surrounding development. Development should also ensure that there are no unacceptable levels of overshadowing to surrounding open space, private outdoor space and not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development.

639. Account should be taken of local circumstances, the need to optimise housing capacity, and the scope for the character and form of an area to change over time. Specifically, guidelines should also be applied sensitively to consider local context, circumstances and the need to optimise housing capacity in accordance with policies set out in the London Plan. Quantitative standards on daylight and sunlight should not be applied rigidly, without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London. Similarly, paragraph 129 (Part C) of the NPPF, advocates Local Planning Authorities to refuse applications which fail to make efficient use of land. 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 (as long as the resulting scheme would provide acceptable living standards).

Privacy, sense of enclosure and outlook

640. Policy D3 of the London Plan of the London Plan states that development proposals should deliver appropriate outlook, privacy and amenity. Policy D.DH8 of the Local Plan sets a guide of an approximate distance of 18 metres between habitable room windows as being appropriate to maintain privacy and overlooking levels to an acceptable degree. However, this figure will be applied as a guideline depending upon the design and layout of the development.

641. In respect of the proposed development, the majority of the wider estate has either been redeveloped under the extant planning permission to the south of the site or will be demolished and redeveloped as part of this proposal. Areas of remaining residential dwellings within close proximity of the masterplan and the proposed buildings include low-rise 2-storey houses on Lansbury Gardens, Wooster Gardens, Ada Gardens, Goodway Gardens, Benledi Road all of which run parallel to each other on a north-south axis with Lansbury Gardens closest to Aberfeldy Street and Benledi Road furthest away from Aberfeldy Street and adjacent to the western edge of Braithwaite Park. Other residential properties include 177-195 Abbott Road and 199-225 Abbott Road with 199-225 Abbott Road forming a terrace of Victorian Houses whilst 177-195 Abbott Road are a more recent contemporary terrace of houses. Directly north of 199-225 Abbott Road are existing residential flatted blocks Atelier Court and Leven Road Phase Three.

642. Plot H3 will be sited closest to Lansbury Gardens with a separation distance of some 15 metres between the eastern (rear) elevation of Plot H3 and the western (front) elevations of dwellings in Lansbury Gardens. However, the proposed building maintains a similar separation distance with Lansbury Gardens as per the existing building, albeit larger in scale and height. As assessed earlier in this report, the scale and massing of Plot H3 is considered to be acceptable and will not result in any unacceptable impacts on occupants of Lansbury Gardens.

643. In terms of the terrace of houses comprising 177-195 Abbott Road, the closest building within the masterplan to this terrace will be Plot D1-4 which maintains a separation distance of between some 26 metres to 88 metres at its furthest point from Plot D1-4. Number 199 Abbott Road is the closest property in the Victorian terrace to Plot D1-4 however there would be a separation distance of some 21 metres.

644. There would be a separation distance between Outline Plot B4 and the neighbouring building Leven Road Phase 3 of approximately 10 metres at its closest point. However, the closest flank of Leven Road Phase 3 to Plot B4 has no windows on its elevation and is currently joined to one of the buildings proposed to be demolished within the Nairn Street estate (87-107 Nairn Street) and this flank spans a distance of some 9 metres and the remainder of the building is set further back from Plot B4 resulting in a separation distance of approximately 12 metres overall. This essentially means that whilst at its closest point, the separation distance would be approximately 10 metres, this is not the separation distance between habitable rooms which would be slightly greater, mitigating any overlooking impacts, and this is considered to be acceptable.

645. It is further noted that any privacy, outlook and overlooking impacts will be assessed in further detail at reserved matters stage.

646. Other nearby residential developments are sited at greater distances than the residential blocks identified above and therefore are not considered to be impacted upon in terms of any material loss of privacy, overlooking, outlook and sense of enclosure to residential occupiers as a result of the proposed development.

647. In summary, the proposed development has been designed to have regard to neighbouring residential buildings and the amenities enjoyed by neighbouring residential occupiers. Broadly, sufficient separation distances would be maintained between the proposed development and neighbouring buildings to ensure that the development does not result in any material loss of privacy, overlooking and outlook detrimental to the living standards and amenities enjoyed by neighbouring residential occupiers.

648. As such, GLA Officers consider that there would be no unacceptable loss of privacy or unacceptable overlooking in compliance with Policy D3 of the London Plan and Local Policy D.DH8.

Daylight, sunlight and overshadowing

649. The Council's committee report discussed sunlight and daylight impacts of the proposal on neighbouring properties in detail. There would be impacts and loss of daylight and sunlight to neighbouring properties, including properties at Atelier Court and Leven Road Phase Three and it is noted that Reason for Refusal 4 references these impacts. This is considered further in the following section of this report.

650. It is noted that the Daylight, Sunlight, Overshadowing and Solar Glare assessment has been independently reviewed by both Temple Group (ES

Chapter 14, NTS and ES Statement of Conformity) and Delva Patman Redler (DPR), as appointed by Tower Hamlets Council during their assessment of the planning application.

Sunlight

651. The submitted daylight/sunlight assessment identifies significance criteria against the assessment results. The following significance criteria has been used to determine the nature and scale of effect to the identified receptors in the application of VSC where VSC is reduced to less than 27%, to NSL, and to APSH where APSH is reduced to less than 25% and/or less than 5% in the winter months.

Scale of Effect	Daylight/Sunlight Criteria
Negligible	0-19.9% Alteration
Minor	20-29.9% Alteration
Moderate	30-39.9% Alteration
Major	≥ 40% Alteration

Table 21: Significance of Effects Criteria for Daylight/Sunlight.

652. The assessment identifies that where retained VSC levels are ≥ 27% (greater than or equal to) and the NSL levels are >80% (greater than), the effects are considered negligible regardless of the alteration from the baseline. ‘Moderate’ or ‘Major’ effects are deemed to be ‘Significant’ and ‘Minor’ or ‘Negligible’ effects are considered to be ‘Not Significant’.

653. The daylight and sunlight assessment within the ES identifies 34 surrounding sensitive receptors which totals to 42 buildings (including 3 future sensitive receptors). A total of 2699 windows serving 1470 habitable rooms were assessed for daylight and 1352 windows serving 895 rooms were assessed for sunlight.

654. The assessment highlights that for existing daylight baseline conditions, 1197 (44.3%) of the 2699 windows assessed for VSC and 1257 (85.5%) of the 1470 rooms assessed for NSL meet BRE guidelines criteria for daylight of 27% VSC and 80% NSL. For existing sunlight baseline conditions, 975 (72.1%) of the 1352 windows assessed would meet the BRE guidelines criteria of 25% total APSH.

655. The following daylight and sunlight receptors have been assessed and are identified in orange in Figure 18, below.



Figure 18: Neighbouring daylight and sunlight receptors identified in orange that have been assessed as part of the daylight and sunlight assessment included in Chapter 14 of the ES.

Daylight:

656. The daylight assessment finds that of the 2699 windows assessed for VSC, 1776 (65.8%) would meet BRE criteria and of the 1470 rooms assessed for NSL, 1277 (86.8%) would meet BRE criteria. Of the 42 buildings assessed, the following receptors meet BRE criteria for both VSC and NSL and would experience little to no impact (less than 20% alteration) or retain values in line with BRE criteria and would therefore experience Negligible (Not Significant) effect following completion of the development:

- 134-144 Leven Road
- 49-67 Abbott Road; and
- Aberfeldy Estate Phase One Block A

657. The ES reports that the following receptors experience effects ranging from Negligible to Minor Adverse (Not Significant).

- 128-132 Leven Road
- Aberfeldy Estate Phase Three Block G
- Ailsa Wharf Block A
- Ailsa Wharf Blocks K L
- Balfron Tower

- Bromley Hall School
- Dewberry Street 16-46
- Dewberry Street 2-14
- Joshua Street 1-15
- Joshua Street 17-33
- Joshua Street 35-41
- Joshua Street 4
- Joshua Street 6-14
- Mills Grove 1-9
- Mills Grove 12-20
- Mills Grove 17-25
- Mills Grove 2-10
- Mills Grove 9-15
- St Leonards Road 118-132
- St Leonards Road 134-146
- St Leonards Road 148-154
- Wooster Gardens 1-7
- Wooster Gardens 9-15

658. The remaining receptors have all been identified to experience Significant effects and are considered in detail in the Council's Committee report between paragraphs 7.427 – 7.511 for the following properties:

- 110 – 126 Leven Road
- 177-195 Abbott Road
- 199-225 Abbott Road
- Aberfeldy Estate Phase One Block C
- Aberfeldy Estate Phase Three Block J
- Aberfeldy Estate Phase Two Block D

- Ailsa Wharf Block D
- Atelier Court
- Carradale House
- Culloden Primary School
- Devons Wharf
- Joshua Street 1-15
- Lansbury Gardens 2-12
- Leven Road Phase Three
- Loren Apartments
- Sherman House (54 Aberfeldy Street)
- St Nicholas Church

Sunlight

659. With regards to sunlight, the ES reports of the 42 buildings assessed, that 1352 rooms were assessed of which 1008 (74.5%) would meet the BRE criteria for both Annual and Winter PSH and therefore would experience a Negligible effect. The ES identifies that 24 buildings experience little to no impact (less than 20% reduction) or retain values in line with BRE criteria and are therefore considered to experience a Negligible effect (Not Significant). These are as follows:

- 128-132 Leven Road and 134-144 Leven Road
- 49-67 Abbott Road
- Aberfeldy Estate Phase One Block A
- Aberfeldy Estate Phase Three Blocks G, J,
- Aberfeldy Estate Phase Two Block D
- Balfron Tower
- Carradale House
- Culloden Primary School
- Dewberry Street 2-14, 16-46
- 4 Joshua Street, 6-14 Joshua Street, 1-15 Joshua Street and 17-33 Joshua Street

- 1-9 Mills Grove, 12-20 Mills Grove, 17-25 Mills Grove and 9-15 Mills Grove
- 118-132 St Leonards Road, 134-146 St Leonards Road and 148-154 St Leonards Road
- 1-7 Wooster Gardens and 9-15 Wooster Gardens.

660. The following receptors would experience Negligible to Minor Adverse and Minor Adverse effects which are Not Significant.

- 110-126 Leven Road (Minor Adverse)
- 177-195 Abbott Road (Negligible to Minor Adverse)
- Ailsa Wharf Block A (Negligible to Minor Adverse)
- Ailsa Wharf Block D (Negligible to Minor Adverse)
- Ailsa Wharf Block K L (Minor Adverse)
- Bromley Hall School (Minor Adverse)
- Devons Wharf (Minor Adverse)
- Joshua Street 35-41 (Negligible to Minor Adverse)
- Mills Grove 2-10 (Minor Adverse)

661. The impacts on the remaining buildings assessed are discussed in detail in the Council's Committee report (between paragraphs 7.515-7.7547) and are summarised in Table 23, below:

Table 23: Sunlight impacts on nearby properties, ascribed as significant by the ES

199-225 Abbott Road	Minor to Moderate Adverse (Significant).
Aberfeldy Estate Phase One Block C	Moderate to Major Adverse (Significant).
Atelier Court	Major Adverse (Significant).
Lansbury Gardens 2-12	Moderate Adverse (Significant)
Leven Road Phase Three	Moderate to Major Adverse (Significant)
Loren Apartments	Moderate to Major Adverse (Significant)
Sherman House	Moderate Adverse (Significant)

St Nicholas Church	Minor to Moderate Adverse (Significant)
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Impacts to sensitive cumulative schemes (future receptors)

662. The scheme has also assessed daylight impacts on future sensitive receptors: Former Poplar Bus Depot, Islay Wharf and 45-47 Abbott Road, as identified in Figure 19, below:



Figure 19: Future sensitive receptors of the proposal as shown in red (32: Former Bus Depot, 33: Islay Wharf and 34: 45-47 Abbott Road).

663. For all three receptors the ES reports that they will experience Negligible (Islay Wharf and 45-47 Abbott Road) and Minor Adverse (Former Bus Depot) effects which would all be Not Significant. It should be noted however that Temple Group consider the effect on the Former Poplar Bus Depot as being Moderate Adverse (Significant), and GLA Officers agree with the Temple Group’s assessment in this regard.

664. In terms of sunlight impacts on future sensitive receptors, the ES reports that Islay Wharf and 45-47 Abbott Road would experience Negligible (Not Significant) effects.

665. In terms of Former Poplar Bus Depot, a total of 367 windows were assessed for sunlight of which 263 (71.7%) would meet BRE’s criteria for both Annual and Winter PSH and therefore would experience a Negligible effect. A total of 78 (21.2%) windows would be affected annually of which 5 would experience a reduction of between 20-29.9% which is considered a Minor Adverse effect, 7 would experience a reduction between 30-39.9%, which is a Moderate Adverse effect and 66 would experience a reduction greater than 40% which is considered a Major Adverse effect. The ES reports that the vast majority of windows retain levels of APSH in excess of 15%. A total of 94 (25.6%) windows would be affected in winter, which would experience a reduction in excess of 40% in WPSH which is considered a Major Adverse effect.

666. Overall, the ES concludes that considering the small number of shortfalls, the presence of mitigating and unaffected and well sunlit windows, in the rooms seeing reductions, and the retained levels of sunlight, the effect on this property is ascribed as Minor to Moderate Adverse (Significant). GLA officers agree with the ES conclusions in this regard.

Overshadowing

667. In respect of overshadowing, the ES has adopted two methodologies to assess overshadowing of public and private amenity areas: Transient Overshadowing and Sun Hours on Ground.

668. For Transient Overshadowing, the assessment requires the plotting of a shadow plan to illustrate the location of shadows at different times of the day and year. The ES therefore mapped the hourly shadows for three key dates: 21st March (Spring Equinox), 21st June (Summer Solstice) and 21st December (Winter Solstice).

669. In relation to the Sun Hours on Ground test, the assessment requires that at least 50% of amenity areas should receive at least 2 hours of sunlight on 21st March to appear adequately sunlit throughout the year. If as a result of new development an existing amenity area does not meet the above, and the area that can receive two hours of sun on 21 March is less than 0.8 times its former value (i.e., a 20% reduction), then the loss of sunlight is likely to be noticeable.

670. The ES identifies 7 groups of amenity areas for the assessment, as set out in Table 24, as follows:

Table 24: Overshadowing receptors

Receptor Reference	Address	Description
1-43	Abbott Road and Leven Road	Rear Gardens
44	Aberfeldy Millennium Green	Public Amenity
45-46	St Nicholas Church	Private Amenity
47-48	54 Sherman House, Aberfeldy Street (east facing open space)	Private Amenity
49-50	54 Sherman House, Dee Street (west facing open space)	Private Amenity
51-64	Wooster Gardens and Lansbury Gardens	Rear Gardens
65-78	Bromley Hall School	Private Amenity
A	Culloden Primary School	Educational Playground
B	The River Thames Tidal Tributaries SINC (Bow Creek/River Lea	Sensitive Ecological Area

Transient overshadowing

21st March:

671. The ES illustrates that on this day, shadows are cast from the proposed development from 08:00AM GMT (Greenwich Meantime) in a north-westerly

direction across the A12 onto Jolly's Green, a small portion of the rear gardens of the properties along Joshua Street, Mills Grove and Byron Street. These shadows clear by 10:00 AM leaving these spaces unaffected for the rest of the day. At 08:00 AM, Braithwaite Park is partially overshadowed by the proposed development, which reduces in size through morning, then moving towards the south-eastern corner and clearing by 15:00 PM. From 08:00 AM additional shadows are also cast onto a portion of the eastern courtyard of Culloden Primary School and the westernmost open spaces of Bromley Hall School however in the case of Culloden Primary School, these shadows clear by 11.00 AM leaving the school unaffected the rest of the day. In terms of Bromley Hall School, the shadows clear by 13:00 PM as they move throughout the day and from 11:00 AM until 17:00 PM, these are cast onto the central and easternmost spaces of the school During the same time frame, additional shadows are cast on the ground floor private open spaces of Sherman House and from 13:00 PM to 17:00PM, small strips of transient additional shadows are cast on a few rear gardens of the properties at 177-225 Abbott Road, 110-144 Leven Road and additional shadows are also cast on Aberfeldy Millennium Green.

672. From 14:00 PM GMT to 15:00 PM, additional shadows are cast on the rear gardens of 9-15 Wooster Gardens and Leven Road Open Space would be overshadowed from 16:00 PM until the end of the day whilst small strips of additional shadows reach Bow Creek/River Lea from 15:00PM to 17:00 PM. Overall, the ES ascribes the effect of transient overshadowing to be Negligible (Not Significant) on this day. It should be noted however, that whilst DPR agree that the overshadowing effects of the proposed development have been appropriately described, they disagree that the significance of these effects are Negligible, particularly considering the effects on the back gardens of the Abbott Road and Leven Road properties and Millennium Green. DPR consider that the transient overshadowing effects would be Minor Adverse (Not Significant). GLA Officers agree with the conclusion reached by DPR in this regard.

21st June:

673. On this day, shadows are cast from the development from 06:00 AM BST (British Summertime) in a south-westerly direction whereby until 10:00 AM, the development casts shadows across the A12 onto Jolly's Green, a small portion of the rear gardens of the properties along Joshua Street and Mills Grove, and the communal open spaces of Carradale House and Balfron Tower however remain unaffected the rest of the day. The western courtyard of Culloden Primary School sees additional shadowing from 06:00 AM to 08:00 AM, whilst the eastern courtyard sees additional overshadowing from 07:00 AM to 10:00 AM, which clears by 12:00 midday.

674. Braithwaite Park would be overshadowed in the southeast corner from 11:00 AM to 14:00 PM and from Midday to 15:00 PM, additional shadows are cast onto the southernmost open spaces of Bromley Hall School. From 15:00 PM to 20:00 PM, strips of transient shadows are cast on the gardens of 177-225 Abbott Road and 110-144 Leven Road and additional shadows are cast on Aberfeldy Millennium Green. From 18:00PM to 20:00PM, additional shadows are cast on the green space adjacent to St Nicholas Church and Leven Road Open Space begins to become overshadowed from 19:00 PM until the remainder of the day.

From 19:00 to 20:00, small strips of additional shadowing occur to the rear gardens of 9-15 and 1-7 Wooster Gardens and no shadows reach Bow Creek/River Lea on this day.

21st December:

675. On this day, shadows are cast from the development from 09:00 GMT in a north-easterly direction, beginning with small strip of additional shadow onto Jolly's Green, which clears by 10:00AM. Between 10:00AM and Midday, additional shadows are cast on a few open spaces of Bromley Hall School and between Midday and 15:00PM, additional shadows are cast on Aberfeldy Millennium Green, the green space adjacent to St Nicholas Church and the rear gardens of 9-15 Wooster Gardens. Leven Road Green would see very small periods of overshadowing between 14:00PM and 15:00PM and small strips of additional shadows would reach Bow Creek/River Lea from 13:00PM to 15:00PM.

Sun Hours on Ground

676. The Sun Hours on Ground assessment reports that the receptors listed below would experience Negligible (Not Significant) effects upon implementation of the proposed development and as such these areas would either retain 2 hours of sun on at least 50% of their total area or do not experience a reduction in the total amount of sunlight by more than 0.8 (20% reduction) of its former value on March 21st as recommended by BRE criteria.

- Rear gardens of 110-144 Leven Road (18 properties in total)
- Rear gardens of 177-195 Abbott Road (10 properties in total)
- Rear gardens of 199, 203, 207, 211, 215, 219 and 223 Abbott Road
- Aberfeldy Millennium Green
- St Nicholas Church
- Rear gardens of 1-7, 11-15 Wooster Gardens
- Rear gardens of 2-12 Lansbury Gardens
- 8 out of 14 amenity areas at Bromley Hall School.

677. The ES finds that on 21st March, the following amenity areas would experience reductions or retained levels of sunlight below BRE's criteria:

- Rear gardens of numbers 197, 201, 205, 209, 213, 221 and 225 Abbott Road
- Private terraces at 3 and 4 Dee Street
- Rear garden of 9 Wooster Gardens

- 6 out of 14 spaces at Bromley Hall School

678. The ES reports that the rear gardens of properties identified above on Abbott Road all have baseline levels of overshadowing substantially below BRE's recommendation ranging between 3% to 18.1% and these areas will see absolute reductions ranging from 2.1% to 10%, which the ES reports will result in disproportionately high relative reductions ranging from 29% to 100% however sun exposure diagrams undertaken for March and June as part of the assessment demonstrate that these areas would effectively retain levels of light that are almost identical to those in the baseline. Therefore, the ES ascribes the effects to these rear gardens as Minor Adverse (Not Significant). GLA Officers agree with the ES assessment in this regard.

679. The private terraces at 3 and 4 Dee Street sees levels of overshadowing above BRE's criteria in the baseline scenario which would be reduced to 0% in the proposed development scenario, resulting in 100% loss. These areas would retain circa 1 hour of sunlight at the equinox (March 21st) and 3 hours at the summer solstice (June 21st). These spaces would experience Major Adverse effect (Significant). The assessment reports however that these spaces when assessed under the consented planning permission, would also see Major Adverse (Significant effects) with reductions ranging from 77% to 99% and retained values of 13.1% and 0.9% respectively. The retained sunlight levels for these terraces under the proposed development would be similar to the levels retained as a result of the consented planning permission.

680. The rear garden of 9 Wooster Gardens has a baseline level of overshadowing below BRE's criteria of 25.4% and would see an absolute reduction of 16.6%, generating a relative reduction of 65%. The ES reports that sun exposure diagrams demonstrate that sunlight levels in the baseline scenario and the proposed development scenario are very similar, and the high percentage reduction is given by a portion of this amenity area that sees marginally below the 2 hours recommended by BRE in the proposed development scenario, whereas in the baseline scenario this portion sees just marginally above the 2 hours threshold. Under the consented planning permission this garden sees an absolute reduction of 11.3% resulting in a relative loss of 44%. The ES therefore ascribes the effect as being Minor Adverse (Not Significant) however it should be noted that DPR do not agree with this effect ascribed and consider that the effect significance is Moderate Adverse (Significant). GLA Officers agree with DPR in this respect.

681. In terms of the six open spaces at Bromley Hall School seeing reductions, one would see a reduction of 28% which would be a Minor Adverse effect, one would see a reduction of 31% which would be a Moderate Adverse effect and four would see reductions beyond 40% ranging from 46% to 100% which would be a Major Adverse effect. Overall, the ES considers that give that 8 out the 14 spaces within Bromley Hall School would see Negligible effects, the ES concludes that Bromley Hall School would see a Minor to Moderate (Significant). GLA Officers agree with the ES conclusions in this regard.

Cumulative effects

682. Cumulative daylight/sunlight effects on nearby residential receptors have been assessed within the ES as an 'proposed development + cumulative schemes' scenario. In terms of daylight, the following 28 receptors will experience no greater effects in the cumulative scenario from the effects reported in the proposed development scenario:

- 134-144 Leven Road
- 177-195 Abbott Road
- 49-67 Abbott Road
- Aberfeldy Estate Phase One Blocks A and C
- Aberfeldy Estate Phase Three Blocks G and J
- Aberfeldy Estate Phase Two Block D
- Balfron Tower
- Carradale House
- Culloden Primary School
- Dewberry Street 2-14
- Joshua Street; 1-15, 17-33, 35-41 and 6-14
- Lansbury Gardens 2-12
- Loren Apartments
- Mills Grove; 1-9, 12-20, 17-25 and 2-10, 9-15
- St Leonards Road 134-146
- Sherman House
- Wooster Gardens; 1-7 and 9-15

683. The following receptors will experience alterations; however, these alterations do not change the significance of effects ascribed from the proposed development scenario.

- 128-132 Leven Road
- 199-225 Abbott Road
- Atelier Court – Major Adverse (Significant)

- Dewberry Street 14-46 – Minor Adverse (Not Significant)
- St Leonards Road 118-132 – Negligible to Minor Adverse (Not Significant)
- St Leonards Road 148-154 – Negligible to Minor Adverse (Not Significant)
- St. Nicholas Church – Minor to Moderate Adverse (Not Significant)
- Leven Road Phase Three – Major Adverse (Significant)

684. The results for the cumulative assessment for those receptors that experience alteration greater from the effects reported in the proposed development scenario are summarised in Table 25, below:

Table 25: Cumulative daylight effects on nearby receptors

Address	Significance of Daylight Effects Proposed Development Scenario	Significance of Daylight Effects Cumulative Scenario
110-126 Leven Road	Moderate Adverse (Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block A	Negligible (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block D	Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block K L	Negligible (Not Significant)	Minor to Moderate Adverse (Significant)
Bromley Hall School	Negligible to Minor Adverse (Not Significant)	Moderate Adverse (Significant)
Devons Wharf	Minor Adverse to Moderate Adverse (Not Significant)	Moderate to Major Adverse (Significant)

685. In terms of sunlight, 37 of the 42 receptors will experience no greater effects in the cumulative scenario from the effects reported in the proposed development scenario. Ailsa Wharf Blocks K L, Bromley Hall School and Devon's Wharf will all experience alterations however their effects will remain as per the proposed development scenario of Negligible to Minor Adverse (Not Significant) for the Ailsa Wharf Blocks K L and Minor Adverse (Not Significant) for Bromley Hall School and Devon's Wharf respectively. A summary of the alterations of the remaining 2 receptors is set out in Table 26, below:

Table 26: Cumulative sunlight effects on nearby receptors

Address	Significance of Sunlight Effects Proposed Development Scenario	Significance of Sunlight Effects Cumulative Scenario
Ailsa Wharf Block A	Negligible to Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)
Ailsa Wharf Block D	Minor Adverse (Not Significant)	Moderate to Major Adverse (Significant)

686. In the cumulative scenario for daylight effects, of the 2699 windows assessed for VSC, 1534 windows (56.8%) would meet BRE criteria. Of the 1470 rooms assessed for NSL, 1223 (83.1%) would meet BRE criteria. Seven receptors will experience a Negligible (Not Significant) effect and 14 receptors will experience Negligible to Minor Adverse (effects). Six receptors would experience impacts of Minor to Moderate Adverse, Moderate Adverse and Moderate to Major Adverse (All Significant) beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forwarded.

687. In the cumulative scenario for sunlight effects, of the 1352 rooms assessed for APSH and Winter PSH, 1008 rooms (74.5%) would meet BRE criteria. Of the 42 buildings assessed, 40 buildings will see no change in the reported effects from the proposed development scenario with 37 of these buildings experiencing no alterations. The remaining 2 buildings would experience additional impacts of Moderate to Major Adverse significance beyond the assessment of the proposed development in isolation and these reductions are attributed to the surrounding cumulative schemes coming forward.

688. In terms of overshadowing and the two hours Sun-on-Ground assessments for the surrounding amenity spaces in the cumulative scenario, with the exception of Bromley Hall School, there would be no additional cumulative effects to all other receptors beyond the assessment reported in the proposed development scenario. For Bromley Hall School, the six amenity areas affected in the proposed development scenario would still be affected, one of which would have a reduction of 34% which would be a Moderate Adverse effect whilst the other 5 would all see reductions ranging from 46% to 100% which would be a Major Adverse effect. There would be 1 amenity area that meets BRE criteria in the proposed development scenario which would no longer comply in the cumulative scenario, seeing a 46% reduction and therefore would be a Major Adverse effect. Overall, the ES reports that the effect on Bromley Hall School would increase from Minor to Moderate (Significant) to Moderate (Significant). GLA Officers agree with the ES conclusions in this regard.

Conclusions on Daylight, Sunlight and overshadowing

689. In conclusion, the ES demonstrates that of the 42 buildings assessed for daylight, significant effects are likely to occur at 14 receptors with 7 buildings experiencing Minor to Moderate Adverse (Significant) effects, 1 building experiencing a Moderate Adverse (Significant) effect, 4 buildings (199-225 Abbott Road, Lansbury Gardens 2-12, Loren Apartments and Sherman House) experiencing a Moderate to Major Adverse (Significant) effects and 2 buildings (Atelier Court and Leven Road Phase 3) experiencing Major Adverse (Significant) effects.

690. In terms of sunlight, of the 42 buildings assessed for sunlight, significant effects would occur at 8 receptors with 2 buildings experiencing Minor to Moderate Adverse (Significant) effects, 2 buildings experiencing a Moderate Adverse (Significant) effect, 3 buildings (Leven Road Phase Three, Loren Apartments and 199-225 Abbott Road) experiencing a Moderate to Major Adverse (Significant)

effect and 1 building (Atelier Court) experiencing a Major Adverse (Significant) effect.

Atelier Court and Leven Road Phase Three

691. The greatest daylight impacts to neighbouring receptors resulting from the proposed development will be on Atelier Court and Leven Road Phase Three, with the significance of effect for both receptors being Major Adverse (Significant). The detailed breakdown of the daylight results for these two receptors can be seen below:

Address	Vertical Sky Component (VSC)						No Sky Line (NSL)					
	Windows						Rooms					
	Total Windows	Total Windows Passing	20.1-29.9%	30-39.9%	40+%	Total	Total Rooms	Total Rooms Passing	20.1-29.9%	30-39.9%	40+%	Total
Atelier Court	117	14	3	9	91	103	97	35	13	13	36	62
Leven Road Phase Three	73	26	4	2	41	47	62	28	2	3	29	34
Totals	190	40	7	11	132	150	159	63	15	16	65	96

Table 26: Daylight results for Atelier Court and Leven Road Phase Three

692. With regards to Atelier Court, this is largely a 4-storey building that increases to 8-storeys at the junction of Nairn Street with Leven Road. The scheme would result in only 14 out of 117 windows assessed meeting BRE criteria for VSC levels resulting in only a 12% pass rate. The remaining 103 windows assessed would equate to a failure in BRE criteria of 88% of the total windows assessed. Of the 103 windows that fail, 91 windows (equating to 88.3% of all the affected windows) would experience in excess of a 40% reduction in VSC levels.

693. In terms of Leven Road Phase 3, this is a 5-storey building attached to the southern end of Atelier Court. The scheme would result in only 26 windows meeting BRE criteria for VSC levels resulting in a low pass rate of 35.6%. The remaining 47 windows assessed would equate to a failure in BRE criteria of 64.3% of the total windows assessed. Of the 47 windows that fail, 41 windows (equating to 87% of all the affected windows) would experience in excess of a 40% reduction in VSC levels.

694. The ES as originally submitted in the assessment of these two receptors had sought to justify the daylight impacts on these two buildings through a supplementary 'no balcony' test and considers whether the proposed VSC values without the balconies would be reasonable for an urban area by referring to suggested alternative target VSC values in the mid-teens were existing balconies were not in place. In essence, the Applicant sought to suggest that were there no balconies on these properties, the resultant VSC values would be in the mid-teens and this would be considered to be reasonable in an urban area. Following the October 2022 amendments to the planning application, updated assessments

for these two receptors were provided in the Environmental Statement: Statement of Conformity which replaced the original assessments as set out in ES Chapter 14 (Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare) and the results of the 'no balcony' tests are no longer relied upon for the purpose of these two receptors.

695. Notwithstanding the above, DPR had confirmed in their initial review of the ES that the 'no balcony' test had been incorrectly applied. The purpose of the 'no balcony' supplementary test is to establish what the impact of the proposed development would be within the BRE numerical guidelines were it not for the balcony or other projection. If, without it, the impact would be within the numerical guidelines but, with it, the impact would exceed the guidelines, then the appropriate conclusion is that it is the balcony or other projection that is the main factor in the relative loss of light, rather than the proposed development. Temple also concurred with DPR with regards to how the 'no balcony' test should be applied.

696. DPR reviewed the results of the 'no balcony' test and applied the BRE guidance and concluded that for both Atelier Court and Leven Road Phase Three, the VSC impacts without balconies would still mostly be Major Adverse (i.e., greater than 40% loss and in many cases greater than 50% and even 60% loss). DPR therefore confirmed that the balconies or other projections on Atelier Court and Leven Road Phase Three are not the main factor in the Major Adverse daylight effects to these buildings.

697. Both Atelier Court and Leven Road Phase Three would also experience significant sunlight impacts with the significance of effect for each receptor being Major Adverse (Significant) and Moderate to Major Adverse (Significant) respectively. The detailed breakdown of the sunlight results for these two receptors can be seen below:

Address	Windows		Annual PSH			Winter PSH		
	Total Windows	Total Windows Passing ³	20.1-29.9%	30-39.9%	40+%	20.1-29.9%	30-39.9%	40+%
Atelier Court	110	7	0	0	101	0	0	102
Leven Road Phase Three	44	10	0	1	33	0	0	27
Totals	154	17	0	1	134	0	0	129

Table 27: Sunlight results for Atelier Court and Leven Road Phase Three

698. In terms of Atelier Court, only 7 windows out of 110 windows assessed equating to 6.4% would meet BRE's criteria for both Annual and Winter PSH and 101 windows equating to 91.8% affected annually would experience reductions in excess of 40% and 102 windows equating to 92.7% would be affected in winter experiencing reductions in excess of 40% in WPSH. With regards to Leven Road Phase Three, only 10 windows out of 44 windows assessed equating to 22.7% would meet the BRE's criteria for both Annual and Winter PSH and a total of 34 windows equating to 77.2% would be affected annually with 33 of these windows equating to 97% of the total affected windows (or 75% of the total windows

assessed) experiencing reductions in excess of 40% in APSh. In winter, 27 windows equating to 61.3% of the total windows assessed would experience reductions in excess of 40% in WPSH.

699. The impact on the western elevation of Atelier Court from the application scheme would be Major Adverse.

700. The windows and rooms on the western elevation currently look out onto car parking areas for buildings within the Nairn Street Estate. There are currently separation distances ranging between approximately 11-14 metre between Atelier Court and the closest building in the Nairn Street Estate. The October 2022 amendments to this planning application which resulted in the removal of Block A3 have not resulted in any material improvements to the daylight and sunlight impacts on Atelier Court, however it has allowed for the opportunity to create a very generous space between Atelier Court and building Plots A1-2 and B1-2 of the masterplan with a separation distance of 26m between Plot A1-2 and Atelier Court and a greater distance of approximately 34m between Atelier Court and building Plot B1-2. Between these buildings there will be areas of public open space in Nairn Square and Nairn Park which comprises new areas for communal community growing, recreation play lawn as well as the planting of additional trees and landscaping. This will create a visually improved quality of environment, improved setting and improved outlook from windows and rooms on the western elevation of Atelier Court to that which currently exists. The improved outlook to these units through the removal of Block A3 is demonstrated in the image included in Figure 20, below:

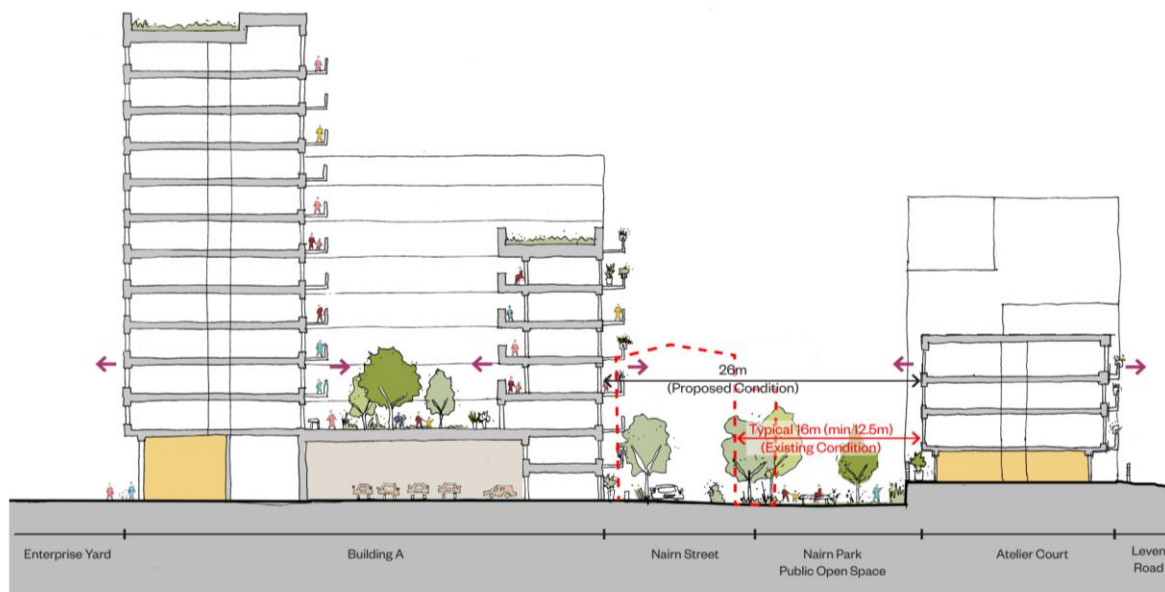


Fig.8 Sketch section cutting east-west through the northern part of the Site - Illustrative Scheme

Figure 20: Sketch section cutting east-west through the northern part of the Site - Illustrative Scheme (Block A3, which has been removed from the scheme) is shown by way of red dashed line, the purple arrow indicates direction of aspect, and the orange units indicate an indicative commercial land use.

701. Three out of the four phases have been submitted as Outline proposals relying on maximum parameter plans. The daylight and sunlight assessments

undertaken reflect a 'worst-case' scenario based on the maximum parameters sought. The maximum parameters include buffer space for balconies, rooftop maintenance areas and heating, ventilation and air conditioning systems. Therefore, once the detailed designs are developed to come forward for subsequent reserved matters planning application, the proposed massing could be smaller than the maximum parameters albeit unlikely to be significantly smaller given the density proposed. It is appropriate for the daylight and sunlight impacts to be assessed on the basis of the maximum parameters. The illustrative masterplan proposals considered earlier in this report provide an example of how the proposed development could be articulated and includes measures which would aid in the mitigation of daylight and sunlight effects. These measures include:

- Stepping back from the maximum parameter envelope;
- Introduction of gaps between blocks;
- Rooftop setbacks;
- Chamfered edges and
- Rooftop elements reducing in size.

702. While it is acknowledged that the above measures will not materially improve daylight and sunlight impacts to receptors Atelier Court and Leven Road Phase 3, GLA officers consider that the only means of addressing daylight and sunlight impacts identified would be to consider an alternative development proposal; one which would require the density of the development to be substantially reduced. BRE Guidelines should be applied flexibly and in a way that does not inhibit the appropriate optimisation and efficient use of the site. As such, in taking all of the above into account in the round and the wider regeneration benefits of the proposal, including the provision of housing and affordable housing, on balance, GLA Officers accept the reductions in daylight and sunlight resulting from this development and consider that the development proposal as a whole to be acceptable in terms of its impacts on the amenity of neighbouring properties.

Solar glare

703. London Plan Policy D9C(g) requires that tall buildings should not cause adverse reflected glare. Policy D.DH8 of the Local Plan sets out that development is required to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm, and that, to achieve this, development must not create unacceptable levels of artificial light, odour, noise, fume or dust pollution during the construction and life of the development. The supporting text to this policy explains that for the purposes of this policy, light pollution is defined as the adverse effect of artificial lighting and includes glare, light spillage and sky glow.

704. A full solar glare assessment has been included within Chapter 14 of the ES. The assessment is taken from 15 nearby locations which are considered sensitive in terms of solar glare, and are show in Figure 21, below.



Figure 21: Solar glare assessment locations

705. The solar glare assessment considers the potential occurrence, proximity and duration of solar reflections from the Phase A plots of the proposed development. All the plots are not visible from 3 out of the 15 viewpoints (namely viewpoints 3, 4 and 6) and as such there is no potential for any solar glare effects from these locations. Of the remaining 12 viewpoints assessed, 8 (viewpoints 1, 2, 7, 10, 11, 13, 14 and 15) would see Negligible effects due to the distance from the centre of the field of view, the broken-up nature of the small glazing elements of the facades, and the limited amount of time any small reflection would be visible. The remaining 4 viewpoints (5, 8, 9 and 12) would all experience Minor Adverse (Not Significant) effects.

706. There is potential for significant solar glare arising from the future detailed design of Outline Plots A-E which may comprise large areas of glazing (noting they may include workspaces and retail provision) and therefore would potentially cause significant reflections. A detailed technical assessment however cannot be undertaken for the new buildings at this outline assessment stage. The

assessment identifies that the most sensitive viewpoints are those along the A12 (1,4, 5, and 6) given the speed of travelling vehicles and proximity to potentially reflective facades of future development within Plots A-E which could potentially be within 10° of a road users line of sight. Depending on the final uses, orientation and materiality of the future detailed design, the ES ascribes the effects to these viewpoints range from Negligible (Not Significant) to Major Adverse (Significant). The ES reports however that should significant effects be considered likely, mitigating design strategies will be implemented to reduce the effects to not significant.

707. A condition is recommended for each Reserved Matters application for outline phases to be accompanied by a Solar Glare Study.

708. Overall, for the detailed phase, the significance of the solar glare effects will generally be negligible or minor adverse (not significant). A technical assessment has not been undertaken for the outline phases, however design strategies can be used to mitigate any glare impact, and these have been secured by condition. On this basis, the scheme complies with Policy D9C(g) of the London Plan and D.DH8 of the Local Plan in relation to solar glare.

Noise and vibration

709. London Plan Policy D14 states that development should avoid significant adverse noise impacts on health and quality of life. The Mayor's Environment Strategy aims to reduce the number of people adversely affected by noise and includes policies and proposals to support this aim.

710. At a local level, Policy D.ES9 of the Tower Hamlets Local Plan requires development to, amongst other requirements, use the most appropriate, layout, orientation, design and use of buildings to minimise noise and vibration impact, identify mitigating measures to manage noise and vibration from new development, including during the construction phase, separate noise-sensitive development from existing operational noise, and provide a noise assessment where noise-generating development or noise-sensitive development is proposed.

711. Furthermore, Policy S.DH1 of the Local Plan states that development must use design and construction techniques to ensure that the development does not result in unacceptably harmful impacts arising from a range of factors, including noise pollution.

712. Chapter 10 of the ES comprises an Environmental Noise Assessment, which focuses on potential noise and vibration effects during demolition and construction, in particular construction road traffic and onsite works noise. Once complete and operational, the assessment considers noise and vibration effects associated with operational road traffic noise on surrounding roads, internal ambient noise levels for residents of the proposed development and building services/plan.

713. The ES has considered the different stages of the demolition and construction programme, to identify the potential for effects at sensitive receptors in close

proximity to the works. The assessment concludes that in respect of effects from demolition and construction activities at residential properties immediately adjacent to works, with mitigation measures in place the demolition and construction activities will result in short term Minor to Major Adverse (Significant) effects on noise and vibration levels. To control the impact of noise during all phases of the construction programme, the assessment reports that contractors will ensure that construction works are carried out in accordance with best practicable means and mitigation measures will ensure that noise and vibration levels are kept as low as practically possible, and that local residents are kept up to date with the planned works. The Council's Code of Construction Practice (CoCP) 2023 is recommended to be secured by condition to ensure such impacts are controlled and mitigated during construction phases. The Significant Adverse effects experienced during the demolition works will be temporary in nature and will cease with the completion of the development.

714. In terms of the completed development, the assessment of the operational traffic flow data for the roads surrounding the proposed development has determined that the changes in noise due to operational road traffic will be Negligible, with a Major Beneficial (Significant) effect at two locations on Abbott Road due to a decrease in traffic because of the public realm and traffic calming road improvements introduced by the proposed development. The new homes provided will incorporate measures such as glazing and ventilation to ensure that the required internal noise levels can be met. Mechanical ventilation is also proposed across the development which will allow for sufficient airflow whilst maintaining the integrity of the façade with regards to noise insulation. Wintergardens will be incorporated at dwellings directly overlooking the A12 whilst the remainder comprises protruding balconies and external amenity areas at ground level which are screened by the layout of the proposed development.

715. In conclusion, the relevant ES chapter demonstrates technical compliance is achieved with regards to relevant planning policies to ensure that future residents will enjoy a satisfactory standard of living accommodation within the dwellings, whilst also safeguarding existing background noise levels through appropriate design and mitigation measures. No objections were raised by the Council's Environmental Health Noise Team. Conditions will be imposed accordingly to ensure that a suitable noise environment is maintained to neighbouring occupiers during the construction period of the development should planning permission be granted for this development.

716. On this basis, GLA officers are satisfied that the noise and vibration impacts during both the construction and operation phases could be suitably controlled, ensuring compliance with London Plan Policy D14 and Local Plan Policies S.DH1 and D.ES9.

Wind microclimate

717. London Plan Policy D9 states that tall buildings should not adversely affect their surroundings in terms of (amongst other things) microclimate and wind turbulence. Policy D8(j) of the London Plan relates to public realm and requires that development proposals ensure that appropriate shade, shelter, seating and, where possible, areas of direct sunlight are provided, with other microclimatic

considerations, including temperature and wind, taken into account in order to encourage people spend time in a place. Policy D3(D10) of the London Plan sets out that development proposals should achieve indoor and outdoor environments that are comfortable and inviting for people to use.

718. Local Plan Policy D.DH6 requires that developments with tall buildings must demonstrate that the development does not adversely impact on the microclimate and amenity of the application site and the surrounding area. Policy S.DH1 of the Local Plan states that development must use design and construction techniques to ensure that the development does not result in unacceptably harmful impacts arising from a range of factors, including wind.
719. Chapter 13 of the Environmental Statement reports the findings of the wind and microclimate study. The assessment is based on worst-case wind speeds, expected to be encountered during the winter seasons (December-February). Consideration has also been made for summer (June-August) wind conditions due to the above ground amenity spaces proposed within the scheme. Wind microclimate conditions have been assessed at various street and elevated level locations such as: pedestrian thoroughfares, entrances, amenity areas (ground floor, podium, balcony and roof terrace), roadways, car parks, bus stops and pedestrian crossings. The assessment of wind comfort and safety is based on the City of London (CoL) Lawson Comfort Criteria; which sets out the threshold windspeed and threshold frequency to the suitability of sitting, standing, strolling and walking. Under this assessment method if the measured wind conditions exceed the threshold for more than 5% of the time, then they are unacceptable for the stated pedestrian activity.
720. The ES reports that several window tunnel assessments of the proposed development (Outline Proposal, Detailed Proposals and Illustrative Scheme) have been undertaken to support the hybrid planning application, both with and without the proposed landscaping and wind mitigation measures. Ten configurations were assessed to simulate different phases of the proposed development as it comes forward including existing baseline and future baseline scenarios, taking into account other cumulative schemes in the locality which have identified a number of exceedances as each configuration were tested.
721. The testing of scenarios leads to Configuration Ten which tests the proposed development (Illustrative Scheme) and Phase A with cumulative surrounding buildings with proposed landscaping and wind mitigation measures in place. The wind assessment finds that with regards to pedestrian comfort, with the inclusion of proposed landscaping and wind mitigation measures wind conditions would improve at the majority of areas compared to the earlier Configuration 9 and would range from suitable for sitting to strolling use during the windiest season with the exception of the north-western corner of Plot C which would be suitable for walking use. During the summer season, wind conditions are either the same category or one category calmer and range from suitable for sitting to strolling use.
722. In terms of thoroughfares, in both the Detailed proposals and Illustrative scheme wind conditions would range from suitable for sitting to strolling use during the windiest season representing Moderate Beneficial to Negligible effects

(Not Significant) for both with the exception of probe location 177 in the illustrative scheme which would be one category windier than suitable for strolling use during the windiest season and represent a Minor Adverse (Significant) effect. Wind mitigation measures would likely to improve wind conditions at this location. All off-site thoroughfares in the vicinity of the site would be suitable for sitting, standing and strolling use during the windiest season and would represent a Negligible (Not Significant) effect.

723. Wind conditions for entrances in both the Detailed proposals and the Illustrative scheme wind conditions at the majority of entrances would range from suitable for sitting to standing use during the windiest season, representing a Minor Beneficial (Not Significant) to Negligible (Not Significant) effect for both. The exception being that at location 116 of the Detailed proposals, which would be one category windier than suitable for the intended use, thus representing a Minor (Significant) effect. In the Illustrative Scheme, there would be exception at probe locations 195, 276, 280, 287, 306, 309 and 339 which would be one category windier than suitable for entrance use and represent a Minor Adverse (Significant) effect.

724. Bus stops around the site would have wind conditions suitable for sitting and standing during the windiest season and as such would represent Minor Beneficial (Not Significant) to Negligible (Not Significant) effect. Pedestrian crossings would have wind conditions suitable for standing use during the windiest season representing a Moderate Beneficial (Not Significant) effect.

725. Ground level amenity spaces would have wind conditions that range from suitable for sitting to standing use during the summer season for both the Detailed proposals and the Illustrative scheme and off-site amenity representing a Negligible (Not Significant) effect. Wind conditions at designated seating areas within both the Detailed proposals and Illustrative scheme would be suitable for sitting use during the summer season, representing a Negligible (Not Significant) effect. The exception being at probe location 265 which would be one category windier than suitable for the intended use representing a Minor Adverse (Significant) effect.

726. Podium level amenity spaces and roof terraces within the Detailed proposals and Illustrative scheme and off-site roof terraces would all have wind conditions suitable for sitting use during the summer season and represent a Negligible (Not Significant) effect. Wind conditions at balconies within the Detailed proposals, Illustrative scheme and off-site locations would range from suitable for sitting to standing use during the summer season, representing a Negligible (Not Significant) effect.

727. Finally, the assessment concludes that there would be no instances of strong winds exceeding the safety threshold within the Detailed proposals however there would be instances of strong winds exceeding the safety threshold at probe location 177 within or around the proposed development including roads and car parks.

728. Following the October 2022 amendment to the planning application, the Environmental Statement; Statement of Conformity reports that the removal of

Block A3 may reduce the amount of blockage to the wind which is being channelled between blocks A1/A2 and B1, and therefore this may lead to a slight increase in acceleration of winds in these areas. However, the introduction of dense landscaping in the form of trees and hedging to the west of this channel (in place of Block A3) would also act as a form of blockage, and therefore is likely to have a similar effect. At the Reserved Matters application stages, when the detailed designs (including the landscaping proposals) are developed, further wind tunnel testing will be undertaken and will inform the landscaping design to be incorporated within the scheme.

729. The introduction of the amenity spaces to replace Block A3 introduces new intended uses from those assessed within the submitted Environmental Statement. The Statement of Conformity reports however that none of the amenity spaces are being proposed as bistro seating, therefore wind conditions would be required to be suitable for sitting use at seating areas and standing use at active amenity areas. These spaces are generally well sheltered to the west by trees and hedging, and the northern allotments and seating area should also be well sheltered by the landscaping and Blocks A1/A2. The report summarises that it is expected that the proposed landscaping in situ wind conditions would not materially change from that presented in the submitted Environmental Statement. The new amenity spaces which would replace Block A3 would be expected to have wind conditions suitable for the intended uses.

730. The ES identifies that further wind mitigation have been suggested in addition to the proposed development with proposed landscaping and implemented wind mitigation measures which would be expected to improve wind conditions at the remaining windy areas of the proposed development. The proposed wind mitigation measures identified in the ES include the following:

- Proposed landscaping (as described in the Design and Access Statement as amended).
- 2 x evergreen 6m tall evergreen trees with shrubs 1m in height underneath at the north-western corner of Block A.
- 2 x evergreen 6m tall trees with shrubs 1m in height underneath along the northern elevation of Block B1.
- 1 x deciduous 6m tall tree with shrubs 1m in height underneath at the centre of the southern elevation of Block A.
- 5 x evergreen 6m tall along the northern elevation of Building B3 with shrubs underneath 1-1.5m in height.
- 3 x deciduous trees 3m tall at the south-western corner of Building B3 with shrubs underneath 1-1.5m in height.
- Shrubs 1-1.5m in height along the southern elevation of Building B3 to the eastern side of the proposed seating area.
- 1 x deciduous trees 6m tall to the existing building north-west of Block C.

- Balustrades 1.5m in height around the perimeter of the roof terraces of Buildings B1 and C4.
- Balcony level (probe location 455): the stack of balconies represented by this receptor would require 1.5 tall solid balustrade or alternatively the use of 50% porous balustrade of similar height.
- Shrubs 1.5m in height along the western and northern edges of Building B1 roof terrace.
- 4 x evergreen 6m tall trees with shrubs 1m in height underneath along the western elevation leading to the south-western corner of Block C.
- 4 x evergreen 6m tall trees with shrubs 1m in height underneath along the southern elevation leading to the south-western corner of Block C.
- 3 x evergreen 6m tall trees with shrubs 1m in height underneath along the northern elevation of Block E.
- 5 x evergreen 6m tall trees with shrubs 1m in height underneath along the southern elevation of Block B3.
- Shrubs 1.5m in height along the western and south edges of Building C4 roof terrace.
- 4 x trees 3m in height along the western edge of the roof terrace of Buildings B1 and C4.
- Replaced 5 x deciduous trees at the north-western corner of Block B1 to 6m tall evergreen with 1m tall shrubs underneath.
- Bus Stop (probe location 105): The existing bus stop would be retained with a bus stop shelter that would be expected to provide the adequate protection.
- New semi-mature trees to be provided at Jolly's Green to reduce effects of north-easterly winds.
- Further testing at reserved matters stage to ensure conditions are suitable for use

731. As a result of the removal of Block A3, the following additional wind mitigation measures have been identified in addition to the above:

- The height of trees to the west should range between 4m and 7m in height, and that planters or hedges should be included at ground level to reduce the effective length of the clear stem of the trees.
- Evergreen varieties or species with large dense crowns are also recommended.

732. With the above mitigation measures incorporated the Illustrative scheme would improve such that the majority of areas would be safe and suitable for the intended use. The relevant ES chapter has been reviewed by Temple Group (as appointed by Tower Hamlets Planning Officers) who with the exception of some clarifications sought, have found the wind/microclimate assessment to be acceptable.

733. It is relevant to note that some configurations reported in the original Environmental Statement reports that significant adverse effects could occur as a result of the development, for example Configuration Three which assess the Outline proposals and Detailed proposals in the current baseline without mitigation for the Outline proposals. However, as demonstrated by Configuration Five (Proposed Development (Illustrative Scheme) and Phase A with Existing Surrounding Buildings, Proposed Landscaping and Wind Mitigation Measures) and Ten (Proposed Development (Illustrative Scheme) and Phase A with Cumulative Surrounding Buildings, Proposed Landscaping and Wind Mitigation Measures), reasonable conditions can be achieved by the development.

734. Overall, the development would not result in any unreasonable impacts with respect to wind/microclimate within or outside of the development boundaries. Should planning permission be granted for this development, the additional mitigation measures identified and further tunnel testing at the Reserved Matters stage to ensure suitable wind conditions will be secured by way of condition, ensuring compliance with London Plan Policies D9, D8(j) and D3(D10) and Local Plan Policies S.DH1 and D.DH6

Green infrastructure and the natural environment

Trees

735. Policy G7 of the London Plan requires development proposals to ensure that, wherever possible, existing trees of value are retained. Where planning permission is reliant on the removal of trees, there should be adequate replacement based on the existing value of the benefits of the trees which are removed. New development should include the planting of new trees, particularly large-canopied species.

736. Part 1(c) of Tower Hamlets Local Plan Policy D.ES3 requires development to protect and increase the provision of trees through protection of all trees, incorporation of native trees, and providing replacement trees as applicable.

737. There are a number of existing trees on site. The applicant has provided an Arboricultural Impact Assessment (AIA) which sets out that to facilitate the proposals, five individuals of Category A status and 39 individuals, two groups and one hedge of Category B status are proposed to be removed. CAVAT values have been provided for the trees to be removed to facilitate the proposed development and those proposed. Those to be removed are calculated as £3,632,193. There are 453 trees proposed across the site, however only 406 of these are considered to be public trees so the CAVAT calculation focuses on these. CAVAT values were provided at year 0, year 15 and year 20 for the

proposed trees with three different growth rates and the Report states that 0.75cm growth rate is most likely, which would result in a net gain of £390,658 by year 20. This is acceptable and as the proposals comprises an outline planning application, GLA Officers recommend that a planning condition is used to ensure adequate species and sizes are chosen to achieve or exceed this replacement, and also requested that this is secured within the Design Code. GLA Officers also recommend a condition is used to ensure measures are taken to maximise growth rate, as set out within the Arboricultural Report.

738. It is also noted that the design code states that trees must be retained wherever possible, which is supported.

739. The scheme complies with Policy G7 and Part 1(c) of Tower Hamlets Local Plan Policy D.ES3.

Biodiversity

740. The site is lies near to the River Thames and tidal tributaries Site of Importance for Nature Conservation (SINC), which is identified as being of Metropolitan Importance. Policy G6 of the London Plan states that Sites of Importance for Nature Conservation (SINCs) should be protected, and sets out, where harm to a SINC is unavoidable, and where the benefits of the development proposal clearly outweigh the impacts on biodiversity, the following mitigation hierarchy should be applied to minimise development impacts: 1) avoid damaging the significant ecological features of the site 2) minimise the overall spatial impact and mitigate it by improving the quality or management of the rest of the site 3) deliver off-site compensation of better biodiversity value.

741. Policy D.ES3 of the Local Plan requires development to protect and enhance biodiversity by, amongst other measures, maximising the provision of 'living building' elements and retaining existing habitats and features of biodiversity value or, if this is not possible, replacing them within the development, as well as incorporating additional measures to enhance biodiversity, proportionate to the development propose.

742. The applicant provided an updated outline Construction Environmental Management Plan (CEMP) which outlines that impacts from the works on the SINC are considered to be minimal due to distance and separation, and this requirement has been secured by condition.

743. Policy G6 further states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. The policy states that proposals which reduce deficiencies in access to nature should be considered positively.

744. When the application was submitted in November 2021, the original Biodiversity Impact Assessment set out that the masterplan site results in a net gain of 20.38%. Following revisions to the scheme proposed during application stage, an updated Biodiversity Net Gain figure of 21.11% was calculated, and

GLA has taken over the scheme, this has been increased and now a Biodiversity Net Gain of 30.47% is proposed across the whole masterplan.

745. Biodiversity mitigation and enhancement measures and a biodiversity net gain of a minimum 30.47% has been secured by condition, allowing for improvement where possible as the design progresses. A condition relating to biodiversity mitigation and enhancement measures is also recommended to be secured. On this basis, the proposal accords with Policy G6 of the London Plan and Local Plan Policy D.ES3.

Urban Greening

746. Policy G5 of the London Plan sets out that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping and other measures. The policy sets out that boroughs should develop an Urban Greening Factor (UGF), based on a range of urban greening factors and local circumstances, to identify the appropriate amount of urban greening required in new developments. In the absence of a locally defined target score, Policy G5 recommends a target score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

747. Policy D.ES3 of the Tower Hamlets Local Plan relates to urban greening and biodiversity, and while it does not set a locally defined urban greening target, it requires development to protect and enhance biodiversity, and includes a number of other requirements relating to ecology, planting and landscaping.

748. Since the original consultation of the application, the proposed urban greening factor for the scheme has increased from 0.35 to 0.4. It is noted that that when the application was called in, the urban greening factor score was proposed at 0.38, thereby the proposed increase in urban greening is an improvement to the proposal that has been secured by GLA Officers. A landscaping condition is recommended that secures the urban greening factor score of 0.4, and subject to compliance with the condition, the scheme complies with Policy G5 of the London Plan.

Sustainable development and environmental issues

749. This section assesses the sustainability of the proposals, including air quality, the proposed energy strategy, waste and the circular economy, whole life and cycle carbon, flood risk and drainage mitigation, and water usage.

750. Sustainable infrastructure policies are set out in chapter 9 of the London Plan and require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, minimise carbon dioxide emissions and meet the highest standard of sustainable design. The policies set stringent standards regarding air quality, greenhouse gas emissions, energy infrastructure, water infrastructure, waste and the support for the circular economy.

751. The following documents also provide guidance on sustainability and climate change matters the Mayor's Environment Strategy; Circular Economy Statements LPG; Whole-life Cycle Carbon Assessments LPG; 'Be Seen' Energy Monitoring Guidance LPG; Control of dust and emissions during construction and demolition SPG; Air Quality Neutral LPG and Air Quality Positive LPG.

752. The applicant has submitted a Sustainability Statement which sets out the sustainability targets for the site and aspirations for the design and performance of the development.

Energy

753. Under paragraph 162 of the NPPF new development is required to comply with local policies for decentralised energy supply unless deemed unfeasible or viable and take account of landform, layout, orientation massing to minimise energy consumption.

754. Policy SI2 of the London Plan requires development proposals to minimise carbon dioxide emissions to meet the Mayor's targets, in accordance with the energy hierarchy. as follows:

- **Be Lean:** use less energy;
- **Be Clean:** supply energy efficiently;
- **Be Green:** use renewable energy; and
- **Be Seen:** Monitor and report on energy performance.

755. Policy SI2 of the London Plan also requires calculation of whole life-cycle carbon emissions.

756. Policy SI2 of the London Plan requires all major developments (residential and non-residential) to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2013 Building Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered. The policy requires that a minimum on-site reduction of at least 35% improvement beyond Part L 2020 Building Regulations.

757. Policy SI2 of the London Plan also includes the expectation that energy efficiency measures alone should account for a minimum of 10% of the reductions in carbon dioxide emissions for residential development and 15% for non-residential development.

758. At the local level, the national and strategic messages are echoed in Policies S.ES1 and D.ES7 of the Tower Hamlets Local Plan. Policy D.ES7 specifically requires that for residential developments, zero carbon should be achieved through a minimum of 45% reduction in regulated carbon dioxide emissions on-site and the remaining regulated carbon dioxide emissions to 100% are to be off-set through a cash in lieu contribution. Policy LS14 of the Leaside Area Action

Plan requires residential development within the AAP area to achieve zero carbon development through a minimum 60% reduction in regulated carbon dioxide emissions on-site, with the remaining regulated carbon dioxide emissions to be offset through a cash in lieu contribution.

Detailed proposals

759. 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.
760. 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.
761. 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.
762. 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.
763. 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.
764. 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.

765. Overall, the proposal broadly complies with London Plan SI 1 and Local Plan Policies S.ES1 and D.ES7.

Outline Proposals

766. 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).

767. 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.

768. As EON's plans are at an early stage, the assessment undertaken within the 'Energy Assessment Report' prepared by Meinhardt, has 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.

769. 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.

770. Heat interface units will be provided per dwelling, providing instantaneous heating and hot water.

771. 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.

772. 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.

773. 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.

774. 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.

775. 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 financial contribution of £878,350 (£95/Tonne for a period of 30 years).

776. The proposed overall carbon emission savings have been calculated for each of the stages of the energy hierarchy, as detailed in Tables 27 and 28, below:

Table 27: Domestic carbon emission savings, detailed and outline proposals

SAP 10.2	Detailed – Blocks F & H			Detailed – Blocks I & J			Outline		
	Total residual regulated CO2 emissions	Regulated CO2 emissions reductions		Total residual regulated CO2 emissions	Regulated CO2 emissions reductions		Total residual regulated CO2 emissions	Regulated CO2 emissions reductions	
	Tonnes/Year	Tonnes/Year	%	Tonnes/Year	Tonnes/Year	%	Tonnes/Year	Tonnes/Year	%
Baseline i.e. 2013 Building Regulations	180.8			67.39			1103.5		
Energy Efficiency	157.1	23.8	13%	52.76	14.63	22%	871.2	232.3	21%
CHP	157.1	0.0	0%	52.76	0.0	0%	871.2	0	0%
Renewable energy	163.5	-6.4	-4%	15.58	37.18	55%	286.0	585.2	53%
Total		17.3	10%		51.80	77%		817.5	74%

Table 28: Non-domestic carbon emission savings, detailed and outline proposals

SAP 10.2	Detailed			Outline		
	Total residual regulated CO2 emissions	Regulated CO2 emissions reductions		Total residual regulated CO2 emissions	Regulated CO2 emissions reductions	
	Tonnes/Year	Tonnes/Year	%	Tonnes/Year	Tonnes/Year	%
Baseline i.e. 2013 Building Regulations	16.1			35.3		
Energy Efficiency	12.0	4.1	25%	30.1	5.1	15%
CHP	12.0	0.0	0%	30.1	0.0	0%
Renewable energy	11.2	0.8	5%	22.2	8.0	23%
Total		4.8	30%		13.1	37%

777. As above, the shortfall to achieving an on-site carbon neutral scheme through 100% carbon reduction across the whole proposed development is met through a required offset payment as highlighted in the Planning Obligations section of this report. Updated energy strategies and details of recalculated carbon off-setting contribution to be submitted as part of the reserved matters applications for outline phases as part of any approved scheme. Subject to compliance with relevant conditions and obligations, the proposal complies with Policy SI2 of the London Plan, and Local Plan policies S.ES1 and D.ES7.

Whole life cycle carbon (WLC)

778. Policy SI2(F) of the London Plan requires that development proposals referable to the Mayor should calculate whole lifecycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

779. The applicant submitted a whole life-cycle carbon (WLC) assessment and has provided all required information within the project details section of the GLA's WLC template under the Detailed planning stage tab, in line with the GLA Whole Life-Cycle Carbon Assessment guidance document.

780. A condition is recommended as part of the grant of any permission requiring the submission of a post-construction assessment, on a phased basis, to report on the development's actual WLC emissions.

781. The proposal complies with Policy SI2(F) of the London Plan.

Circular economy

782. Policy D3(d)(13) of the London Plan states that development proposals should aim for high sustainability standards and take into account the principles of circular economy, and London Plan Policy SI7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement. Policy S.MW1(8) of the Tower Hamlets Local Plan states that new development will be expected to reuse and recycle construction, demolition and excavation waste on or close to the site where it arises.

783. As noted above, as part of consideration of estate regeneration proposals under Policy H8(c) of the London Plan sets out that before considering the demolition and replacement of affordable homes, boroughs, housing associations and their partners should always consider alternative options first. As detailed in the Estate Regeneration section of the report, the applicant has provided information within the submitted circular economy statement that details that they have balanced 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.

784. The applicant has submitted a circular economy statement as required by Policy SI7 of the London Plan, and has addressed all comments raised by GLA Circular Economy Officers, including in relation to the strategic approach, key

circular economy commitments, bill of materials, recycling and waste and reporting and operational waste. It is recommended that compliance with the circular economy statement is secured by condition. It is also recommended that the submission of post-construction monitoring should be secured by condition.

785. As set out in the estate regeneration section of this report, required by Policy H8 of the London Plan, the applicant has considered potential benefits associated with the option to demolish and rebuild an estate set against the wider social and environmental impacts. Subject to compliance with the recommended conditions, the proposal complies with Policy SI7 and D3(d)(13) of the London Plan, and S.MW1(8) of the Tower Hamlets Local Plan.

Digital connectivity

786. Policy SI 6 of the London Plan states that to ensure London's global competitiveness now and in the future, development proposals should, among other requirements, ensure that sufficient ducting space for full fibre connectivity infrastructure is provided to all end users within new developments. A planning condition is recommended on the grant of any planning permission requiring the submission of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development in line with London Plan Policy SI6.

Water

Flood risk and sustainable drainage

787. Policies SI12 and SI13 of the London Plan seeks to ensure that flood risk is minimised and mitigated, should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy set out within the London Plan. The policy aspirations are also reiterated at the local level in policies D.ES4 and D.ES5 which seek to reduce the risk of flooding. The site is located in Flood Zone 3, in an area benefitting from flood defences. A Flood Risk Assessment (FRA) has been submitted as required under the NPPF.

788. The drainage strategy proposes to restrict runoff to 18.8 l/s for the 100-year event plus 40% climate change, which is equivalent to the calculated greenfield runoff rate and is supported. The drainage strategy proposes to provide the required attenuation within a combination of blue roofs, podium-level tanks, and below ground attenuation tanks, which is supported.

789. In terms of sustainable urban drainage systems (SuDS), the drainage strategy proposes green roofs and rain gardens (bioretention planters), which is welcomed and is clearly shown on the drainage strategy plan.

790. All queries raised by GLA Officers have been addressed in relation to flooding and drainage, and conditions have been recommended to the submission of a Sustainable Urban Drainage Scheme (SUDS) for each Development Phase, which will include:

- An assessment of the hydrological and hydro geological context of the development;
- The submission of an updated flood risk assessment in line with national and local policy requirements, together with a Flood Warning Evacuation Plan;
- The peak discharge rates for all storm events (1in1, 1in30, 1in100, 1in100+40%), together with any associated control structures and their position on site and must provide safe management of critical storm water with storage up to the 1:100 year plus 40%;
- An assessment towards the Suds hierarchy and how each approach could be included within the site including above ground green SUDS, the use of rainwater and greywater harvesting technologies for internal and external use;
- agreed adoption, monitoring and continued maintenance of drainage and suds features post development;
- Floor levels are to be raised above the 2100 flooding peak and a minimum of 0.15m above adjacent ground levels;
- Provision of flood resilience and resistance measures for areas below the breach flood level; and
- Discharge from the site is to be no greater than green-field run-off rates.

791. Subject to compliance with the relevant recommended conditions, the proposal complies with Policies SI.12 and SI.13 of the London Plan, and Local Plan Policies D.ES4 and D.ES5.

Water efficiency

792. The Sustainability Statement sets out that the design team will ensure water consumption (litres/person/day) for the assessed buildings is in line with the London Plan's 105 litre per person per day requirement, in line with the optional standard in Part G of the Building Regulations, and compliant with Policy SI.5 of the London Plan.

793. Water efficient fittings, water meters, and leak detection systems are proposed, which is supported, and it is recommended these features are secured by condition. It is recommended that compliance with Policy SI.5 of the London Plan is secured by condition for both the non-residential uses and residential uses on site. Subject to compliance with relevant conditions, the proposal complies with Policy SI.5 of the London Plan.

BREEAM

794. Paragraph 9.2.7 of the London Plan sets out that achieving energy credits as part of a Building Research Establishment Environmental Assessment Method (BREEAM) rating can help demonstrate that energy efficiency targets have been

met, and that boroughs are encouraged to include BREEAM targets in their Local Plans where appropriate. Policy D.ES7 of the Local Plan requires all new non-residential development over 500 squares metres floorspace to meet or exceed BREEAM 'excellent' rating.

795. The submitted BREEAM Pre-Assessment Report indicates that the non-residential units will achieve a BREEAM rating of 'Excellent' with target scores of 73.32% and 72.44% for the retail and workspace units respectively and therefore accords with the Local Plan policy in this regard. A planning condition is recommended to secure this in line with the requirements of Policy D.ES7 of the Local Plan.

Air quality

796. Paragraph 192 of the NPPF states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas (AQMA) and Clean Air Zones, with further guidance provided in the Government's Planning Practice Guidance (PPG).

797. London Plan Policy SI1(B) sets out that to tackle poor air quality, protect health and meet legal obligations, a number of criteria should be addressed, including requiring development proposals to not create unacceptable risk of high levels of exposure to poor air quality. London Plan Policy SI1(C) requires that masterplans and development briefs for large-scale 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. To achieve this a statement should be submitted demonstrating how proposals have considered ways to maximise benefits to local air quality, and what measures or design features will be put in place to reduce exposure to pollution, and how they will achieve this.

798. At the local policy level, Policy D.ES2 of the Tower Hamlets Local Plan requires development to meet or exceed the 'air quality neutral' standard.

799. An Air Quality Positive Statement has been provided that adequately satisfies the requirements of London Plan Policy SI 1 (C) and an Air Quality Neutral calculation that shows that the development is neutral in all phases and is therefore accepted in line with London Plan Policy SI 1 (B).

800. Conditions are recommended to ensure the development does not have an adverse impact on air quality and amenity during the construction phase, as required by Policy SI1 (D) of the London Plan. Specifically, a condition is recommended to ensure on-site plant and machinery complies with the London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards in accordance Policy SI1 (D) of the London Plan.

801. A second condition is also recommended that secures the submission of measures to control emissions during the construction phase relevant to a high risk site to be written into an Air Quality and Dust Management Plan (AQDMP), or form part of a Construction Environmental Management Plan, in line with the

requirements of the Control of Dust and Emissions during Construction and Demolition SPG. The AQDMP should be approved by the LPA and the measures and monitoring protocols implemented throughout the construction phase, to ensure compliance with Policy SI 1 (D) of the London Plan.

802. Subject to conditions being secured in relation to compliance of on-site plant and machinery with Non-Road Mobile Machinery (NRMM) Low Emission Zone standards, and control emissions during the construction phase (to be written into an Air Quality and Dust Management Plan (AQDMP) or form part of a Construction Environmental Management Plan) GLA officers consider that the application would comply with Policy SI 1 (D) of the London Plan and Local Plan Policy D.ES2.

Contamination

803. Policy SD1 requires that take appropriate measures should be taken through Development Plans and decisions to deal with contamination that may exist.

804. The application was reviewed by Tower Hamlet's Council's Environmental Health Land Contamination Officer and subject to standard conditions that have been recommended as part of any approval, the proposals would be acceptable. Any contamination that is identified can be addressed within the condition approval process and will ensure that the site is made safe prior to any construction or demolition works taking place.

Transport

National Policy Context

805. Chapter 9 of the NPPF sets out the Government's aim to promote the use of sustainable modes of transport. When considering the transport implications of development proposals, the NPPF states that decision-makers should ensure that site specific opportunities available to promote sustainable transport modes have been taken up; safe and suitable access to site would be achieved for all users; and any significant impacts from development on transport network (in terms of capacity or congestion) or highways safety can be mitigated to an acceptable degree.

806. Paragraph 115 of the NPPF states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or where residual cumulative impacts on the road network would be severe. Paragraph 116 of the NPPF sets out additional criteria which should be addressed which includes pedestrian, cycle, inclusive access, safety, security, servicing and provision for low emission vehicles.

Strategic London policy context

807. Chapter 10 of the London Plan sets out the Mayor's policies on transport and the strategic approach for transport in London. London Plan Policy T1 (Strategic approach to transport) reflects the Mayor's Transport Strategy insofar as it

requires new development to support the strategic target mode share for active travel. Policy T2 (Healthy Streets) sets out where development proposals should demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators, reduce the dominance of vehicles on London's streets and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport. Policy T9 (Funding transport infrastructure through planning) sets out how planning obligations will be sought to mitigate impacts from development, which may include the provision of new and improved public transport services, capacity and infrastructure, and making streets pleasant environments for walking and socialising.

808. The Mayor's Transport Strategy 2018 looks to put people's health and quality of life at the very heart of planning the city's transport with an aim that by 2041, 80 per cent of all Londoners' trips will be made on foot, by cycle or by public transport. Proposal 80 of the Strategy seeks to impose high expectations on developers to deliver transport solutions that will promote sustainable mode shift, reduce road congestion, improve air quality and assist in the development of attractive, healthy and active places.

Local policy context

809. Tower Hamlets' Local Plan 2031 Policy S.TR1 (Sustainable Travel) includes that development will be expected to prioritise the needs of pedestrians and cyclists as well as access to public transport, before vehicular modes of transport and not adversely impact the capacity, quality, accessibility and safety of the transport network in the borough.

810. Tower Hamlets' Local Plan 2031 Policy D.TR2 (Impacts on the Transport Network) includes 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.

811. Policy S.SG1 Areas of growth and opportunity within Tower Hamlets sets out how development will be required to support the delivery of significant new infrastructure to support growth within the four sub-areas, including improvements to the transport network, green grid projects and social infrastructure.

812. Policy S.SG2 Delivering sustainable growth in Tower Hamlets sets out how development will be supported where it delivers managed growth, though not resulting in unacceptable impacts on the natural and historic environment and its assets, transport capacity and infrastructure; contributing to creating healthy environments and delivering social and transport infrastructure and public realm improvements which are inclusive and accessible to all.

813. Policy D.DH2 Attractive streets, spaces and public realm sets out how development is required to contribute to improving and enhancing connectivity, permeability and legibility across the borough, ensuring a well-connected, joined-up and easily accessible street network and wider network of public spaces through improving connectivity to public transport hubs, social and community

facilities and surrounding areas and incorporating the principles of 'secured by design' to improve safety and perception of safety for pedestrians and other users

814. Development is also required to positively contribute to the public realm through providing clear definitions and enclosure through building frontage and massing, and connection and continuity of pedestrian desire lines and street activities, at a human scale c) providing a range of public spaces that can function as places for social gatherings and other recreational uses designing out concealment points and leftover spaces, and n) creating clear sightlines and improving legibility and lighting of the surrounding area at all times of the day and night.

815. Policy LS8 of the Leaside AAP (Regulation 18 Version) expects development to improve the quality and connectivity of walking and cycling routes in the area. Part B of the policy identifies a number of top priority interventions that would be expected to be secured to contribute to the delivery of improvements to walking and cycling connections including but not limited to:

- Creation of an east-west walking and cycling 'spine' from the River Lea to Langdon Park DLR station by delivering high quality cycle provision and improved footways along Lochnagar Street, Zetland Street, St Leonard's Road, and Langdon Park. This should include an upgraded junction between Zetland Street, A12 and Lochnagar Street, with tightened turning radii and more direct pedestrian crossings, and access to the new bridge crossing of the River Lea at Lochnagar Street.
- Creation of an east-west walking and cycling 'spine' between Abbott Road and Chrisp Street Market by delivering dedicated cycling provision and continuous footway crossings along Blair Street and Brownfield Street. This should include environmental improvements to the subway crossing at Balfron Tower, a new crossing between the top of Abbott Road and Jolly's Green, and aligning the Chrisp Street crossing with Brownfield Street and converting it to a 'toucan' crossing.
- Traffic calming on Abbott Road, including dedicated cycling provision and continuous footway crossings. Upgraded 'toucan'-style crossings should be provided at the junctions with Aberfeldy Street, Dee Street, and Blair Street.

816. The emerging Regulation 18 Local Plan includes:

- "Improve walking and cycling connections to, from and within the site. These should align with the existing urban grain to support permeability and legibility. The existing complex network of streets and cul-de-sacs should be replaced by a permeable street grid network which fully integrates and makes direct connections with its context creating a stronger and more legible street network across the estate. Improved green grid routes should be delivered along Aberfeldy Street, Blair Street, and Abbott Road, with good onward connections provided to Jolly's Green and green grid routes across the A12 and A13 and towards the Leven Road and Teviot Estate site allocations.

- Aberfeldy Street will be a strong and more legible public route across the estate, which will better establish connections with new development to the south and provide direct connections to the riverside area at the north.”
- The main transport issues are the challenge of promoting high density residential development on a site that only has low to moderate PTAL, overcoming the severance of major roads such as the A12, impact on the local and strategic highway networks, car and cycle parking, facilitating active travel through embedding healthy streets in the design of new and existing networks and provision of new or enhanced walking and cycling routes, location and access to bus stops, arrangements for access and servicing, and construction impact on highway assets and the road network.

817. It should also be noted that in the 2021 census, 66 per cent of households across all of Tower Hamlets do not have access to a car, the third lowest rate in London. In addition, from the London Travel Demand Survey (LTDS) five years to 2019/20, 80 per cent of households in Tower Hamlets with income below £20,000 do not have access to a car and a large majority of households for middle income brackets (£20k-£35k, £35k-£50k, £50k-£100k) do not have access to a car (72%, 62%, 62% respectively).

Transport context

818. Issues with respect to transport were considered by the Tower Hamlets Council within the committee report. This assessment concluded that subject to securing relevant conditions identified above, the proposal is supported in terms of transport matters and promotes sustainable modes of transport. Tower Hamlets Council committee report noted that both TfL and the Council’s Transport and Highways Officers support the principle of the transport and road network changes proposed and the aspiration to improve the east-west connectivity across the A12.

819. The Tower Hamlets Council committee report further stated that the proposal is not considered to have any material impact on pedestrian or vehicular safety or result in undue pressure on the local highway network in accordance with Policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and policies contained in the London Plan.

820. It is noted, however that transport features in the first three of the Council’s reasons for refusal, which read:

- **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.

Trip generation

821. The submitted transport assessment (TA) has undertaken a standard TRICS-based assessment of the proposed development to determine the anticipated trip generation for the proposed development. Further updates to the TA were submitted in January 2023 and November 2023 to reflect proposed changes to the development and should be read in combination with the original TA which provides a robust assessment.

822. For example, the removal of Block A3 has been assessed to take account of the reduction in unit numbers and unit mix. The trip generation methodology is based on quantum of dwellings and does not take account of the unit mix. As such changes to the unit mix will not impact the trip generation as assessed in the Transport Assessment. The reduction in dwellings is nonetheless predicted to result in a minor reduction in trips whereas the change in the quantum of dwellings and trip generation does not change the results of the original TA.

823. The total person residential trip rates forecast demonstrates that in the AM Peak Hour (08:00–09:00) there would be 755 two-way person trips and 588 two-way person trips in the PM Peak Hour (17:00-18:00).

824. In terms of mode of transport used, the mode share has been adjusted based on proposed transport infrastructure and services, site location and car parking levels for the proposed development, and as agreed with TfL and LBTH Highways Officers. The assessment demonstrates that during the AM Peak Hour (08:00-09:00) most trips are expected to be taken by public transport accounting for 53.6% of AM Peak Hour journeys. The second highest expected mode of transport would be pedestrian journeys accounting for 28.9% of total mode journeys whilst vehicle drivers in the AM Peak Hour account for 5.4% of the total mode journeys. In the PM Peak Hour (17:00- 18:00), public transport users would account for 48.7% of journeys, pedestrians would account for 28.1% whilst cycling would be the least used mode of travel accounting for 6.3% of journeys.

Vehicle drivers would account for 8.6% whilst vehicle passengers (i.e., taxi passengers) would account for 8.4%.

825. The public transport trip generation assessment has been updated to cover a three-hour assessment period and presented to TfL in a technical note. The assessment indicates that there would be 760 two-way person movements in the AM period (07:00-10:00) and 707 two-way person movements in the PM period (16:00-19:00). The assessment indicates that the DLR and the Underground account for the most used mode of transport in the AM period whilst the bus accounts for the most used mode in the evening with the DLR and Underground jointly accounting for the second most mode of travel accounting for 191 two-way trips each in the PM period. Morning trips whilst bus, DLR and Underground account for the most evening trips. The proposals are not expected to have a significant impact on the capacity of the public transport network (although later sections address impact on bus journey times and priority).

826. With regards to the retail uses, as the proposed scale, location and nature of the units would generally serve local residents and the quantum of retail floorspace would be comparable to existing provision, the assessment considers that trips will primarily be visitors on foot, no trip generation has been undertaken for this element on the basis. For workspace trips, the assessment indicates that there would be 67 two-way trips in the AM Peak Hour (08:00-09:00) and 65 two-way trips in the PM Peak Hour (17:00-18:00).

827. In terms of delivery and servicing trip generation, the assessment indicates that on average there would be up to 219 deliveries per day expected of which 187 would be for residents, 24 for retail spaces and 9 for workspaces). Of these trips, 189 will be undertaken by LGVs (Light Goods Vehicle) and 30 by HGVs (Heavy Goods Vehicle) spread across all uses.

828. With regards to the net change in vehicle trip generation, the site currently accommodates 330 dwellings and the net increase in dwellings would be up to a maximum parameter of 1252 dwellings. The TA indicates that the proposed development is forecast to generate only a relatively minor increase in Peak Hour traffic with a total of 31 vehicle movements in the AM Peak Hour and 39 vehicle movements in the PM peak hour, primarily associated with servicing activity. The net increase across vehicle trips in both the Peak AM and PM Hour can be seen in Table 29, below.

Table 29: Forecast Net Vehicle Trips

MODE	AM PEAK HOUR (8:00-9:00 AM)			PM PEAK HOUR (17:00-18:00)		
	In	Out	Total	In	Out	Total
Cars	2	3	5	2	3	5
Taxis	4	3	7	6	6	13
Servicing vehicles - LGV	9	9	17	10	10	19
Servicing vehicles - HGV	1	1	3	1	1	2
Total	16	15	31	19	20	39

829. Overall, there are no objections to the assessment provided and it is not considered that the development proposals will have a significant impact on the

strategic or local highway network - later sections address the impact of proposed changes to highways and access.

Healthy Streets and Vision Zero

830. The Healthy Streets approach seeks to improve health and reduce inequalities. The aims of the strategy are to improve air quality, reduce congestion and make attractive places to live, work and do business. The approach seeks to encourage all Londoners to do at least 20 minutes of active travel each day by 2041 to stay healthy. To this end TfL has defined 20-minute walking and cycling distances as an Active Travel Zone (ATZ). There are ten Healthy Streets indicators, which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle and use public transport. Alongside the Healthy Streets Approach, the Mayor's Vision Zero aspiration, which aims to eliminate death or serious injury on London's roads, supports changes to road networks to improve the safety of vulnerable road users.

831. The TA has undertaken an Active Travel Zone (ATZ) assessment that covers active travel routes to and from six grouped key routes that would be used by future residents in order to identify deficiencies and appropriate improvements along these routes against the healthy street criteria. These key routes are as follows:

- Key Route One: Bromley-by-Bow Underground Station.
- Key Route Two: Langdon Park DLR Station, Langdon Park School, Jolly's Green.
- Key Route Three: All Saints DLR Station, Chrisp Street Market.
- Key Route Four: Canary Wharf.
- Key Route Five: East India DLR Station.
- Key Route Six: Canning Town Underground Station.

832. Routes 1, 2 and 4 assessed the existing crossing points at the A12, namely Lochnagar Street subway and at-grade crossing, Abbott Road subway and Dee Street subway. All crossings were found to be the worst points for each route which highlighted the need to reduce the severance that the A12 causes. The assessment identifies that improvements could be made to the routes including the introduction, design for and enforcing of lower speed limits, raised tables and better/clearer crossing facilities where appropriate i.e., Abbott Road, improvements could include providing grade-separated crossing facilities for people walking and cycling across the highest trafficked and highest speed routes such as the A12, traffic calming improvements along Abbott Road, introduction of the new repurposed Abbott Road underpass and improvements to the Balfron Subway to make this a more attractive crossing for people walking and cycling. The proposed development has therefore been designed to support the Healthy Streets and Vision Zero principles. There are other emerging and consented schemes such as Ailsa Wharf (Tower Hamlets ref PA/22/00210) and a

pedestrian / cycle bridge at east end of Lochnagar Street which provide other interventions.

833. The design code was updated to incorporate TfL comments, including details of cycle routes, marking a segregated cycle route in the Abbott Road underpass, Legible London provision, and the retention of bus standing within the application area. This would be secured and implemented through reserved matters applications for the relevant phases. An Estate Management Framework is by condition.

Movement strategy

834. The layout of the proposed development seeks to overcome the severance created by the A12, A13 and the River Lea and crucially strive to reintegrate and reconnect the Aberfeldy Estate better into its surroundings. The comprehensive movement strategy and the vision for the public realm would be transformative and has driven the shaping of the masterplan to ensure significant improvements are achieved to the pedestrian and cycle experience in the area. Movement across the site and into the wider neighbourhood is considered from a 'children first' perspective and seeks to place young people at the top of the movement hierarchy.

835. Pedestrian movement would be prioritised through safe networks and crossings connecting Highland Place, Millennium Green, Leven Road Open Space, Braithwaite Park and Jolly's Green along the transformed Healthy Street; Abbott Road. Public realm proposals address how traffic on this street can be reduced and calmed to allow children and families to safely walk and cycle along Abbott Road as well as cross between these spaces.

836. The network connects through to the former Leven Road Gasworks development site and Poplar Riverside Park and sets up as described by the Applicant 'safe loops' around the existing neighbourhood making ease of movement particularly for children.

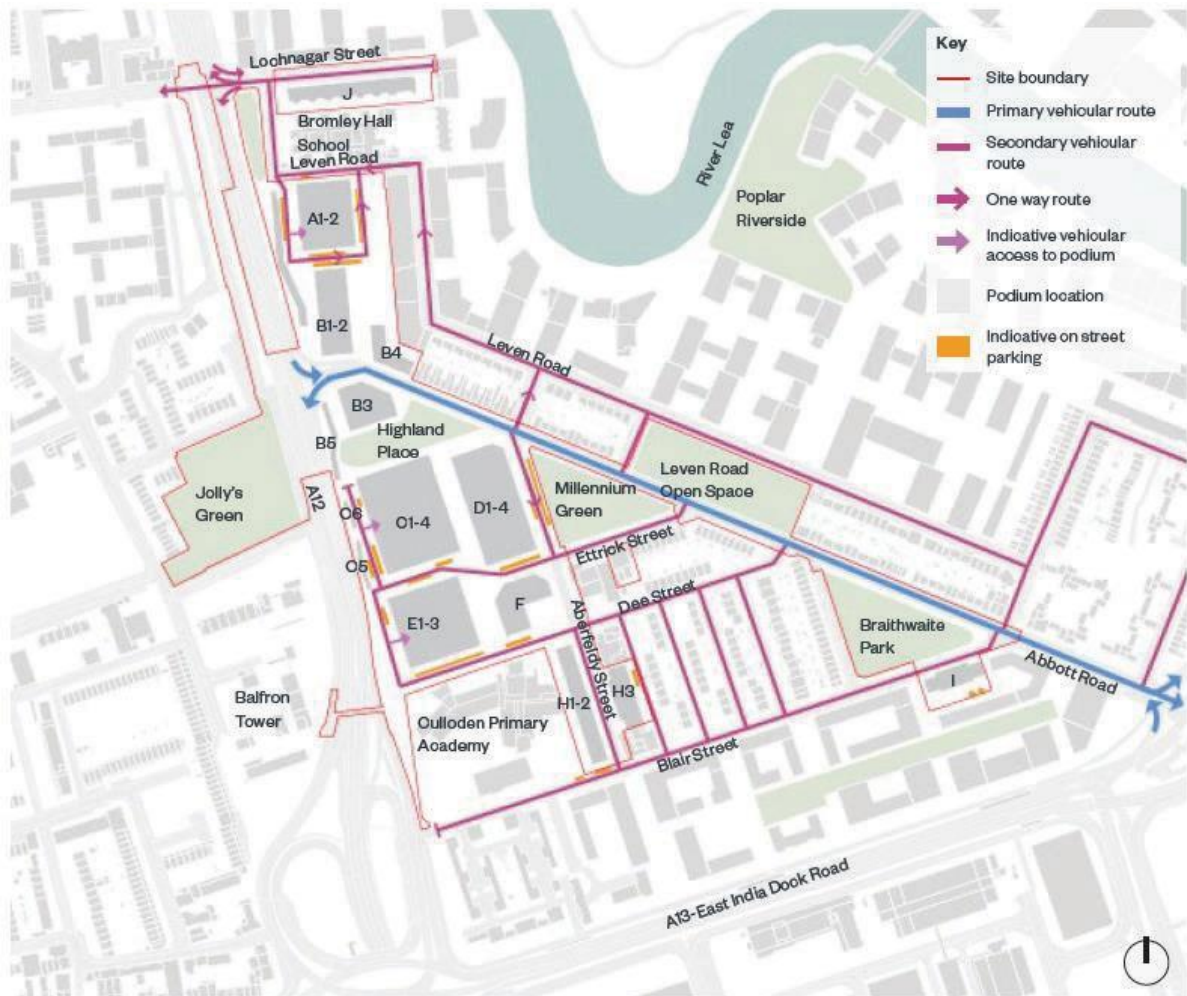


Figure 22: Masterplan movement strategy

837. The movement strategy, shown in Figure 22, relies on a clear street hierarchy being incorporated into the masterplan. The order being the Primary Street, a Secondary Street and a Pedestrian and Cycle Route. The Primary Street being Abbott Road which will be the key vehicular connection through the masterplan. This street will be reconfigured to provide a carriageway which must be suitable for buses to operate on and provision for enhanced footpaths and a zone for planting and parking. The Secondary Streets allow vehicles to move through the neighbourhood at a more local scale, whilst also ensuring good connections for pedestrian and cyclists. Important Secondary Streets include the east-west connections of Dee Street and Ettrick Street and are instrumental in ensuring car and servicing access within the masterplan and also for a revised 309 bus route. In addition, the Pedestrian and Cycle Routes would be car free and promote sustainable travel with vehicles only being permitted in cases of emergency or servicing. Community Lane will be the key pedestrian and cycle connection in the masterplan.

Road network changes

838. As noted above, addressing the severance from major roads is a key transport objective for the development. Over the past 15 years or so, the severance to walking and cycling caused by the A12 has been the subject of at least eight

studies commissioned by LBTH, TfL, and other public bodies. The purpose of the studies has been to assess the capacity of the A12, the severance that it generates between communities and how these matters can be addressed. The previous studies confirm the need for crossing improvements at the A12 and investigate a range of potential options.

839. As set out above in the Healthy Streets section the existing crossing points at the A12, namely Lochnagar Street subway and at-grade crossing, Abbott Road subway and Brunswick Street subway were included in the ATZ assessment and found to be the worst points for each route which highlights the need to reduce the severance that the A12 causes.

840. Thirteen options were considered at pre-application stage in addressing the severance to east-west connectivity and severance from the A12, which were variations around these three themes of interventions:

- An at-grade signalised crossing;
- A bridge crossing;
- A repurposed underpass crossing.

841. Noting that Tower Hamlets Council would favour an at grade crossing, which they also promote in the draft Leaside AAP, this option was discounted due to the additional delay that signaling the A12 would cause to vehicles on the strategic network. There would also be a considerable delay to people walking and cycling across six lanes of traffic, further necessitating a central reserve which would make the facility unattractive to use, as well as the inherent noise and air pollution and highway safety implications. The bridge crossing option was also discounted as it would require a 5m headroom above the A12 carriageway with long ramps necessary to be accessible which would also be likely to have inconvenient turns and potential climatic issues such as exposure to wind and lack of shelter on a bridge resulting in a less attractive option. The area required for ramps would also impact developable land both directly and indirectly.

Repurposing the Underpass

842. Having discounted other options, the Applicant is seeking to close and repurpose the existing vehicle underpass which runs from Abbott Road northbound onto the A12 with a westbound turn into Zetland Street. All vehicle movement would be removed from the underpass and instead it would provide a dedicated wider pedestrian / cycle route across the A12 to deal with the severance issues currently experienced by communities east and west of the A12 by the conditions and user experience of existing subways as set out in the ATZ assessment. To facilitate and continue bus movements in the area, a new junction onto the A12 from a realigned Abbott Road is proposed to the north of the current underpass. This junction would allow left turn movements for all vehicles into and out of Abbott Road to the A12 southbound. Highway realignment in this area also releases land for development primarily of Plot B3 and associated public realm.

843. The proposals would require partially filling in the underpass by raising its ground level whilst retaining a headroom of at least 3 metre which would facilitate an accessible ramp of around 70 metres (compared to 130 metres required for a bridge in a similar location) and allow for ramps to be designed into the landscape. The existing Abbott Road pedestrian subway which runs parallel to the vehicular underpass would also be closed and infilled. The proposals, including application boundary were amended to incorporate Jolly's Green to the west of the A12 to capture additional civil engineering works, a straightening out of the underpass and shortening the walk / cycle distance by around 45 metres. This realignment would also require additional works to Jolly's Green, including civils, landscaping and wayfinding, the details of which would be secured by condition approval and is not within the highway authority's remit.

844. As the delivery of the underpass falls within Outline Phase B, detailed components of this element of the masterplan have not been provided, and there are illustrative plans and drawings in the DAS which provide an indication of the type of intervention to be delivered. Further assessment will be required to achieve approvals in principle for structural assessments and sufficient assessment has been undertaken to demonstrate that there would be good sight-lines through the route and that levels would be accessible. The TA confirms that its design will be predicated on ensuring that it provides passive surveillance, activates new spaces, includes attractive surfacing, colour and lighting. The underpass would connect the proposed Highland Place to the existing A12 northbound slip road on the western side of the A12, which would become a pedestrian-cycle only facility and connect directly into Jolly's Green with pedestrian cycle routes to the southwestern corner of Jolly's Green (leading to Crisp Street district centre) and the north-west corner (leading to Langdon Park Secondary School, Spotlight Centre and DLR Station).

845. The left image in Figure 23, below, indicates the indicative structural changes to the underpass at an opening point where it can be seen that the underpass has a width of 10.5 metres and the ground level would be raised up by 2 metres leaving a 3.3m headroom. By comparison the existing Abbott Road pedestrian subway is 3 metres wide and with 3.3 metres headroom. The image to the right depicts a CGI visualisation of the underpass where a shared walking/cycling route rather than a segregated route is envisaged.

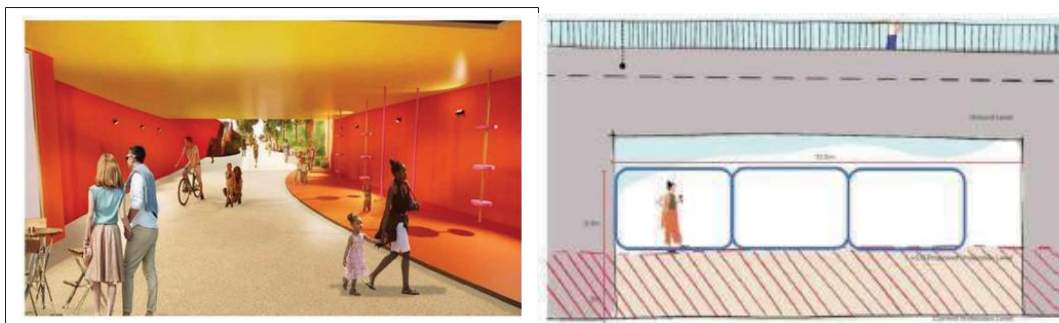


Figure 23: Structure and CGI images of the Underpass

846. To avoid the traditional drawbacks associated with subways (as recorded in the ATZ for the existing subways), the underpass has been designed to be an active, attractive space which facilitates passive surveillance. Building B3 parameter

plan for basement sets out a non-residential frontage to face onto and activate Highland Place and the entrance to the underpass. New Poplar Works buildings are proposed that would screen Highland Place from the A12, thereby reducing noise levels. In addition to the direct connection to Jolly's Green, a stairway and re-graded ramp will connect the underpass to the western side of the A12 and the existing slip road. The ramp length would be reduced to approximately 70 metres and the gradient would be reduced to 1:21 and the slip road would be provided with acoustic barriers, extensive landscaping and trees to enhance the pedestrian experience. There would also be improvements to the Brunswick Street subway which is retained further south.

847. Further material has been provided during determination of views within and through the underpass including with the new connection to Jolly's Green which is now included in the application boundary which is welcomed. This is a key element in ensuring certainty about the delivery of a viable and attractive east west route.

848. The submitted Design Code has been amended to provide a segregated cycle route within the underpass. The detailed design of the underpass would require liaison with relevant stakeholders and there should be engagement with TfL's Compliance, Policing, Operations and Security Directorate and the Metropolitan Police Service Designing Out Crime Officers to provide advice on the underpass design. This will be secured by condition.

849. The LBTH committee report sets out that "Both TfL and the Council's Transport and Highways Officers support the principle of the repurposing of the underpass. LBTH Transport Officers consider that further detailed exploration could be undertaken to assess all the potential options to deal with severance issues. Notwithstanding this, LBTH Transport Officers do not object to the repurposing of the underpass."

New Abbott Road/A12 Junction

850. The existing Abbott Road/A12 junction would be replaced and the reconfigured land would create developable land at Highland Place to the south Abbott Road will be historic realigned further north, reverting to a previous alignment to form a new junction with the A12, retaining a left in and left out movement for general traffic.



Figure 24: New Abbott Road/A12 bus gate junction

851. To safeguard existing bus routes in this area, a signalised right turn bus gate is proposed that would facilitate right turn bus movement onto the A12 northbound and minimise delays relative to the current route via the underpass. Similar right turn bus facilities exist locally to allow buses priority when turning right on or off the strategic road network i.e., the bus only right turn from Zetland Street on the A12 and from the A13 onto Abbott Road. The signalised bus gate would be linked to the traffic signals at the A12/Lochnagar Street junction and therefore the TA reports that buses would wait on average around 60 seconds at the bus gate, (and bus journey time impacts are addressed later in this report). The junction would have the capability to accommodate two buses at the stop line.

852. The key difference to movement will be that general traffic will no longer be able to egress northbound from the Abbott Road underpass, which will remove a route potentially available for “rat-running” of longer trips from the A13 to the A12 and westbound along Zetland Street wishing to pass through Abbott Road, besides any impact of trips originating within the site. The following four routes would still be available for vehicular traffic originating within the site:

- Leave the site via Abbott Road southbound and the A13.
- Turn left at the Abbott Road junction and go southbound on the A12.
- Turn left at the Abbott Road junction, go round the island along the A12/A13 interchange and then northbound along the A12.
- Use Leven Road and exit at the Lochnagar Street junction to go northbound or southbound on the A12, or westbound on Zetland Street.

A12/ Lochnagar Street/Zetland Street/Junction

853. The removal of traffic from the underpass will change the southern arm of the A12/Lochnagar Street/Zetland Street junction. Traffic will no longer need to join the A12, and there is an opportunity to reconfigure the A12 northbound approaching this existing junction with Zetland Street and Lochnagar Street. There is the space to create an additional ahead lane, thereby adding more capacity, and also introducing a new left turn lane from the A12 into Zetland Street (a movement which is only possible at the moment for vehicles exiting the Abbott Road underpass). This can only be provided because the Abbott Road underpass and on-slip to A12 is being re purposed. The modelling impact of this intervention is addressed in a later section.

854. Lochnagar Street will also undergo significant public realm improvements which incorporates additional planting, marked out car parking bays, and a new footway.

Impact on vehicular movement

855. There are six key existing roads within the site that will be impacted by the proposals: Abbott Road, Lochnagar Street, Aberfeldy Street, Dee Street, Ettrick Street and Leven Road. Abbott Road is a two-way road subject to a 20mph speed limit and has various double yellow line restrictions and permit car parking. Lochnagar Street historically serviced the previous industrial uses within the vicinity and provides the most northern access from the site to the A12 via an at grade signalised junction. Aberfeldy Street is a two-way route and is the most commercial in character serving the Neighbourhood Centre with parking provided along both sides of Aberfeldy Street carriageway and outside of the shops. Aberfeldy Street also provides the highest concentration of cycle parking of any road within the site, including a Cycle Hire docking station. Dee Street is residential in character with a two-way eastbound and westbound single carriageway road that is subject to a 20mph speed limit and has on-street permit parking (Zone B3). Ettrick Street is also residential in character with two-way eastbound and westbound vehicular movement and subject to a 20mph speed limit and as per Dee Street also includes on-street permit parking (Zone B3). Finally, Leven Road is predominately a residential Road which restricts southbound movement along the eastern part of the road on the most northern part of Leven Road. The road is subject to a 20mph speed limit and has on-street permit parking (Zone B3).

856. The proposal to remove vehicular traffic from the underpass would leave three options for vehicles within the triangle bounded by the A12, A13 and Leven Road travelling north on the A12. They could:

- exit onto the A13, turning left to the Canning Town roundabout and then return along the A13 towards the A12 or Chrisp Street;
- exit left at the Abbott Road junction onto the A12 southbound, go round the island along the A12/A13 interchange and then northbound along the A12;
or

- travel via Leven Road and Bromley Hall Road and onto Lochnagar Street and exit at the existing signalised junction onto the A12.

857. Following implementation of the proposals, besides the amendments to Abbott Road and A12 access set out above, the general street pattern is largely retained, some sections of the site will become pedestrianised and traffic calming measures will be implemented to reduce vehicle speeds including the narrowing of carriageways, footways widened and the introduction of raised table ‘tiger crossings’ along Abbott Road and the pedestrianisation of part of Aberfeldy Street. This would support the wider parking strategy for the site, as the vast majority of future residents will not have the capability to park a car and therefore it would be expected that future residents will not own a car and the proportion of residents without a car is expected to increase over time as a result of the parking strategy for the site which is detailed later in this report. As a result, the balance of space given to active travel will be improved, reducing vehicle dominance, and helping to support Healthy Streets in line with London Plan Policy T2 and Tower Hamlets Policy S.TR1.

858. The broader movement principles around the site can be seen in the images below.

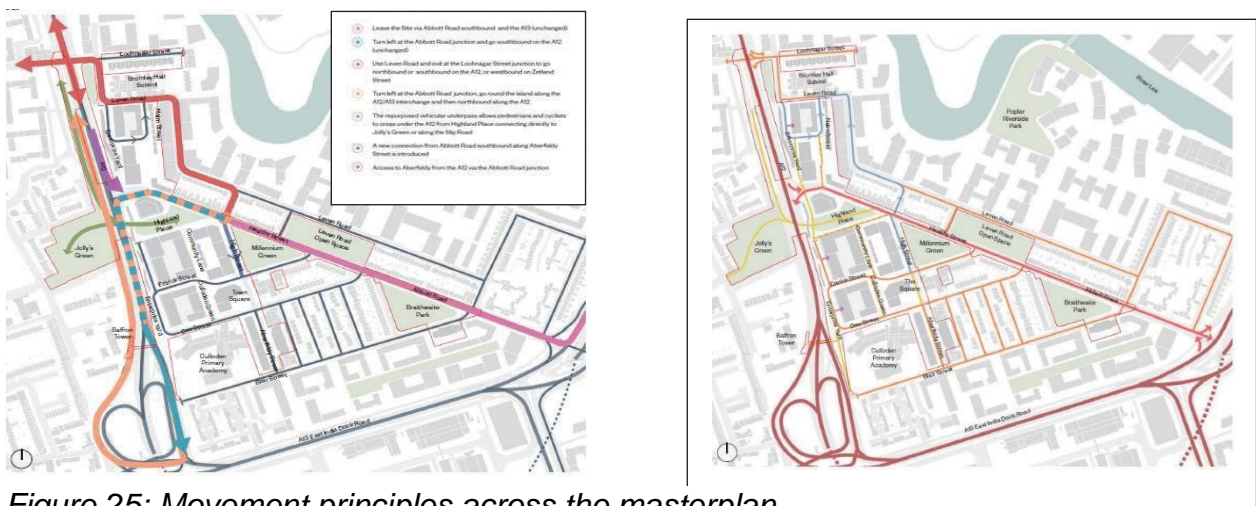


Figure 25: Movement principles across the masterplan

859. There are proposals for works to Abbott Road itself to calm traffic and provide better footway widths. Minimum road widths must be maintained to enable buses to pass, where a condition will be secured to provide 6.5 metre width carriageway, and the design code secures the need to enable bus access across the site, and the final design details will be agreed as part of the RMA applications.

860. The proposals to pedestrianise and calm traffic within the development site will necessitate some stopping up and adoption of public highway. The pedestrianisation of Aberfeldy Street between Dee Street and Ettrick Street which provides part of the new Town Square proposals will impact on the operation of St Nicholas Church such as weddings and funerals. The applicant and the Church have agreed a proposal to provide a drop-off point/space integrated into the pedestrianised part of Aberfeldy Street which would be accessed and controlled by bollards at either end with the bollards opened and the parking/drop

off space used for funerals, weddings and other special events. The Church have advised that this would address their objections provided that a plan incorporating the vehicle space was included as part of any approved drawings. This matter is therefore addressed via a planning condition for a strategy for access requirements prior to first occupation of Block F in Phase A.

861. It should be noted that the scheme proposes to provide 14 on-street car parking spaces on Lochnagar Street. LBTH officers had concerns on potential access for emergency vehicles, and the applicant has submitted tracking diagrams that demonstrate that two-way traffic can be maintained on Lochnagar Street at all times with the parking bays in situ. The detailed highway arrangements for Lochnagar Street and Plot J are secured in the schedule for highway works.

- The planning conditions and S106 obligations secure the following which will interact to provide the necessary controls for each of four phases of development, where the Phase B works comprise the major intervention to create the pedestrian / cycle link and the A12 bus gate junction:
- submission of funding evidence;
- highway works specifications;
- highway agreements (ie Section 38 or Section 278 agreements including commuted maintenance payments);
- works agreements;
- TfL Technical Approval Process for alterations to structures needs to be complete prior to the commencement of the Phase B A12 bus gate and A12 underpass works;
- process for Phase C works and Brunswick Street subway works for detailed design to confirm the need for an Outline Method Statement and Asset Protection Agreement or Works Agreement;
- triggers on the practical completion of blocks within plots or the occupation of blocks within plots until practical completion of the relevant highway works;
- stopping up orders need to be complete prior to commencement of the relevant phase.

Highway impact

862. The proposed changes to the highway network, including the removal of general traffic from the underpass, the introduction of the bus gate and addition of a northbound lane on the A12 at Zetland Street / Lochnagar Street junction are supported by strategic and microsimulation modelling. The results identify some potential delay to bus journey times alongside other benefits for overall impacts on A12 and on the local highway network.

863. The modelling for the bus gate is based on up to ten buses an hour northbound through this junction, noting that only route 309 currently operates along this corridor (with a current frequency of five buses per hour). This provides the necessary resilience should TfL decide to introduce another bus service or increase the frequency of the 309 in future.

General traffic impact:

864. The model forecasts that for general traffic within the model area:

- Total number of vehicles passing through the model area will increase, and average journey time will reduce
- Average delay time per vehicle will reduce by 40% in the morning peak period & 27% in the evening peak period

865. The model forecasts that in respect of the A12 (between Bow Roundabout and Abbott Road) average journey time per vehicle reduces in both directions in the morning peak period by 34 seconds northbound & 7 minutes 37 seconds southbound.

866. Overall, there is a minor increase in average journey time in the evening peak period - an improvement north bound (-73 seconds) and a delay southbound (+80 seconds).

867. There is no adverse impact on the operation of the Blackwall Tunnel.

868. Although there is the creation of a new junction on the A12 to accommodate the bus gate, the improvements in journey time stem from the additional northbound traffic lane being created at A12 / Zetland Street / Lochnagar Street junction (which can only be provided because the Abbott Road underpass and on-slip to A12 is being re purposed).

869. For general traffic, delays across the network are reduced significantly (40% AM peak and 27% PM peak), although there are some journey times that increase:

- A12 south bound traffic in the PM peak
- General traffic wishing to leave Aberfeldy Estate and travel northbound on the A12 (estimated journey time is forecast to increase by 32seconds in AM peak and 42 seconds in PM peak)

Effect on traffic within the local area

870. One reason for refusal concerned displacement of traffic and impact on traffic flows. Reason for refusal 3 set out that "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." Further commentary on impact on local highways is

provided below – where it should be noted that strategic and local modelling (which has been reviewed and approved by TfL) is based on a range of assumptions and inputs including growth factors.

General level of traffic and effect of underpass closure within the local area

871. The applicant surveyed flows on Abbott Road in 2022 and compared them to future forecast flows for two scenarios ‘Do Minimum’ representing ‘underpass remaining open’ and ‘Do Something’ representing underpass closing. A point at the south end of Abbott Road has been chosen to represent the overall flows on Abbott Road in the models (taken from figures in the Strategic Model Report) and surveys for consistency.

Table 30: Abbott Road Two Way Flow survey and model output future flows

ABBOTT ROAD TWO WAY FLOWS	AM	PM
Survey 2022	394	672
Do Minimum 2031	516	667
Do Something 2031	279	401

872. Table 30, aboves, shows that without closure of the underpass the traffic volume is expected to increase by 122 vehicles in the AM Peak and reduce by 5 vehicles in the PM Peak compared to the surveys undertaken in 2022.

873. With the closure of the underpass to traffic (which would remove a route potentially available for longer trips from the A13 to the A12 and westbound along Zetland Street, wishing to pass through Abbott Road) it is anticipated that the traffic volume will decrease by 115 vehicles in the AM Peak and 271 vehicles in PM peak when compared with the surveys from 2022.

874. As set out above, vehicles leaving the site northbound onto the A12 will need to find an alternative route – the most direct of which is via Leven Road towards Lochnagar Street; this route is approximately 30 metres longer than the route via the underpass. There are still the other routes available such as to travel south to access the A13 to travel west and then join the A12 northbound, where distances would be the same (or marginally altered as part of revised highway arrangements).

875. The traffic model outputs (comparing the 2031 Do Minimum against the 2031 Do Something) predict that, with the underpass closed, flows approaching the Lochnagar Street / A12 junction are predicted to increase by 29 vehicles in the AM peak, and 16 vehicles in the PM peak.

876. Tower Hamlets Council has expressed concerns that the proposals have not considered any potential delays to school buses that use the underpass, many of which serve pupils with Special Educational Needs (SEN). The Applicant has advised that surveys undertaken in May 2022 of the underpass indicate that a total of eight school minibuses and one school coach used the underpass in a 2-hour period between 7am and 9am. The applicant has advised that some modelling has already been undertaken and the preliminary results of this indicate that there may be scope to allow additional vehicles through the bus gate

junction during off-peak periods at the very least. The S106 agreement therefore will provide for an additional modelling check to examine this matter and adjust the Traffic Management Orders accordingly which would be subject to TfL's agreement – this is considered further in the “impact on TLRN and further assessment” section below.

877. It should also be noted that any current experience or road closure in the Abbott Road underpass (such as for an accident or flooding or other operational incident) with impact on the local highway network would be experienced as a temporary disruption by itself and which would not have any mitigation or other changes.

The effect of underpass closure on journey times

878. For journey times, for the most direct route via Leven Road towards Lochnagar Street the additional 30 metres would take 4 seconds of travel time in itself. The remainder of any other increase of 32 seconds in AM peak and 42 seconds in PM peak in overall journey time is generated by the additional time spent waiting at signalised crossings to join the A12.

879. The overall signal cycle time at the A12/ Zetland Street / Lochnagar Street junction has been modelled at 120 seconds. Zetland Street and Lochnagar Street are given approximately 11 seconds green time each cycle and the A12 is given about 93 seconds. The modelling completed to date does not indicate an issue with clearing the Zetland Street or Lochnagar Street arms each cycle, and this will be confirmed through more detailed modelling which is secured as part of the Section 106 agreement to inform the highway works agreements. The arms onto the A12 might not clear each cycle but it is considered that this would be no different from the existing situation.

880. Journeys out of the Aberfeldy area by other existing routes (such as onto the A12 southbound to turn and head northbound or A13 to access A12 northbound) could be considered more convoluted and less attractive but would benefit from the other overall improvements set out in the “General Traffic” section above to highway performance and journey times in the modelled area brought about by the changes at the A12 / Zetland Street / Lochnagar Street junction.

881. The local journey time increases for Aberfeldy residents referred to above have to be seen in the context of other significant journey time on the nearby section of the A12, that arise as a result of the capacity improvements that the scheme delivers at the A12/ Zetland Street / Lochnagar Street junction. These journey time savings would be experienced by a very significant number of drivers (the A12 carries about 50,000 vehicle per day), including those living in other parts of Tower Hamlets and school buses for SEN pupils.

Impact on TLRN and further assessment

882. The scheme has been presented to TfL's Road Space Performance Review Group (RSPG) on 21 July 2022.

883. The Road Space Performance Review Group (RSPG) exercises TfL's statutory and regulatory accountabilities under the Traffic Management and GLA Acts. It is

the approval meeting responsible for ensuring schemes proposed to be implemented on the TLRN satisfy the Network Management Duty with regard to the impact they might have during both construction and the final layout.

884. The group also provides senior oversight at each stage of the investment programme, ensuring that operational impacts on the Surface Transport network from proposed changes are understood, managed and agreed at each stage of their development. The group therefore forms for two purposes, principally to provide Traffic Manager approval for schemes but also to provide Traffic Manager guidance at the various stages of scheme development up to detailed design.

885. The conclusion at the meeting was that on balance the proposed changes to the TLRN are not considered to have a material impact on the TLRN. In addition to the network management duty, it was also considered that the proposals are in line with the London Plan and Mayor's Transport Strategy. The Vision Zero implications of the scheme were also considered above.

886. There will need to be further work at detailed highway design stage to inform the Traffic Management Order which will need to be placed on the proposed A12 bus gate junction, to prove or confirm on safety or performance grounds if other vehicles could be permitted to use the junction or that all other vehicles would have to be excluded from the A12 bus gate (for example to ensure that there is no greater impact on the A12 than at present such as any safety impact on the Blackwall Tunnel if queues extend back into the tunnel). This can include other vehicles such as buses for SEN pupils and taxis. These further modelling measures to inform the terms of the Traffic Management Orders which would be agreed by TfL are secured in the S106 agreement. The potential use by school buses for SEN pupils in the AM and PM peak will depend on the number of buses expected to use such a route and the performance of the TfL bus network and impact of any more than the 10 modelled signal changes per hour on the highway network. It should be noted that the current LBTH transport depot is located on Leamouth Road south of the A13 and so vehicles have a range of access routes to reach destinations across the Tower Hamlets area rather than relying on the Abbott Road underpass, and would benefit from the other improvements to general traffic in the wider modelled area.

Bus impact

887. Within the model area, average delays to buses services are forecast to reduce by 37% in the AM peak and 27% in the PM peak.

888. Looking at specific bus routes routeing through Aberfeldy Village:

- 309 westbound journey time increases by +77 seconds in the morning and increases by +80seconds in the evening (primarily due to the introduction of the bus gate)
- 309 eastbound journey time reduces by 6m46s in the morning (mainly due to reduced congestion between Zetland Street and Abbott Road) and increases by +3seconds in the evening

889. Overall, bus delays are reduced significantly across the model network (37% AM peak and 27% PM peak), but there is additional journey time for route 309 as a result of waiting at the proposed bus gate for a green signal to proceed onto the A12 instead of using the Abbott Road underpass (mitigation of this delay is addressed further below).

Other impacts on bus network

890. The 309 bus service currently travels along Aberfeldy Street and then along Ettrick Street however under the new proposals to facilitate the pedestrianisation of Aberfeldy Street adjacent to the new Town Square, it is proposed to permanently re-route the 309 bus route eastbound along Dee Street to then join Abbott Road and continue towards the new Abbott Road/A12 junction with the westbound buses using the new bus-only right turn at the Abbott Road/A12 junction. Any changes to routes would be subject to separate consultation by TfL.

891. The proposed re-routing of the bus route requires changes to bus stop locations on Dee Street and Aberfeldy Street which are also illustratively indicated above however, their final location may be subject to change. There is also the potential that the 488-bus service may be introduced to this area in the future as part of contributions secured from the Leven Road Gasworks scheme. Should this occur, the 488-bus service would also follow this route along Abbott Road.

892. In line with London Plan policy and Policy D.TR2, the applicant is required to mitigate the impact in terms of the forecast increase in journey times to the 309 route and the increase in bus passenger trips from the site and TfL have requested that bus priority measures should be prioritised to improve the reliability and performance of the bus network overall. The provision of bus priority measures (which would not be limited to the route of 309, but any road within LBTH) would enable bus journey time spent at the A12 bus gate junction to be offset elsewhere on the route or local highway network to improve operation of bus network. To this end the S106 secures a financial contribution of £400,000.

Summary of movement and network improvements

893. In summary, officers welcome and support the new and improved connections proposed which would facilitate greater opportunities for walking and encourage active and healthy travel. The wider site is currently moderately suitable for walking and hindered by greater freedom of movement and connectivity by physical severance and barriers in the arterial roads. The masterplan will deliver a much-improved network of new and improved streets which have been designed to improve the pedestrian experience; creating green and leafy routes with enhanced safety which enable walking and cycling to be prioritised and critically enhance and create opportunities for greater east-west connections.

894. The impact on bus journey times is mitigated by a contribution to bus priority, and while there are delays for general traffic wishing to leave Aberfeldy Estate and A12 south bound traffic in the PM peak, for all general traffic, delays across the network are reduced significantly largely due to the intervention at A12 / Zetland Street / Lochnagar Street junction.

Cycle parking and cycle hire

895. Policy T5 of the London Plan and Policy D.TR3 of the Local Plan requires adequate cycle parking provision to be provided for the development. Cycle parking provision for the Outline component of the masterplan should be provided in accordance with Table 10.2 of the London Plan. The final residential cycle parking provision for the proposed development will be dependent on the final number of units in the outline element of the proposals and the unit mix, however the TA confirms that cycle parking will be provided in accordance with the London Plan cycle parking standards. Similarly commercial cycle parking provision will be provided in accordance with the London Plan. This would be secured in future Reserved Matters Applications for the Outline component.

896. In terms of Phase A, the proposal is required to provide 485 long stay cycle parking and 7 short stay cycle parking for the residential component of the development. In terms of the commercial component, 12 long stay cycle parking and 68 short stay cycle parking is required to be provided. The TA confirms that Phase A will provide as a minimum the required provision of cycle parking for both the residential and commercial components of the scheme. Cycle parking will be distributed based on each building's requirement. A planning condition including the requirement to provide cycle parking in accordance with TfL's London Cycle Design Standards to ensure that cycle parking is provided to accommodate accessible and larger cycles to ensure that a diverse range of cycle parking spaces are provided is secured.

897. The design also retains a TfL Cycle Hire docking station, which may be relocated as part of highway and public realm works, secured in the S106 agreement.

Car parking

898. Most of the existing parking on the site is located on-street and the site is located within The Council's Controlled Parking Zone (CPZ) B3, which restricts parking to permit holders Monday to Friday between 8.30am and 5.30pm. There are 149 private car parking spaces and 92 public permit spaces that would be directly affected by the development. Returning residents will be permitted to keep their existing parking permits (up to a maximum of 3 permits) whilst residents from elsewhere in the Borough who qualify to move into the estate could apply for one parking permit under the Council's Permit Transfer Scheme. Based on parking beat surveys, approximately 80 are expected to be accommodated, however, this figure could be subject to change. New residents would be prohibited from obtaining on-street parking permits and only Blue Badge spaces for all land uses will be provided. The development will deliver three per cent of units with Blue Badge parking spaces from the offset which equates to 47 spaces. Parking will be provided on-street and within the development (i.e., podium parking or within private streets). The maximum car parking provision proposed across the development according to each phase is set out in Table 31 and is considered acceptable. The provision of 134 designated bays is therefore secured by planning condition.

Table 31: Distribution of car parking spaces

PHASE	PERMIT PARKING SPACES (MAXIMUM)	ACCESSIBLE PARKING SPACES	CAR CLUB SPACES	TOTAL
Phase A	17	7	2	26
Phase B	25	17	1	43
Phase C	30	20	1	51
Phase D	8	6	0	14
Total	80	50	4	134

899. Included in the amount above, the applicant proposes that the scheme could provide four car club spaces which would offer a mixture of standard and larger vehicles that may be more useful for older people with disabilities. On that basis one car club space would be provided in each of the four phases, all with electric vehicle charging points. As neither TfL nor the Council considers new car club spaces necessary in this location, the call upon nearby approved under the Leven Road Gas Works site would be preferable. The Section 106 provides for the monitoring of the Leven Road spaces for usage to provide an indication of demand. The S106 also secures 3-year car club membership for residents.

900. In accordance with London Plan Policy T6.1(C), 20 per cent of the total spaces are required to be fitted with an electric vehicle charging point with passive provision for all remaining spaces. The Applicant proposes to provide 35 per cent active electric vehicle spaces from the outset on completion of all four phases with passive provision for the remaining spaces. For Phase A, a minimum of at least 5 spaces (20 per cent of spaces within Phase A) should be fitted with active electric vehicle charging points and this is secured via condition.

Servicing and deliveries (including waste)

901. The proposed deliveries and servicing of the existing dwellings and commercial units is currently undertaken from the public highway, such as parking bays and sections of single or double yellow lines without loading restrictions. The section of the Aberfeldy Street that functions as a local high street are serviced from Aberfeldy Street itself and from the streets to the rear of the commercial units; Kirkmichael Road and Lansbury Gardens.

902. The proposed development would provide a mixture of facilities for servicing including dedicated loading bays to support commercial uses and the residential hub, yellow lines for more ad hoc use and deliveries to residential areas; and on-site podium servicing space for waste collection vehicles only. Six dedicated on-street loading bays will be provided across the masterplan which have been carefully considered to ensure access to all buildings can be achieved from each location. The illustrative location of the loading bays would be as follows:

- 2 x Aberfeldy Street, west side of the road;
- 1 x Dee Street, east side of the road, west of Building E1;
- 1 x Ettrick Street, north side of the road, south of Building C3;

- 1 x Abbott Road, south side of the road, north of Building B3; and
- 1 x Nairn Street, south side of the road, north of Building B1.

903. Sections of single and double yellow line markings are proposed to allow for flexible loading and drop-off when required. Several of the proposed residential blocks would allow the refuse collection to occur off-street within the podiums, including Block A, Block C and Block E. The layout has been designed to minimise the need for vehicles to reverse and no vehicles would need to reverse on the public highway. The illustrative proposed loading bays and sections of yellow line are indicated in Figure 26, below.

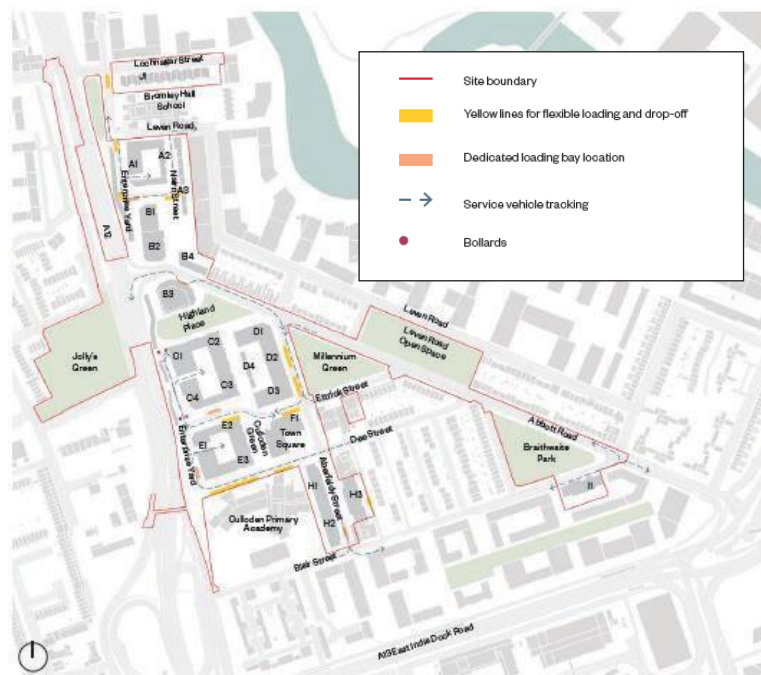


Figure 26: Location of loading bays (Note: Plot A3 now removed from scheme)

904. The bays are designed to accommodate various vehicle sizes include large refuse vehicles to ensure a flexible approach to delivery and collection and street widths and layouts have been designed to accommodate the passage of ten metre long vehicles for waste collection. Whilst the outline Delivery and Servicing Plan is broadly acceptable, the Delivery and Servicing Plan will need to be updated to reflect TfL's latest guidance and therefore an updated Delivery and Servicing Plan will be secured via condition should planning permission be granted.

905. In terms of the proposed waste collection strategy, the masterplan will incorporate a range of refuse storage/collection strategies which includes traditional communal Eurobin collections (Plots F, H1, H2 and H3), SULO underground collection (Plot I), traditional individual wheelie bin collections (Plot J) and portable waste compactors in podiums (Buildings A, B, C, D and E). Bin stores would be located at the ground floor close to the communal entrance of each core and have been integrated to minimise their frontage and impact on the public realm. There are three proposed collection points for the buildings served by the compactors located within each of the courtyard building's podium car

park. The buildings within Phase A would be served by four collection points, three of which are traditional Eurobin collection (F1, H1, H2 and H3) and the fourth will be a SULO collection adjacent to Plot I, which stiches into the SULO network in the extant development; Aberfeldy Phases 103. All the houses within Phases A and B (Plots A3, J and B4) would be served by individual collection points via residential wheelie bin collection.

906. In terms of commercial waste, commercial tenants in each building will be provided with access to shared commercial waste stores at ground level. The commercial waste stores are at the locations that all commercial residual waste and food waste generated by the proposed development will be stored prior to collection. A commercial waste contractor will be appointed to service the proposed development once operational and will collect the bins directly from each of the commercial waste stores on an agreed schedule. No commercial waste contractor will be permitted to access the commercial waste stores from Aberfeldy Street.

907. Overall, the servicing, deliveries and waste strategies for the proposal are considered to be acceptable in principle and are supported by the Council's Highways and Waste Teams. Detailed strategies are secured via planning conditions.

Travel Plan

908. The Transport Assessment includes a Framework Travel Plan which sets out a range of preliminary management strategies and measures to support and encourage sustainable travel, including walking, cycling and the use of public transport. The proposed development also provides facilities to encourage the use of travel to the site by active modes such as cycle parking facilities, lockers and shower/changing facilities. The Framework Travel Plan is considered acceptable in principle and to the submission of a final detailed Travel Plan is secured through the S106 agreement.

Demolition and construction traffic

909. Outline Construction Logistics Plan and a Construction Environmental Management Plan have been submitted with the application. Finalised versions of these are secured via a planning condition to ensure that they consider the impact on pedestrians, cyclists and vehicles as well as fully considering the impact on other developments in close proximity.

Construction impacts

910. LBTH's Code of Construction Practice Guidance requires major developments to operate a Construction Environmental Management Plan (CEMP) that outlines how the Code of Construction Practice would be met and requires the CEMP to outline how environmental, traffic and amenity impacts attributed to construction traffic will be minimised. The application is supported by an Outline Construction Environmental Management Plan.

911. The Outline CEMP notes an overall timeframe for construction of approximately 128 months (ten years and eight months). Phases will be constructed in sequence (A-B-C-D) however phases may be constructed in an overlapping sequence. Working hours within the Outline CEMP are identified as being 08:00 to 18:00 Monday to Friday, 08:00 to 13:00 Saturday and no working on Sundays, Bank or Public Holidays in accordance with the Council's Code of Construction Practice. Construction traffic measures will be in place to ensure that noise related impacts from construction traffic are minimised. These include:

- Vehicles will not wait or queue up with engines running on the site or the public highway;
- Vehicles will be properly maintained to comply with noise emissions standards;
- Deliveries will be restricted to be within working hours of the site; and
- Design and routing of access routes will minimise vehicle noise and the need to perform reversing manoeuvres.

912. It is acknowledged that demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. However, the ES assumes that several measures are in place to manage potential environmental effects associated with demolition and construction, including as mentioned above the outline CEMP. In accordance with relevant Development Plan policies, a number of conditions are secured to minimise these impacts should planning permission be granted. These will control working hours and require the approval and implementation of an updated and detailed CEMP and Construction Management Plan and that a planning obligation secures compliance with the Considerate Contractor Scheme.

913. In addition to the above, the Council's recently adopted Planning Obligations SPD seeks a contribution of £1 per square metre of non-residential floorspace and £100 per residential unit towards Development Co-ordination and Integration. This would assist the Council in managing construction activity both on-site and within the surrounding streets and spaces proactively and strategically across the Borough. This is secured via the S106 agreement.

Transport conclusion

914. The package of transport proposals has been robustly tested and could deliver transformational improvements that overcome a long-standing problem of severance on this part of the A12 for the benefit of occupiers of this site and create opportunities for greater east-west connections as well as improving vehicle journey times overall. The repurposing of the Abbott Road underpass to create a pedestrian / cycle link has also been acknowledged by the Council as strategic infrastructure that is critical to the delivery of the masterplan. The repurposed underpass is in transport terms in line with the Healthy Streets approach and considered to be a beneficial intervention in itself.

915. Overall, the transport impacts of the proposed development would be supported by necessary mitigation measures as set out above secured in the S106 Agreement and planning conditions, which are considered to be in general accordance with Policies S.TR1, D.TR2, D.TR3 and D.TR4 of the Local Plan (2020) and the transport policies of the London Plan.

Mitigating the impact of the development through planning obligations

916. Regulation 122 of the Community Infrastructure Levy Regulations 2010 as amended in 2019 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are statutory tests.

917. 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. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”

918. Tower Hamlets Council’s Planning Obligations SPD (2021) provides further guidance on how the Council will secure planning obligations, where these are necessary to mitigate the impacts of development.

919. Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure several planning obligations required to appropriately mitigate the impact of this development, which are set out in full at paragraph 3 of this report. GLA officers are confident that the obligations in the Section 106 agreement meet the tests in Regulation 122 of the CIL Regulations 2010 as amended in 2019 as they either will not be spent on “infrastructure” as defined in the regulations or will be sufficiently narrowly described in the section 106 agreement. A full list of the obligations is provided under paragraphs 3 above, and where appropriate there is detailed consideration given in the relevant topic section of the report.

Legal considerations

920. Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor, acting under delegated authority, is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: PA/21/02377.

921. Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 which includes a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the borough the opportunity to make oral representations at a hearing. He is also required to publish a document setting out.

- who else may make oral representations;
 - the procedures to be followed at the hearing; and,
 - arrangements for identifying information, which must be agreed by persons making representations.
922. The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.
923. In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.
924. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:
- a) The provisions of the development plan, so far as material to the application;
 - b) Any local finance considerations, so far as material to the application; and
 - c) Any other material consideration.
925. Section 70(4) defines "local finance consideration" as:
- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
926. Furthermore, in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.
927. Other guidance, which has been formally adopted by Tower Hamlets Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.
928. Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

929. As regards to the Community Infrastructure Levy (CIL) considerations, Mayoral CIL payments and Tower Hamlets CIL payments are expected to be made in association with this development.
930. In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990). These matters have been addressed within earlier sections of the report.
931. Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues. Both the Mayor and the borough are given powers to enforce planning obligations.
932. When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.
933. The key Articles to be aware of include the following:
- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
 - (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
 - (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.
934. It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.
935. Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make

the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

936. The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
937. The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
938. GLA Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing, and the protection of neighbouring residential amenity, as well as matters addressed in the Equalities section of this report, above.

Conclusion and planning balance

939. As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires matters to be determined in accordance with the development plan unless material considerations indicate otherwise.
940. When assessing the planning application, the Deputy Mayor is required to give full consideration to the provisions of the development plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.
941. GLA officer consider that the proposal complies with most relevant planning policies at national, regional and local level, and whilst there are some adverse impacts resulting from the scheme, including on neighbour amenity, locational requirements for tall buildings and heritage impacts, open space and play space provision, nevertheless, GLA officers consider that the proposal is in overall conformity with the development plan.

Heritage balance

942. As detailed in the Heritage section of this report and summarised in paragraphs **TBC**, above, the proposed development would result in less than substantial harm to the significance to a number of heritage assets surrounding the site (in

a range from very low to low to middle) in terms of NPPF paragraph 208. Great weight must be given to that harm. It would also result in some harm to a non-designated heritage asset which must be taken into account pursuant to paragraph 209 of the NPPF.

943. The proposals would provide the following public benefits, which weigh in favour of the scheme:

<p>Housing delivery</p> <p>Strategically significant housing delivery of London-wide importance, delivering up to 1,565 new homes in total.</p> <p>Up to 1,565 residential units across the whole scheme, with 277 homes in Phase A comprised of 32 studio rooms, 74 x 1- bedroom units, 113 x 2 bedroom units, 39 x 3 bedroom units, 15 x 4 bedroom units and 4 x 6 bedroom units.</p>	Significant weight
<p>Affordable housing delivery</p> <p>38.8% on-site affordable housing provision with a tenure mix of 89.2% to 10.8% weighted towards low-cost rent accommodation over intermediate tenures.</p> <p>This includes the re-provision of 252 homes at social rent.</p>	Significant weight
<p>Affordable workspace</p> <p>Of the total employment floorspace, 10% (308 sq.m.) would be provided as affordable workspace for a period of 15 years at a 25% discount which would equate to £22.50psqf (£30psqf at market rate).</p>	Moderate weight
<p>Regeneration and economic benefits</p> <p>The scheme will provide 3,084 sq.m of employment floorspace, as well as 1,245 sq.m. of retail floorspace, providing an active ground floor in many parts of the scheme.</p> <p>The proposal will generate an estimated 113 -151 full time equivalent jobs.</p> <p>Payment of end-user phase employment and training contribution of £116,668.81 to be used towards supporting and providing training and skills to Local People in accessing new job opportunities.</p>	Moderate weight
<p>Construction benefits</p> <p>The demolition and construction phases of the development (across a period of 10 years and 8 months) would generate approximately 651 full time equivalent jobs, including apprenticeship roles, and jobs to be secured locally.</p> <p>Payment of construction phase employment and training contribution of £610,244.00 to be used towards supporting and providing training and skills needs of Local People in accessing new job opportunities in construction.</p>	Moderate weight

<p>Pedestrianised underpass</p> <p>Improved permeability across the A12 for pedestrians and cyclists through repurposing of the vehicular underpass to provide a strategically important pedestrianised/cycle east-west connection, unlocking Phases B-D of the proposed scheme.</p>	Significant weight
<p>Creation of public realm and placemaking, and other connectivity improvements</p> <p>Creation of new public realm as part of Highland Place and the new Town Square, delivery of a replacement high street, and high-quality design and landscaping strategy demonstrating good urban design and placemaking principles within the masterplan.</p> <p>New pedestrian routes through and around the site, and new and additional cycle routes through and around the site.</p> <p>Dee Street underpass improvement works.</p>	Moderate weight
<p>Trees and biodiversity</p> <p>Planting of over 453 new trees around the site, retention of existing trees wherever possible.</p> <p>Biodiversity net gain of 30.47 and urban greening factor score of 0.4</p>	Moderate Weight
<p>Open space improvements</p> <p>Improvements to existing open spaces at Braithwaite Park, Leven Road Open Space, Millennium Green, Jolly's Green and the existing allotments.</p>	Moderate weight
<p>Sustainability</p> <p>Carbon reduction on site.</p>	Moderate weight
<p>Other transport related benefits</p> <p>Bus Priority Contribution of £400,000 towards the provision of bus priority measures within the London Borough of Tower Hamlets.</p>	Limited weight

944. Considerable and individual weight and importance must be attached to the harm caused by the proposals to surrounding heritage assets in any balancing exercise. Considering the extent of the harm that would be caused, which would be 'less than substantial' at the very low to low to middle end of the scale, and the public benefits outlined above, it is concluded that the public benefits delivered by the scheme would clearly and convincingly outweigh the heritage harm.

945. The balancing exercise under paragraphs 208 and 209 of the NPPF is therefore favourable to the proposals and the proposal would be acceptable in terms of impact on heritage assets.

Overall planning balance

946. As noted above, the proposals do not fully comply with development plan Policies HC1 of the London Plan and Tower Hamlets Policy S.DH3 concerning heritage, Policy D.H2 regarding housing mix, Policy D9 (non compliance with Part B) of the London Plan regarding the locational requirements for tall buildings, London Plan Policies G1, G4 and S4 and Local Plan Policies S.OWS1, D.OWS3 and Policy D.H3 concerning quantum of open space and play space provision although the NPPF paragraph 208 balancing act is favourable to the scheme.

947. In addition to the conflict with heritage policies identified above, there would be some minor conflict in relation to daylight and sunlight impacts, as well as play space and open space provision.

948. The package of public benefits would also be significant in terms of the development plans strategic aims. Subject to conditions, the proposed development also meets all other relevant development plan policies, including SD1, SD10, D1, D2, D3, D4, D5, D6, D7, D8, D10, D11, D12, D14, H1, H4, H5, H6, H7, H8, H9, H10, H16, S1, S2, S3, S4, S5, S6, E1, E2, E3, E9, E11, HC1, HC2, HC3, HC4, HC6, HC7, G5, G6, G7, G8, SI1, SI2, SI3, SI4, SI5, SI6, SI7, SI12, SI13, T1, T2, T3, T4, T5, T6, T6.1, T6.2, T6.3, T6.4, T6.5, T7, T9 and DF1 of the London Plan (2021), and Policies S.SG1, S.SG2, D.TC2, DEMP.2, S.TC1, S.H1, S.CF1, D.CF2, D.CF4, S.DH1, D.DH2, D.DH4, D.DH6, D.DH7, D.DH4, S.DH5, D.DH6, S.H1, D.H2, D.H3, D.DH8, D.ES9, S.TR1, D.TR2, D.TR3, D.TR4, S.ES1, D.ES2, D.ES3, D.ES4, D.ES5, D.ES6, D.ES7, D.ES8, D.ES9, D.ES10, S.MW1, D.MW2, and D.MW3 of the Tower Hamlets Local Plan (2020). Overall, the proposed development is in accordance with the development plan when read as a whole. GLA Officers do not consider there are any material considerations that justify the refusal of permission.

Conclusion

949. This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable.

950. Accordingly, it is officers' recommendation that planning permission should be granted for planning application reference PA/21/02377, subject to the obligations set out under 'Section 106 legal agreement' and 'Conditions' at the start of this report.

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.