

Appendix 3 - Development plan policies and appraisal of compliance with planning policy

1. Introduction

1.1 This document identifies the relevant adopted development plan policies in the London Plan (March 2016), the Tower Hamlets Core Strategy (September 2010) and the Tower Hamlets Managing Development Document (MDD) (April 2013) at the time that the Authority's Strategic Development Committee resolved to grant planning permission. It goes on to appraise the development that is subject of the Planning Permission ('the Proposed Development') against these policies and the guidance in the original NPPF (2012) and relevant planning guidance published by the Mayor of London and other relevant planning guidance and broader strategies published by the Council that were in place at the time the Committee made its decision.

1.2 Given that the Authority's resolution to grant planning permission was in July 2018, over two years ago, the document also identifies the relevant adopted and emerging development plan policies that are in place today, at the time of making the Order, and considers the performance of the Proposed Development against these policies also.

2. Relevant Development Plan Policies at time of Planning Committee decision (July 2018)

2.1 The relevant policies in the adopted London Plan (March 2016) were as follows:

- a) Delivering the strategic vision and objectives of London
- b) 2.9 Inner London
- c) 2.14 Areas for regeneration
- d) 2.15 Town Centres
- e) 3.1 Equal life chances for all
- f) 3.2 Improving health and addressing health inequalities
- g) 3.3 Increasing housing supply

- h) 3.4 Optimising housing potential
- i) 3.5 Quality & design of housing developments
- j) 3.6 Children & young people's play & informal recreation facilities
- k) 3.7 Large residential developments
- l) 3.8 Housing choice
- m) 3.9 Mixed & balanced communities
- n) 3.10 Definition of affordable housing
- o) 3.11 Affordable housing targets
- p) 3.12 Negotiating affordable housing
- q) 3.13 Affordable housing thresholds
- r) 3.14 Existing Housing
- s) 3.16 Protection & enhancement of social infrastructure
- t) 4.1 Developing London's economy
- u) 4.2 Offices
- v) 4.3 Mixed use development and offices
- w) 4.6 Support for and enhancement of arts, culture, sports and entertainment
- x) 4.7 Retail and town centre development
- y) 4.8 Supporting a successful and diverse retail sector and related facilities and services
- z) 4.12 Improving options for all
- aa) 5.1 Climate change mitigation
- bb) 5.2 Minimising carbon dioxide emissions
- cc) 5.3 Sustainable design and construction
- dd) 5.4A Electricity and gas supply
- ee) 5.5 Decentralised energy networks
- ff) 5.6 Decentralised energy in development
- gg) 5.7 Renewable energy
- hh) 5.8 Innovative energy technologies
- ii) 5.9 Overheating and cooling
- jj) 5.10 Urban greening
- kk) 5.11 Green roofs and development site environs
- ll) 5.12 Flood risk management
- mm) 5.13 Sustainable drainage

- nn) 5.14 Water quality and wastewater infrastructure
- oo) 5.15 Water use and supplies
- pp) 5.17 Waste capacity
- qq) 5.18 Construction, excavation and demolition waste
- rr) 5.21 Contaminated land
- ss) 6.1 Transport Strategic Approach
- tt) 6.3 Assessing effects of development on transport capacity
- uu) 6.5 Funding Cross rail and other transport infrastructure
- vv) 6.9 Cycling
- ww) 6.10 Walking
- xx) 6.12 Road network capacity
- yy) 6.13 Parking
- zz) 7.1 Lifetime neighbourhoods
- aaa) 7.2 An inclusive environment
- bbb) 7.3 Designing out crime
- ccc) 7.4 Local character
- ddd) 7.5 Public realm
- eee) 7.6 Architecture
- fff) 7.7 Location & design of tall and large buildings
- ggg) 7.8 Heritage assets & archaeology
- hhh) 7.13 Safety, security and resilience to emergency
- iii) 7.14 Improving air quality
- jjj) 7.15 Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- kkk) 7.18 Protecting open space and addressing deficiency
- lll) 7.19 Biodiversity & access to nature
- mmm) 7.21 Trees & woodlands
- nnn) 8.2 Planning obligations
- ooo) 8.3 Community Infrastructure Levy

2.2 The relevant policies in the adopted Tower Hamlets Core Strategy (September 2010) were as follows:

- a) SP01 – Town Centre Hierarchy
- b) SP02 - Delivery of housing
- c) SP03 - Promotion of healthy lifestyles
- d) SP04 - Delivering a high quality and sustainable environment
- e) SP05 - Reducing waste
- f) SP06 – Delivering successful employment hubs
- g) SP07 – Improving education and skills
- h) SP08 – Making connected places
- i) SP09 – Creating attractive and safe streets and spaces
- j) SP10 – Creating distinct and durable places
- k) SP11 – Reducing Carbon emissions
- l) SP12 – Developing sustainable, connected well-designed places
- m) SP13 – Planning Obligations
- n) Annex – Delivering Place-Making – Poplar

2.3 The relevant policies in the adopted Tower Hamlets Managing Development Document (April 2013) were as follows:

- a) DM0 – Delivering Sustainable Development;
- b) DM1 – Town Centres;
- c) DM2 – Local Shops;
- d) DM3 - Delivering homes;
- e) DM4 - Housing standards and amenity space;
- f) DM8 – Community Infrastructure;
- g) DM9 – Improving Air Quality;
- h) DM10 - Delivering open space;
- i) DM11 - Living buildings and biodiversity;
- j) DM13 - Sustainable drainage;
- k) DM14 - Managing waste;
- l) DM15 – Local job creation and investment;
- m) DM18 – Delivering schools and early learning;
- n) DM20 - Supporting a sustainable transport network;
- o) DM21 – Sustainable transportation of freight;
- p) DM22 - Parking;

- q) DM23 - Streets and the public realm;
- r) DM24 - Place sensitive design;
- s) DM25 - Amenity;
- t) DM26 - Building heights;
- u) DM27 – Heritage and the historic environment;
- v) DM29 - Achieving a zero-carbon borough and addressing climate change;
- w) DM30 - Contaminated land.

3. Relevant emerging and adopted Development Plan Policies as of January 2021

3.1 The relevant policies in the Publication London Plan (December 2020) are as follows:

- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners needs
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience
- SD1 Opportunity Areas
- SD6 Town centres and high streets
- SD7 Town centres: development principles and Development Plan Documents
- SD8 Town centre network
- SD9 Town centres: Local partnerships and implementation
- Policy SD10 Strategic and local regeneration
- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards
- D7 Accessible housing
- D8 Public realm
- D9 Tall buildings
- D11 Safety, security and resilience to emergency

D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H8 Loss of existing housing and estate redevelopment
H10 Housing size mix
S1 Developing London's social infrastructure
S2 Health and social care facilities
S3 Education and childcare facilities
S4 Play and informal recreation
S5 Sports and recreation facilities
S6 Public toilets
E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E11 Skills and opportunities for all
HC1 Heritage conservation and growth
HC3 Strategic and Local Views
HC5 Supporting London's culture and creative industries
HC6 Supporting the night-time economy
HC7 Protecting public houses
G1 Green infrastructure
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI1 Improving air quality
SI2 Minimising greenhouse gas emissions
SI3 Energy Infrastructure
SI4 Managing heat risk
SI5 Water infrastructure

- SI6 Digital connectivity infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI8 Waste capacity and net waste self sufficiency
- SI12 Flood risk management
- SI13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
 - T6.1 Residential parking
 - T6.2 Office parking
 - T6.3 Retail parking
 - T6.4 Hotel and leisure uses parking
 - T6.5 Non-residential disabled persons parking
- T7 Freight and servicing
- T9 Funding transport infrastructure through planning
- DF1 Delivery of the Plan and Planning Obligations
- M1 Monitoring

3.2 The relevant policies in the adopted Tower Hamlets Local Plan 2031 are as follows:

- S.SG1 Areas of growth and opportunity within Tower Hamlets
- S.SG2 Delivering sustainable growth in Tower Hamlets
- D.SG3 Health impact assessments
- D.SG.5 Developer contributions
- S.DH1 Delivering high quality design
- D.DH2 Attractive streets, spaces and public realm
- S.DH3 Heritage and the historic environment
- D.DH4 Shaping and managing views
- D.DH6 Tall buildings
- D.DH7 Density

D.DH8 Amenity

D.DH9 Shopfronts

D.DH10 Advertisements, hoardings and signage

S.H1 Meeting housing needs

D.H2 Affordable housing and housing mix

D.H3 Housing standards and quality

S. EMP1 Creating investment and jobs

D.EMP2 New employment space

D.EMP3 Loss of Employment space

D.EMP4 Redevelopment within designated employment locations

S.TC1 Supporting the network and hierarchy of centres

D.TC2 Protecting retail in our town centres

D.TC4 Financial and professional services

D.TC5 Food, drink, entertainment and the night-time economy

DC.&C7 Markets

S.CF1 Supporting community facilities

D.CF2 Existing community facilities

D.CF3 New and enhanced community facilities

D.CF4 Public houses

S. OWS1 Creating a network of open spaces

D.OWS3 Open space and green grid networks

S.ES1 Protecting and enhancing our environment

D.SE2 Air quality

D.ES3 Urban greening and biodiversity

D.ES4 Flood risk

D.ES5 Sustainable drainage

D.ES6 Sustainable water and waste water management

D.ES7 A zero carbon borough

D.ES9 Noise and vibration

S.MW1 Managing our waste

D.MW3 Waste collection facilities in new development

S.TR1 Sustainable travel

D.TR2 Impacts on the transport network

D.TR3 Parking and permit free

D.TR4 Sustainable delivery and servicing

4. Appraisal

4.1 Site-specific policies and guidance.

4.2 The Proposed Development relates to land that has been allocated for development in the Authority's former Managing Development Document (MDD) and the current Tower Hamlets Local Plan 2031.

4.3 *Strategic Development Committee Resolution Stage.*

4.4 The Proposed Development is fully consistent with the vision for Poplar, as set out in Core Strategy Policy SP12. It provides for a vibrant Chrisp Street area by delivering a higher density multi-purpose district centre with a greater mix of uses (including evening and night time use and an improved and larger market) that will transform the public realm and reinstate a more traditional street pattern (including new homes facing Kerbey Street) whilst respecting the area's historic conservation value. The Proposed Development complies with Site Allocation 9 in the adopted MDD. In particular the Proposed Development will retain the market (making provision for its temporary re-location before it moves back to a larger and significantly improved space), include a range of retail/other units around a market square, retain and potentially expand the existing Idea Store, improve pedestrian movement and public realm across the site (including the East India Dock Road frontage) and embed the north-south Green Grid route, carefully integrate highway and servicing arrangements and protect and enhance heritage assets. As such, the Proposed Development also complies with the Council's Parks and Open Spaces and Green Grid Strategies and its Infrastructure Delivery Plan and helps to implement one of the Council's key strategic priorities set out in its Strategic Plan 2018-21.

4.5 *CPO Stage.*

4.6 As discussed in further detail in Section 8 of the Statement of Reasons and for the reasons set out above, the Proposed Development is also fully consistent with the vision, objectives and development principles identified for the Central sub-area in the Tower Hamlets Local Plan 2031 and the design principles and delivery considerations in Site Allocation 2.2 (Chrisp Street Town Centre). As such it continues to comply with the Council's Parks and Open Spaces and Green Grid Strategies and its Infrastructure Delivery Plan.

4.7 Chrisp Street District Centre.

4.8 The Proposed Development includes a good mix of main town centre uses including retail, financial and professional services, cafe, restaurant, public house, business/office uses, a cinema, and community facilities. Whilst some of the existing floorspace is proposed to be demolished, the Proposed Development will result in a net uplift in non-residential floorspace and this new floorspace will enhance the vitality and viability of the District Centre, making it more resilient to competition from other destinations.

4.9 The proposals will enhance Chrisp Street by providing new retail, leisure and services in a highly accessible location. The development will provide modern commercial accommodation to the benefit of all existing and future occupants on the Site. The proposals proactively drive and support sustainable economic development in line with national, regional and local policy aspirations.

4.10 It is anticipated that many of the existing businesses will be retained within the new development in order to continue and preserve the unique nature of the Chrisp Street District Centre offer. The Planning Permission (s106 Schedule 17) secures the implementation of a Retail Management Strategy which will ensure support is provided to the existing businesses on the Site during the transition period of the development and during the continued operation of the centre thereafter.

4.11 The proposals for the rejuvenation of the Market Square through the provision of a new canopy and enhanced public realm will improve the existing market and

enlarging it by about 435sqm, ensuring it remains competitive as a central element to the success of the centre. Facilities will also be provided for the market traders, including wash down facilities and toilets within the community hub building. Providing appropriate facilities for the market traders is central to ensuring the ongoing success of this element. The market will be retained throughout the construction process within the Site, albeit the exact location may vary to accommodate construction activities.

4.12 The Proposed Development provides an anchor food store at the northern part of the site, to replace the existing Co-op store. This will be larger than the existing premises and will allow the operator to sell a wider range of convenience goods which will reduce the need for local residents to travel longer distances to use out of centre food stores. The Proposed Development also caters for local independent retail, with the Planning Permission (s106 Schedule 18) ensuring that at least 12 of the A1 units in the Festival of Britain buildings will be let to Local Independent Retailers, and facilitates the continued presence of a Post Office (s106 Schedule 10) by agreeing to make space available for the Post Office in Phase 1 (in a unit of comparable size on either Chrisp Street or Kerbey Street). The Proposed Development will also make provision for 328sqm of affordable workspace, as secured by the Planning Permission (s106 Schedule 15).

4.13 The provision of a new cinema as part of the proposals will assist in diversifying the centre's offer, ensuring its continued viability, and is supported by both national and local planning policy. The proposed cinema will increase activity in Chrisp Street, particularly in the evening when many of the retail units will have ceased trading. It will also assist in supporting the viability of Chrisp Street's catering offer by providing footfall to support the existing businesses within the centre and also encouraging other associated leisure providers to locate within the centre.

4.14 Overall, the Proposed Development will result in a number of key positive impacts within the local area, including the delivery of a key policy aspiration for the regeneration of the Chrisp Street District Centre; the provision of modern

retail and leisure floorspace to better meet the requirements of occupiers and local residents; and the demonstration of investor and operator confidence in the local area as a commercial destination, encouraging other investors to do the same.

4.15 The Planning Permission (S106, Schedule 5) secures financial contributions of £338,232 towards employment, skills, training and enterprise during the construction phase and £256,377 towards employment skills and training and access to employment in the end-user phase.

4.16 *Strategic Development Committee Resolution Stage.*

4.17 The proposed comprehensive mixed-use regeneration fully complies with the town centre policies in the adopted London Plan (Policies 2.9, 2.15, 4.7 and 4.8), Council's Core Strategy (SP01 and SP09) and MDD (Policy DM1). The Proposed Development is also in full accordance with support for the regeneration of town centres in the 2012 NPPF (Paras 23 to 27), the Mayor of London's Town Centre SPG and the Authority's Planning Obligations SPD. It will also help to implement the Council's High Streets and Town Centres Strategy 2017-2022.

4.18 *CPO Stage.*

4.19 The Proposed Development fully complies with the town centre policies in the adopted London Plan (Policies 2.9, 2.15, 4.7 and 4.8), the Publication London Plan (Policies SD6, SD7 and SD8) and the Tower Hamlets Local Plan 2031 (Policies S.TC1, D.TC2, D.TC5 and D.TC7). The Proposed Development is also in full accordance with support for the regeneration of town centres in the 2019 NPPF (Paras 85 to 90), the Mayor of London's Town Centre SPG and the Authority's Planning Obligations SPD. It will also help to implement the Council's High Streets and Town Centres Strategy 2017-2022.

4.20 Social Infrastructure.

4.21 As outlined in Section 4 of the Statement of Reasons, the Site currently accommodates a vacant Children's Centre, the former Poplar Boys and Girls

Youth Club building, a vacant Neighbourhood Police Unit, a Council One Stop Shop and public toilets.

- 4.22 The Planning Permission (s106 Schedule 22) ensures that the existing Children's Centre is not demolished until a replacement facility of at least equivalent floorspace has been made available for the Centre. Planning permission was granted in October 2016 (PA/16/02248) for a replacement Children's Centre on the Site of 50-52 Kerbey Street. This was completed at the end of August 2020, when the Children Centre moved in and vacated the Kerbey Street building.
- 4.23 The Planning Permission (s106 Schedule 23) also ensures that the existing Youth Club buildings are not demolished until space at Trussler Hall on Kerbey Street has been made available to the Club. This space has been made available and the Youth Club moved in to the hall in October 2019, meaning that the former Youth Club building on the Site is now vacant
- 4.24 The Planning permission (S106 Schedule 10) ensures that the developer shall not terminate its lease with the Metropolitan Police for the small vacant unit at No. 2 Market Way without entering in to a new lease to enable the police to have a continued presence on the Site, should they want to.
- 4.25 The Proposed Development includes provision of a new Community Hub building next to the existing Idea Store. The Planning permission allows for the possible extension of the Idea Store on ground and first floors and flexible Business (B1) and community space on floors 2 and 3. The Community Hub building will also include publicly accessible toilets – to replace the existing toilets in Market Square and the Planning permission (Condition 1) secures the provision of temporary public toilets on the Site until the Community Hub building is built.
- 4.26 *Strategic Development Committee Resolution Stage.*
- 4.27 Given the above, the Proposed Development fully complies with adopted London Plan Policy 3.16 and MDD Policy DM8 and will continue to make provision for

community facilities which sustain and support Chrisp Street District Centre and the additional people that will live in it.

4.28 *CPO Stage.*

4.29 Given the above, the Proposed Development fully complies with adopted London Plan Policy 3.16 and Publication London Plan Policies S1 and D2. The Proposed Development is also fully compliant with Tower Hamlets Local Plan 2031 Policies S.CF1 and D.CF2 and will continue to make provision for community facilities which sustain and support Chrisp Street District Centre and the additional people that will live in it.

4.30 Housing supply.

4.31 The Proposed Development will provide a total of 643 residential units, on the Site as set out in Table 5.3 in Section 5, a net increase of 474 homes. This will comprise the existing Festival of Britain dwellings (43 dwellings) which are proposed to be retained. Whilst the proposals involve the loss of 169 existing dwellings, these are of poor quality and the Proposed Development will provide new high-quality residential dwellings that meet modern housing standards in a substantially greater number than the proposed loss.

4.32 *Strategic Development Committee Resolution Stage.*

4.33 The Proposed Development will optimise the amount of housing on this brown field highly accessible site and result in a net increase of 474 homes. As such, it accords with adopted London Plan Policy 3.4 and Core Strategy SP02 and will make a positive contribution to meeting the borough's housing target of 3,931 per year (as set out in adopted London Plan Policy 3.3) and the Council's objective for at least 43,275 additional dwellings over the plan period (2010-2025) (CS Policy SP02). The Proposed Development is also in full accordance with support in the 2012 NPPF for delivering a sufficient supply of homes and would help implement the Poplar Riverside Housing Zone objectives.

4.34 *CPO Stage.*

4.35 The Proposed Development will optimise the amount of housing on this brown field highly accessible site and result in a net increase of 474 homes. As such, it accords with Publication London Plan Policies H1 and D3 and Tower Hamlets Local Plan 2031 Policies S.H1 and D.DH7 and make a positive contribution to meeting the borough's 10-year (2019/20-2028/29) housing target of 34,730 (as set out in Policy H1) and the Council's objective for at least 58,965 additional dwellings over the plan period (2016-2031) (Policy S.H1). The Proposed Development is also in full accordance with support in the 2019 NPPF for delivering a sufficient supply of homes and would help implement the Poplar Riverside Housing Zone objectives.

4.36 Affordable Housing.

4.37 The Proposed Development will re-provide the existing 124 Social Rented homes that are to be demolished and provide 12 additional Social Rented/London Affordable Rent homes (136 in total), together with 27 Tower Hamlets Living Rent and 37 Shared Ownership homes. In all this equates to 35.8% affordable housing (by habitable room), with a Rented: Intermediate split of 81.5:18.5% (by unit). The tenure split within the Low Cost Rented homes would be 83:17% (by unit) Social Rented/London Affordable Rent: Tower Hamlets Living Rent. The Proposed Development will provide an uplift of 11.9% affordable housing (by habitable room) from what is currently on the Site. In accordance with the Mayor of London's Affordable Housing and Viability SPG and LBTH's Development Viability SPD, the planning permission (s106, Schedule 4) secures Early, Mid and Late stage reviews to ensure that additional affordable housing is provided changes if viability allows. The affordable housing will be well integrated with and indistinguishable (from the outside) from the approved private housing.

4.38 Please see the Housing Tenure definitions at the end of this Appendix.

4.39 *Strategic Development Committee Resolution Stage.*

4.40 Robust scrutiny of viability assessments by Council officers and its consultants and GLA officers established that the proposed provision of affordable housing comprised more than the maximum reasonable amount (the level of provision ultimately being supported by grant and other third-party funding). Given the above, the Proposed Development accords with adopted London Plan Policies 3.8 and 3.12 and Core Strategy Policy SP02 and MDD Policy DM3. The Proposed Development is also in full accordance with the 2012 NPPF (Paras. 47 and 40), relevant aspects of the Mayor of London's Housing and Affordable Housing and Viability SPG and the Council's Planning Obligations and Development Viability SPD. The proposed dwelling mix (number of bedrooms) is also broadly compliant with MDD Policy DM3, although there would be 5 fewer rented 4-bedroom units than existing and no 5-bed or 6-bed homes to replace the existing homes of this size.

4.41 *CPO Stage.*

4.42 Given the nature of the affordable housing offer as summarised in 4.27 above, the Proposed Development accords with Publication London Plan Policies H5, H6 and H8. The Proposed Development also accords with Tower Hamlets Local Plan 2031 Policy S.H1 and most aspects of Policy D.H2. The exception being that the affordable housing dwelling mix in the Proposed Development is less aligned to the Council's current preferred dwelling mix (as set out in Policy D.H2) than it is to the preferred dwelling mix set out in the former MDD Policy DM3 and there would be 5 fewer rented 4-bedroom units than existing and no 5-bed or 6-bed homes to replace the existing homes of this size. Nevertheless, the Proposed Development's dwelling mix takes account of the option for existing residents to return (as set out in the tenant and leaseholder June 2018 offer brochure documents), will help meet the needs of the borough and, subject to a Non Material Amendment being approved would be capable of being amended to improve alignment with current policy objectives. The Proposed Development accords with the 2019 NPPF (Paras. 61 to 64), relevant aspects of the Mayor of London's Housing and Affordable Housing and Viability SPG and the Council's Planning Obligations and Viability SPD. The GLA Stage II decision (February

2019) also confirms that the Proposed Development accords with the Mayor of London's Good Practice Guide to Estate Regeneration.

4.43 Housing Quality.

4.44 The approved dwellings have been designed to be of a high-quality and to meet and where possible exceed the design standards in the Mayor of London's Housing SPG and the National Technical Standard. Generally, each core will accommodate no more than eight dwellings per floor, with core and private entrances provided at ground floor. Where there are nine dwellings per floor the corridors are split each way and will have automatic doors.

4.45 The internal layouts of the approved dwellings have been designed to maximise the views over the various landscaped areas across the Site including podium level amenity spaces as well as over the improved street scene within and at the boundaries of the Site. The majority (72%) of the dwellings will be dual aspect and there are no single aspect north facing units. Where there are single aspect units, these are predominantly one- or two-bedroom dwellings which have been increased in size to compensate for the loss of aspect.

4.46 Each approved home is provided with private outdoor amenity space in the form of a balcony or terrace for the ground floor units and all residents will have access to approx. 1,442sqm of high-quality communal open space and approx. 2,816sqm of children's play space is provided at various locations across the Site

4.47 The design and layout of the Site has been developed with regard to maintaining privacy for all new and existing residents. Across the majority of the Site, separation distances between dwellings exceeds the Council's 18 metre guideline. Where separation distances are lower in more constrained parts of the Site other measures, such as angled windows and no direct facing windows, have been incorporated to ensure privacy is provided to all residents. The approved homes would generally have very good internal daylight and reasonable internal sunlight.

4.48 The approved homes have also been designed to address accessibility. All of the approved homes dwellings will meet Building Regulations Part M (2) and 66 (11%) have been designed to be 'wheelchair adaptable' or 'wheelchair accessible' (Building Regulation Part M(3)(a) or (b)), with accessible homes being provided in all tenures,

4.49 *Strategic Development Committee Resolution Stage.*

4.50 Given the above, the size and layout of all homes and accompanying outdoor amenity and play space comply with London Plan Policy 3.5 and the Mayor of London Housing and Play and Informal Recreation SPGs. They also comply with former MDD Policy DM4(2). In addition, the communal open space is in excess of that required by former MDD Policy DM4 (2 (approx. 1,442sqm as opposed to a requirement for 683sqm) . The number of 'wheelchair adaptable' and 'wheelchair accessible' homes exceed the requirements of London Plan Policy 3.8, former MDD Policy DM4 and the Mayor of London's Achieving and Inclusive Environment SPG.

4.51 *CPO Stage.*

4.52 As above, the size and layout of all homes and the accompanying outdoor amenity and play space comply with Publication London Plan Policies D6 and S4 and the Mayor of London's Housing and Play and Informal Recreation SPGs. They also comply with Tower Hamlets Local Plan 2031 Policy D.H3. The accessible housing components of Proposed Development exceed the requirements of Publication London Plan Policy D7 and Tower Hamlets Local Plan 2031 Policy D.H3 and the Mayor of London's Achieving and Inclusive Environment SPG.

4.53 Density.

4.54 The residential density of the Proposed Development is 655 habitable rooms per hectare (hrph) or 174 units per hectare (uph).

4.55 *Strategic Development Committee Resolution Stage.*

4.56 The residential density of the Proposed Development falls within the indicative range set out in Table 3.2 of the adopted London Plan (Sustainable residential quality (SRQ) density matrix). Taking account of local context and character, London Plan design principles and public transport accessibility, the Proposed Development would optimise development on the Site. As such, it complies with adopted London Plan Policy 3.4.

4.57 Overall, the approved homes will be of a high-quality and comply with adopted London Plan Policies 3.4 to 3.7, supporting Mayoral SPG and Core Strategy SP02 and MDD Policies DM4 and DM25. The Proposed Development also accords with guidance in the 2012 NPPF (Para. 58).

4.58 *CPO Stage.*

4.59 The density of the Proposed Development results from a design-led approach, which was informed by a thorough understanding of the character of the site and the surrounding area, the sites connectivity and accessibility and expected levels of infrastructure provision and would deliver high-quality buildings, spaces and homes. The resultant density sits within the adopted London Plan's density matrix and in any event takes account of cumulative impacts of development and safeguards the development potential of adjoining land. As such, it complies with Tower Hamlets Local Plan 2031 Policy D.DH7. Given the above, the proposed development also complies with Publication London Plan Policies D2 and D3 (which omits the density matrix that is in the published London Plan) and guidance in the Mayor of London's emerging guidance in Good Quality Homes for all Londoners (October 2020). The Proposed Development also generally complies with relevant guidance in the Council's emerging Housing Density SPD (February 2020) and with guidance in the 2019 NPPF (Paras. 117 to 123).

4.60 Design.

4.61 The layout of the approved Proposed Development responds positively to its context and allows for: the retention of the Festival of Britain buildings and Clock Tower (heritage assets) and the enhancement of sightlines and views of these

buildings from the surrounding area; enhanced pedestrian and cycle routes from key access points to the Site and throughout the Site; improved landscaping and well-designed public open space/ amenity space; active frontages almost consistently around the edges of the Site with rationalised service areas away from the public realm and; a tower building which marks a key entrance to the Site and sees building heights stepping down towards the north of the Site to respect the Festival of Britain buildings.

4.62 The architectural quality and design of the Proposed Development is of a high standard; the Proposed Development will provide a positive contribution to the skyline; it will cause only limited harm to heritage assets and not adversely affect strategic/local views; the design presents a human scale of development at street level; the Proposed Development provides sufficient and high quality amenity space, play space and public open space and; the development would not have negative impacts in terms of microclimate, biodiversity, civil aviation or public safety.

4.63 The materiality of individual buildings in the Proposed Development is in keeping with existing and proposed context; residential elements will be predominantly brick, with alternative finishes being deployed for details of these buildings and in civic structures (including the market canopy) and skyline markers. Physical sample boards showing proposed material specification submitted at the planning application stage demonstrated an intent to use high-quality features. To ensure the Proposed Development delivers high quality design, final external materials are reserved for subsequent approval by the Planning Permission (Conditions 12 and 13) and the project architects are to be retained (S106 Schedule 19).

4.64 The Proposed Development will provide new areas of landscaping and public realm that would exceed what is currently on Site (making a welcome contribution to publicly accessible open space in the area). The Proposed Development includes pocket parks at the north west corner of the Site fronting Cordelia Street and south of block M fronting Chrisp Street; a play space area in the centre of

the Site adjacent to the market area; planting and seating to the south of the Site fronting East India Dock Road and; re-providing the market canopy, stalls, hard landscaping in the market area as well as resurfacing the ground, new seating, planting, lighting and bike storage throughout the Site. To ensure the Proposed Development delivers high quality spaces, a number of details are reserved for subsequent approval by the Planning Permission (Condition 14).

4.65 *Strategic Development Committee Resolution Stage.*

4.66 For all of the above reasons, the Site layout, height, scale and massing, landscaping and public realm and architecture of the Proposed Development incorporates good design principles and are in accordance with adopted London Plan Policies 7.2 to 7.8, CS Policies SP09, to SP12 and MDD Policies DM23, DM24 and DM26 to DM28.

4.67 *CPO Stage.*

4.68 Likewise, the Site layout, height, scale and massing, landscaping and public realm and architecture of the Proposed Development incorporates good design principles and are in accordance with Publication London Plan Policies D4 to D14 and Tower Hamlets Local Plan 2031 Policies S.DH1, S.DH3, and D.DH2, D.DH4, D.DH6, D.DH8 and D.DH9.

4.69 Heritage.

4.70 The Site falls within the Lansbury Conservation Area. The Clock Tower and the Festival Inn Pub are both on the statutory List (Grade II). North west of the Site is the Grade II Listed Lansbury Lawrence Primary School. West of the Site is the Locally Listed George Green building, Grade II Listed Buildings at Nos.153-133 East India Dock Road and Grade I and II Listed Buildings at Calvary Church. To the south, the nearest Listed Buildings are the Grade II Listed Pope John House, Poplar Baths and Grade I and II Listed Buildings surround All Saints Church. St Matthias Church Conservation Area is to the south, All Saints Poplar

Conservation Area is to the south east and the Balfour Tower Conservation Area is to the east.

4.71 The Proposed Development will involve the demolition of a number of buildings and the felling of a number of mature trees. However, the Proposed Development will retain the Festival of Britain buildings, improve their access arrangements, reinstate original tiling on columns and provide new shopfronts – all in all significantly improving their character and appearance and will see the planting of replacement trees and other planting. The Proposed Development also includes essential repairs to the Clock Tower, including cleaning and lighting. These have been granted Listed Building Consent (PA/18/00413) and the Planning Permission (s106 Schedule 21) ensures that works are carried out prior to the occupation of 75% of the private homes within the Proposed Development.

4.72 At the request of Historic England Greater London Archaeology Advisory Service, the Planning Permission (Condition 3) secures the implementation of a programme of archaeological works.

4.73 Historic England did not object to the proposed development at planning application stage and recommended that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice. The Council applied its duties in sections 66 and 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 19190 when determining the planning application. The Proposed Development will cause some harm to the setting of the Lansbury Conservation Area and other designated and non-designated heritage assets. However, this harm will be less than substantial and the harm is outweighed by the substantial public benefits that will result from the Proposed Development. These benefits are referred to in more detail above and in Section 8, but in summary include:

- (a) Preserving the heritage features on Site;
- (b) Opening up views in to the Site, market square and to the Clock Tower;
- (c) Enhancements to the existing Festival of Britain retail units;

- (d) Undertaking repairs to the Clock Tower;
- (e) Significant public realm improvements and enhancements;
- (f) Enhanced facilities for and enlargement of the market;
- (g) Delivery of new, well-designed buildings that would have a high-quality external appearance;
- (h) Provision of a community hub building, including affordable workspace;
- (i) Revitalising the existing District Centre through maintaining, increasing and enhancing the supply of the town centre offer (including local independent retail);
- (j) Creation of approximately 500 new jobs as well as financial and non-financial contributions to employment and enterprise and apprenticeships; and
- (k) Delivery of 643 new high-quality homes (431 additional), including 35.8% affordable housing.

4.74 *Strategic Development Committee Resolution Stage.*

4.75 Given the above, the Proposed Development complies with adopted London Plan Policies 7.7, 7.8 and 7.9, Core CS Policy SP10 and MDD Policy DM27 and guidance in the 2012 NPPF (Para. 134).

4.76 *CPO Stage.*

4.77 As above, the Proposed Development complies with Publication London Plan Policies HC1 and HC3, Tower Hamlets Local Plan 2031 Policies S.DH3, D.DH4 and guidance in the 2019 NPPF (Para.196).

4.78 Neighbour amenity.

4.79 The Proposed Development responds positively to its surroundings and safeguards the amenity of existing residents/businesses and users of the area, including outlook/privacy and sense of enclosure, daylight/sunlight and overshadowing, solar glare, noise, wind/microclimate, air quality and construction impacts.

4.80 *Strategic Development Committee Resolution Stage.*

4.81 As such, the Proposed Development complies with adopted London Plan Policy 7.6, CS Policy SP10 and MDD Policy DM25. It also accords with guidance in the Mayor London's relevant SPG (Housing and the Control of Dust and Emissions during Construction and Demolition).

4.82 *CPO Stage.*

4.83 As above, the Proposed Development complies with Publication London Plan Policies D9 and D13 and Tower Hamlets Local Plan 2031 Policy D.DH8. It also accords with guidance in the Mayor of London's relevant SPG (Housing and the Control of Dust and Emissions during Construction and Demolition) and the Mayor's pre-consultation draft of Good Quality Homes for all Londoners (March 2020).

4.84 Highways and transport.

4.85 The Site is well served by public transport, with the southern part having a Public Transport Accessibility Level (PTAL) of 5 (Very Good) and the rest of the Site having a PTAL of 3 (Moderate) – with the Site and surrounding area being well served by the Docklands Light Railway (DLR) and bus services. Given this context, the Proposed Development promotes sustainable travel by being essentially 'car free' (with the exception of 10 accessible car parking spaces), including 1,299 long-term and short-term cycle parking spaces (exceeding adopted London Plan standards), and encouraging walking by significantly improving the pedestrian experience through improved public realm, natural surveillance and lighting and revitalising the District Centre to ensure that it has an active day and evening economy. The Planning Permission also requires the use of travel planning to further encouraging sustainable and active travel (s106 Schedule 8).

4.86 The Proposed Development rationalises vehicular access and servicing cross the Site, with two vehicular access points from Chrisp Street and two from Kerbey

Street into the ground floor servicing areas – together with on-street servicing locations. A number of alterations to surrounding highways to knit the Proposed Development into the surrounding area and improve accessibility and permeability, including on-street car parking, footway and carriageway improvements, possible taxi rank and re-location of the existing Mayor of London Cycle Docking Station are secured by the Planning Permission (s106 Schedule 9 and Conditions 17 and 8). The Planning Permission also secures the provision of up to 95 parking spaces at Hind Grove (about 650m to the west of the Site) for market traders to park vehicles (s106 Schedule 20).

4.87 The Proposed Development is not expected to lead to an increase in vehicular trips in the morning or evening peak periods and increases in the number of trips on the DLR/ Underground/Rail and bus networks is expected to be negligible, with Transport for London raising no objections.

4.88 *Strategic Development Committee Resolution Stage.*

4.89 Given the above, the Proposed Development is in accordance with adopted London Plan Policies 6.1, 6.3, 6.9, 6.10, 6.13 and 7.26, CS Policy SP08 and MDD Policies DM20, DM21 and DM22. It also accords with guidance in the 2012 NPPF (Para. 34).

4.90 *CPO Stage.*

4.91 As above, the Proposed Development is in accordance with Publication London Plan Policies T1, T2, T3, T4, T6 (and T6.1 to T6.5) and T7. S.TR1, D.TR2, D.TR3 and D.TR4. It also accords with guidance in the 2019 NPPF (Paras. 108 to 111). The Cycle parking standards in the Publication London Plan Policy T5 are more stringent than those in the adopted London Plan and the Proposed Development contains a little less cycle parking than would be required today. However, it may be possible to revise the approved scheme (subject to approval of Non-Material Amendments), to increase the amount of cycle parking .

4.92 Energy and environmental sustainability.

4.93 The Proposed Development has been designed to maximise reductions in carbon dioxide emissions through the implementation of 'Lean', 'Clean' and 'Green' energy efficiency measures. It will be served by a communal heat network and Combined Heat and Power (CHP) plant and include the provision of photovoltaic panels at roof level. Connection valves will be provided in the plant room to allow for the potential connection to a district heating network in the future.

4.94 *Strategic Development Committee Resolution Stage.*

4.95 In accordance with adopted London Plan Policies 5.2, 5.3 and 5.6, the Proposed Development incorporates all reasonable measures to reduce energy requirements by following the Mayor of London's energy hierarchy ('lean', 'clean' and 'green') – resulting in a 37% reduction in carbon dioxide emissions against the Building Regulations 2013. This level of reduction is below the targets set out in MDD Policy DM29 (zero-carbon for residential and 45% reduction for non-residential) and in accordance with the carbon offsetting mechanism set out in the Council's Planning Obligations SPD, the Planning Permission (s106 Schedule 4) secures a financial contribution of £157,464.

4.96 MDD Policy DM29 requires the use of sustainable design assessment tools to ensure that development achieves the highest levels of sustainable design and construction – calling for non-residential buildings to be designed to achieve a BREEAM 'Excellent' assessment rating. The non-residential units in the Proposed Development have been designed to achieve this and the Planning Permission (Condition 21) requires a post verification report and BREEAM certificates to demonstrate that this has been achieved.

4.97 The energy and environmental sustainability features of Proposed Development mean that it accords with the 2012 NPPF (93 to 98).

4.98 *CPO Stage.*

4.99 Planning policies relating to energy and environmental sustainability have evolved since the Planning Committee Stage. Publication London Plan SI 2 now calls for major development to be “zero carbon” and introduces a fourth strand to the Mayor’s energy hierarchy “be seen” (the need to monitor, verify and report on energy performance). Publication London Plan SI 3 also places Combined Heat and Power (CHP) third in the low-temperature heating hierarchy. Tower Hamlets Local Plan 2031 Policy D.ES7 also includes a requirement for both residential and non-residential development to be “zero carbon”. The energy and environmental sustainability features of the Proposed Development mean that it accords with the 2019 NPPF (151 to 154).

4.100 Although the Proposed Development would not be in strict accordance with the current development plan policies on energy and sustainability, it nonetheless makes a positive contribution to reducing carbon emissions, by maximising what is achievable on site and funding off-site reductions, and delivering environmentally sustainable design in accordance with the policies that were in force at the time of the Council’s decision to grant planning permission. Seen in the round, any technical breach of current policies is not regarded as significant.

4.101 Environmental considerations.

4.102 The Proposed Development is the subject of Environmental Impact Assessment (EIA), including assessment of a range of topics as set out in the Environmental Statement, scrutiny by independent consultants, ‘further information’ submitted under Regulation 22 of the EIA Regulations (2011) (which applied to the Proposed Development given the date of submission of the application) and securing necessary mitigation in the Planning Permission. This has helped ensure that likely significant effects of the Proposed Development have been identified and that likely negative effects have been ‘designed out’ or mitigated where possible.

4.103 The scope of the EIA is in accordance with the Council’s Scoping Opinion (24/09/2015, PA/15/02335/NC) and includes Socio-Economic, Archaeology, Heritage Townscape and Visual, Daylight, Sunlight and Overshadowing and

Noise and Vibration issues that are addressed in the topics above. Other EIA topics are addressed below.

4.104 **Air Quality.** The Site already suffers from poor air quality, and despite an expected reduction in transport emissions (due to the 'car free' nature of the Proposed Development), the annual air quality objective for Nitrogen Dioxide is expected to be exceeded across parts of the Site and further air quality assessment and details of mechanical ventilation systems for those new homes that may need it are secured by the Planning Permission (Condition 10). The Planning Permission (Condition 1) also requires the implementation of approved Construction Environmental Management and Construction Logistics Plans – including an appropriate dust management strategy.

4.105 *Strategic Development Committee Resolution Stage.*

4.106 Given the above conditions, the Proposed Development complies with adopted London Plan Policy 7.14, CS Policy SP03 and MDD Policy DM09. It also accords with the Mayor of London's SPG for The Control of Dust and Emissions during Construction and Demolition and with guidance in the 2012 NPPF (Para. 124).

4.107 *CPO Stage.*

4.108 As above, the Proposed Development complies with Publication London Plan, Tower Hamlets Local Plan 2031 Policy D.ES2, the Mayor's SPG and guidance in the 2019 NPPF (Para. 180 and 181).

4.109 **Biodiversity.** The Proposed Development incorporates soft landscaping, including replacement trees, and areas of brown and green roofs. The Planning Permission (Condition 11) reserves details of biodiversity improvements, including details of biodiverse roofs, bird and bat boxes and nectar-rich landscaping. It also secures the approval of an updated bat survey and the protection of any bats and nesting birds prior to the commencement of works (Conditions 7 and 8).

4.110 *Strategic Development Committee Resolution Stage.*

4.111 Given the above, the Proposed Development conforms with adopted London Plan Policy 7.19, CS Policy SP04 and MDD Policy DM11. The Proposed Development also accords with guidance in the 2012 NPPF (Para. 118).

4.112 *CPO Stage.*

4.113 In addition, the above means that the Proposed Development also accords with Publication London Plan Policies G5 (although not the interim Urban Greening Factor for predominantly residential development) and G6, Tower Hamlets Local Plan 2031 Policy D.ES3 and the NPPF 2019 (Para. 175).

4.114 **Contaminated Land.** The Planning Permission (Condition 2) secures the prior approval of a preliminary risk assessment, site investigation scheme and a verification report.

4.115 *Strategic Development Committee Resolution Stage.*

4.116 Given the above conditions, the Proposed Development complies with adopted London Plan Policy 5.21 and MDD Policy DM30. The Proposed Development also accords with guidance in the 2012 NPPF (Paras. 120 to 122).

4.117 *CPO Stage.*

4.118 In addition, the above means that the Proposed Development also complies with Tower Hamlets Local Plan 2031 Policy D.ES8 and with guidance in the 2019 NPPF (Paras. 178 and 179).

4.119 **Flood Risk and Sustainable Urban Drainage (SUDS).** Although the Site is located within Flood Zone 3a, it is protected by the Thames Tidal flood defences from a 1 in 1,000 (0.1%) flood event and the Environment Agency has confirmed that it has no objections. The Planning Permission (Condition 15) requires the prior approval of a SUDS scheme for each phase.

4.120 *Strategic Development Committee Resolution Stage.*

4.121 Given the above condition, the Proposed Development complies with adopted London Plan Policies 5.11, 5.12 and 5.13, CS Policy SP04 and MDD Policy DM13. The Proposed Development also accords with guidance in the 2012 NPPF (Paras. 103 and 104).

4.122 *CPO Stage.*

4.123 In addition, the above means that the Proposed Development also complies with Publication London Plan Policies SI 12 and SI 13 and Tower Hamlets Local Plan 2031 Policies D.ES4 and D.ES5. The Proposed Development also accords with guidance in the 2019 NPPF (Paras. 163 and 15).

Housing Tenure Definitions in the Section 106 Agreement

Affordable Housing

Means housing provided as Social Rented Housing, London Affordable Rent, Tower Hamlets Living Rent and Shared Intermediate Housing, provided to Eligible Households whose needs are not met by the market, and which housing should (a) meet the needs of Eligible Households including availability at a cost low enough for them to afford, determined with regard to local incomes and local housing prices and (b) include provision for the home to remain at an affordable price for future Eligible Households, or, if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision.

Intermediate Housing

Means Shared Ownership.

London Affordable Rent

Means the Social Rented Housing product in which homes are let at London wide benchmark rents (exclusive of Service Charges) published by the GLA on an annual basis or where such rent levels cease to be published annually by the Council let at the last published rent level and indexed as permitted for Social Rented Housing with the Rent Standard from time to time or such other rent level as may be agreed in writing with the Council.

Low Cost Rent

Means housing offered at Tower Hamlets Living Rent or London Affordable Rent or Social Rented Housing (as the context requires).

Private Housing

Means housing other than the Affordable Housing.

Social Rented Housing

Means rented housing owned and managed by local authorities, RPs or AAHPs, which are to be let at formula rents calculated in accordance with The Rent Standard and

complying with the key requirements set out in the Rent Guidance and reference to "Social Rented Housing" shall be to any Residential Unit provided as Social Rented Housing.

Shared Ownership Housing

Means a form of Intermediate Housing provided by an RP to Eligible Households in which the occupier owns a share of the property and the remainder of the property is owned by the RP on which the occupier may pay a rent and is entitled to purchase further shares up to 100% and which meets the affordability criteria included within the London Plan or any replacement of the same and "Shared Ownership Lease" and Shared Ownership Lessee" shall be construed accordingly and any reference to "Shared Ownership Unit" shall be to any Residential Unit offered for Shared Ownership Housing.

Tower Hamlets Living Rent

Means housing product (inclusive of Service Charges) where homes are let at Borough wide rent levels published by the Council annually and calculated with reference to one third of median incomes in the borough or where rent levels cease to be published annually by the Council let at the last published rent level and indexed as permitted for Affordable Housing with the Rent Standard from time to time or such other rent level as may be agreed in writing with the Council.