

Mr David Black  
Leaside Planning Limited  
Old Poplar Library  
45 Gillender Street  
London  
E14 6RN

**Application Number:** PA/18/01973

29/03/2019

Place Directorate  
Development Management  
Town Hall, Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

**Enquiries to:** Kevin Crilly  
**Tel:** 02073642222  
**Fax:** 020 7364 5415

Dear Sir/Madam,

### **Town and Country Planning Act 1990 (as amended)**

#### **CONDITIONAL PERMISSION FOR DEVELOPMENT**

In accordance with the Act and Order mentioned above, Tower Hamlets Council as Local Planning Authority hereby gives notice of its decision to grant permission for the development referred to in the schedule to this notice and as shown on the submitted plans and particulars subject to the conditions set out in the schedule.

You are advised that this permission does not modify or extinguish any covenants, easements or other restrictions applying to or affecting the land, or the rights affecting the land, or the rights of any other person entitled to the benefits thereof. You are also advised that this permission does not relieve you of the need to obtain any approval necessary under the Building Act 1984, Building Regulations 2000, or other related legislation. In this connection you should contact the Head of Building Control, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG (020 7364 5241) for advice or guidance on the necessity for obtaining building regulation approval in this particular case.

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official geographical and postal addresses and to get any newly created streets and access-ways officially named. **In order to avoid delays at completion stage of the work the application should be made on commencement of the work or shortly thereafter.** Details of the development, including site, block and internal plans annotated with unique plot numbers and additional development information such as tenure, number of bedrooms etc. with completed application forms (available from the Street Naming and Numbering webpage on the Councils website) should be sent to Planning and Building Control, Street Naming and Numbering, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

Your attention is drawn to the following statement of applicants' rights:-

#### **1) Appeals to the Secretary of State**

If you are aggrieved by this decision you may appeal to the Secretary of State for Communities & Local Government in accordance with Section 78 of the Town and Country Planning Act 1990. If you want to appeal from the date of your decision notice then you

must do so within **SIX months** (unless your proposal relates to householder appeal or minor commercial appeal as defined in Article 37 of the DMPO 2015 in which case you must do so within **TWELVE weeks** of the date of this notice), or 28 days, if the development in your application is the same or substantially the same as development that is currently or subsequently the subject of an enforcement notice. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

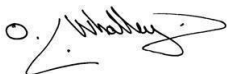
## **2) Purchase Notice**

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990.

## **3) Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Yours sincerely,



**Owen Whalley, Divisional Director - Planning and Building Control**

## **SCHEDULE**

### **Full Planning Permission**

**Location:** Poplar Harca Office, 72-76 Bromley High Street, London, E3 3EG

**Proposal:** Erection of 13 affordable dwellings in a building up to 5 storeys in height

**Date:** 29/03/2019

**Reference:** PA/18/01973

**Application Received on:** 2 August, 2018

**Application Registered on:** 2 August, 2018

#### **Documents and Drawings**

17/2002 - 01, 02, 03, 04  
1632-1-PL-105-000  
1632-1-P-105-001  
1632-1-P2-101-000  
1632-1-P2-101-001  
1632-1-P2-101-002  
1632-1-P2-101-003  
1632-1-P2-101-004  
1632-1-P2-101-005  
1632-1-P2-102-001  
1632-1-P2-102-002  
1632-1-P2-103-000  
1632-1-P2-103-001

Design and Access Statement by Metropolitan Workshop (July 2018)  
Flood Risk Assessment by XCO2 (December 2017)  
Daylight and Sunlight Report byWaldroms (January 2018)  
Transport Statement by EAS (January 2018)  
Planning Statement by Leaside Planning  
Air Quality Assessment by RSK (January 2018)  
Energy Statement by Energy Council (January 2018)  
Sustainability Statement by Energy Council (January 2018)  
Risk Assessment by RPS (January 2018)  
Bat Survey by DF Clark March (2018)

#### **Statement of positive and proactive engagement**

The Local Planning Authority has worked with the applicant in a positive and proactive manner by making available a formal pre-application process, including free duty officer advice. The Local Planning Authority has also produced policies and provided written guidance, all of which are available on the Council's website and which has been followed in this instance.

### **Conditions and Reasons:**

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

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

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

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

### 3 - Contaminated Land

a) Development of the site shall not begin until a scheme has been submitted to the local planning authority and written approval has been granted for the scheme. The scheme will identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed. Details of the scheme should include:

- i. A proposal to undertake an intrusive investigation at the site based on the findings of the desk study.
- ii. A 'site investigation report' to investigate and identify potential contamination.
- iii. A risk assessment of the site.
- iv. Proposals for any necessary remedial works to contain treat or remove any contamination.

b) Occupation of the building/dwelling hereby approved shall not begin until:

- i. The remediation works approved by the local planning authority as part of the remediation strategy have been carried out in full. If during the remediation or development work new areas of contamination are encountered, which have not been previously identified, then the additional contamination should be fully assessed in accordance with condition [1(i-iii)] above and an adequate remediation scheme shall be submitted to and approved in writing by the local planning authority and fully implemented thereafter.
- ii. A verification report, produced on completion of the remediation works to demonstrate effective implementation of the remediation strategy, has been submitted to and approved in writing by the local planning authority. The content of the report must comply with best practice guidance and should include, details of the remediation works carried out, results of verification sampling, testing and monitoring and all waste management documentation showing the classification of waste, its treatment, movement and/or disposal in order to demonstrate compliance with the approved remediation strategy.

Reason: To make sure that contaminated land is properly treated and made safe before development, to protect public health and to meet the requirements of The NPPF, Policies 5.21 and 5.22 in the London Plan (as amended) and Policy DM30 in the Managing Development Document (2013), which provides guidance around protecting residents' health and the environment from contaminants and hazardous substances.

#### 4 - Noise Standards for New Residential Units

None of the approved residential units shall be occupied unless they have first been constructed to ensure that:

- i. the construction accords with BS8233 '*Sound Insulation and Noise Reduction for Buildings*';
- ii. internal ambient noise levels do not exceed 35dB LAeq,16 hour, between hours 07:00 - 23:00 and within bedrooms do not exceed 30 dB LAeq, 8 hour between hours 23:00 - 07:00.
- iii. structure-borne noise does not exceed LAmax 35 dB;
- iv. exposure to vibration is no higher than of "low probability of adverse comment" in accordance with BS6472 '*Evaluation of Human Exposure to Vibration in Buildings*'; and
- v. at any junction between residential and non-residential uses, the internal noise insulation level is no less than 55DnTw=Ctr.

Reason: To protect the amenity of the future occupiers from undue noise and vibration disturbance in accordance with the requirements of policies SP02, SP03 and SP10 of the Core Strategy (2010), and policy DM25 of the Managing Development Document (2013).

#### 5 - Noise Standards for Mechanical Plant and Equipment

- a) Any mechanical plant and equipment within the development shall be designed and maintained for the lifetime of the development so as not to exceed a level of 10db below the lowest measured background noise level (LA90, 15 minutes) as measured one metre from the nearest affected window of the nearest affected residential property. The plant and equipment shall not create an audible tonal noise nor cause perceptible vibration to be transmitted through the structure of the building.
- b) No mechanical plant or equipment shall be operated within the site until a post installation verification report, including acoustic test results, has first been submitted to and approved in writing by the Local Planning Authority confirming that the above maximum noise standard has been achieved and that the mitigation measures are robust.

Reason: To ensure that the development does not result in noise disturbance to neighbouring residents in accordance with policies SP03 and SP10 of the Core Strategy (2010) and DM25 of the Managing Development Document (2013).

#### 6 - Inclusive Access Standards

- a) All of the approved residential units shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement M4(2) '*accessible and adaptable*' save for unit 72B which shall comply with the optional requirement M4(3)(2)(b) '*wheelchair accessible*'.
- b) Any lifts shown on the approved drawings shall be installed and in an operational condition prior to the first occupation of the relevant residential access cores. The lifts shall be retained and maintained in an operational condition for the lifetime of the

development.

Reason: To ensure adequate provision of accessible and adaptable dwellings & wheelchair accessible and wheelchair adaptable dwellings and that adequate step-free access is provided in accordance with policies 3.8 and 7.2 of the London Plan (2016), SP02 and SP10 of the Core Strategy (2010), and DM4 and DM24 of the Managing Development Document (2013).

#### 7 - Secured by Design Standards

No superstructure works shall take place until details of security measures have been submitted to and approved in writing by the Local Planning Authority.

The development shall aim to achieve the Secured by Design 'Gold' standard.

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

Reason: To ensure that Secured by Design principles are implemented into the development in accordance with policies 7.3 of the London Plan (2016), SP10 of the Core Strategy (2010) and DM23 of the Managing Development Document (2013).

#### 8 - On-street Parking Restrictions

None of the residential units shall be occupied until a scheme to secure their occupation as 'car-free' has been implemented in accordance with details which have first been submitted to and approved in writing by the local planning authority.

The scheme shall ensure that:

- i. All residential occupiers of the development (not being holders of a disabled person's badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970 or similar legislation) including all such future occupiers, shall not apply for or hold an on-street parking permit to park a vehicle on public highway at any time within the administrative district of the local planning authority.
- ii. Any permit that is issued to or held by any occupant of the development shall immediately be surrendered to the local planning authority.
- iii. The restrictions and requirements of the scheme shall apply to and be communicated to all future residential occupiers of the development including successors in title as well as any person occupying the premises as a tenant or licensee.

Reason: To promote sustainable transport and to reduce pressure for on-street car parking in accordance with the requirements of policy SP09 of the Core Strategy (2010) and policy DM22 of the Managing Development Document (2013).

#### 9 - Restrictions on Demolition and Construction Activities

Unless otherwise specified by a S61 Consent granted under the Control of Pollution Act 1974, demolition, building, engineering or other operations associated with the construction of the development (including arrival, departure and loading and unloading of construction vehicles):

a) Shall be carried out in accordance with the Tower Hamlets Code of Construction Practice.

b) Shall only be carried out within the hours of 08:00 and 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays. No works shall take place on Sundays and Public Holidays.

c) Any non-road mobile machinery (NRMM) used shall not exceed the emission standards set out in the Mayor of London's '*Control of Dust and Emissions During Construction and Demolition*' Supplementary Planning Guidance 2014 and be registered under the Greater London Authority NRMM scheme [www.nrmm.london](http://www.nrmm.london)

d) Ground-borne vibration shall not exceed 1.0mm/s Peak Particle Velocity (PPV) at residential and 3.0mm/s PPV at commercial properties neighbouring the site.

e) Noise levels measured 1 metre from the façade of any occupied building neighbouring the site shall not exceed 75dB(A) at residential and commercial properties, and 65dB(A) at schools and hospitals (LAeq,T where T = 10 hours Monday to Friday and 5 hours for Saturday).

Reason: To safeguard the amenity of local residents and the area generally in accordance with policies SP10 of the Core Strategy (2010), and DM25 of the Managing Development Document (2013).

#### 10 - Construction Environmental Management & Logistics Plan \_

No development shall take place, including any works of demolition, until a Construction Environmental Management & Logistics Plan have been submitted to and approved in writing by the Local Planning Authority.

The plans shall aim to minimise the amenity, environmental and road network impacts of the demolition and construction activities and include the details of:

- a) Telephone, email and postal address of the site manager and details of complaints procedures for members of the public;
- b) Dust Management Strategy to minimise the emission of dust and dirt during construction including but not restricted to spraying of materials with water, wheel washing facilities, street cleaning and monitoring of dust emissions;
- c) Measures to maintain the site in a tidy condition in terms of disposal/storage of waste and storage of construction plant and materials;
- d) Scheme for recycling/disposition of waste resulting from demolition and construction works;
- e) Ingress and egress to and from the site for vehicles;
- f) Proposed numbers and timing of vehicle movements through the day and the proposed access routes, delivery scheduling, use of holding areas, logistics and consolidation centres;
- g) Parking of vehicles for site operatives and visitors;
- h) Travel Plan for construction workers;
- i) Location and size of site offices, welfare and toilet facilities;
- j) Erection and maintenance of security hoardings including decorative displays and

facilities for public viewing;

- k) Measures to ensure that pedestrian access past the site is safe and not obstructed;
- l) Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.

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

Reason: In the interests of highway and pedestrian safety and to preserve the amenity of the area in accordance with the requirements of Tower Hamlets Core Strategy policy SP09 and SP10.

#### 11 - Energy Efficiency and Sustainability

- a) The development shall be carried out in accordance with the approved Energy Strategy (by The Energy Council, January 2018) and Sustainability Statement (by The Energy Council, January 2018). The energy efficiency and sustainability measures set out therein shall be completed prior to the first occupation of the development and retained for its lifetime.
- b) The development shall achieve regulated carbon dioxide emission savings of no less than 46% against the Target Emissions Rate of Part L of Building Regulations (2013).
- c) The photovoltaic array system shall be installed prior to the first occupation of the development, have an output of no less than 2.5kWh and be retained for the lifetime of the development.
- d) The heat and hot water supply system shall be designed and constructed so as to enable a future connection of the supply system to a district heating network.
- e) All of the approved residential units shall be constructed and fitted out to comply with the Building Regulations 2010 (as amended) optional requirement G2(36)(2)(b) '*110 litres water consumption per person per day*'.
- f) The development shall not be occupied until a post completion verification report has first been submitted to and approved in writing by the Local Planning Authority to confirm that the above minimum standards have been achieved and that all of the approved energy efficiency and sustainability measures have been implemented.

Reason: To ensure a reduction of carbon dioxide emissions and the highest levels of sustainable design and construction in accordance with policies 5.2, 5.3 and 5.15 of the London Plan (2016), SP11

#### 12 - Drainage

No superstructure works shall take place until a Sustainable Urban Drainage Scheme (SUDS) including on-going maintenance provisions has been submitted to and approved in writing by the Local Planning Authority.

The approved SUDS scheme shall be completed prior to the first occupation of the



development and thereafter maintained in operational condition for the lifetime of the development.

Reason: To minimise the risk of flooding, to protect water quality and in the interest of sustainability accordance with policies SP04 of the Core Strategy (2010) and DM13 of the Managing Development Document (2013).

### 13 - Biodiversity .

No superstructure works shall take place until details of biodiversity improvement measures have been submitted to and approved in writing by the Local Planning Authority (in consultation with the Council's Biodiversity Officer).

The biodiversity improvement measures shall take into account the objectives of the LBTH Local Biodiversity Action Plan.

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

Reason: To ensure an overall improvement to biodiversity in line with the Local Biodiversity Action Plan and in accordance with policies SP04 of the Core Strategy (2010) and DM11 of the Managing Development Document (2013).

### 14 - Materials, Finishes and Detailing

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

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

a) Samples and details of external cladding;

Details of external cladding, where relevant, shall include all types of brick or other cladding material to be used, details of bond, mortar and pointing for brick and details of joints, panel sizes and fixing method for other types of cladding.

b) Samples and drawings of fenestration.

Details of fenestration, where relevant, shall include reveals, sills and lintels. Drawings shall be at a scale of no less than 1:20.

c) Drawings and details of entrances.

Details of entrances, where relevant, shall include doors, reveals, canopies, signage, entry control, post boxes, CCTV, lighting and soffit finishes. Drawings shall be at a scale of no less than 1:20.

d) Drawings and details of shopfronts.

Details of shopfronts, where relevant, shall include doors, glazing, reveals, stallrisers, pilasters, fascias, awnings and signage zones or indicative signage. Drawings shall be at a scale of no less than 1:20.

e) Details of any balconies, terraces or wintergardens and associated balustrades, soffits and drainage.

f) Details of any external rainwater goods, flues, grilles, louvres and vents.

g) Details of any external plant, plant enclosures and safety balustrades.

- h) drawings detailing the privacy screens to eastern side of the balconies of the second and third floor flats adjacent to 92 Bromley High Street

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

Reason: To ensure a satisfactory external appearance of the development and that high quality materials and finishes are used, in accordance with policies 7.1 to 7.6 of the London Plan (2016), SP10 of the Core Strategy (2010) and DM24 of the Managing Development Document (2013).

#### 15 - Landscaping

Prior to the completion of the superstructure works a landscaping scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of:

- a) hard landscaping including ground surfaces, kerbs and planter enclosures;
- b) soft landscaping including number, size, species and location of plants;
- c) on-going five year maintenance and watering provisions for soft landscaping;
- d) lighting including light spill drawings;
- e) any fences, gates or other means of enclosure; and
- f) any street furniture or play furniture.

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

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

Reason: To ensure the appearance of the development is acceptable and to ensure the provision of an adequate standard of amenity space in accordance with the requirements of policy SP04(2/3) of the Tower Hamlets Core Strategy 2010.

#### 16 - Cycle Parking

No less than 26 cycle parking spaces shall be provided

The cycle storage facilities shall be completed in accordance with the approved details prior to the first occupation of the development and thereafter maintained in operational condition and made available to the occupiers of the development for the lifetime of the development.

Reason: To ensure the provision of adequate cycle parking facilities in accordance with the requirements of policies 6.9 of the London Plan (2016), SP09 of the Core Strategy (2010) and DM22 of the Managing Development Document (2013).

#### 17 - Delivery, Servicing and Waste Management

The development shall not be occupied until a Delivery and Servicing Plan and a Waste Management Plan have been implemented and are in operation in accordance with details which have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London).

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

Reason: To ensure adequate provision for the storage of refuse in accordance with policies SP05 of the Core Strategy (2010) and DM14 of the Managing Development Document (2013); and to ensure adequate delivery and servicing arrangements and to minimise the development's impacts on the safety and capacity of the road network, in accordance with policies SP09 of Core Strategy (2010) and DM20 & DM21 of the Managing Development Document (2013).

#### 18 - Highway Works

The development shall not be occupied until a Scheme of Highway Improvement Works necessary to serve this development (being the closure of the existing access and reconstruction/resurfacing of the carriageway/footway) is implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority (in consultation with the Council's Highway Construction Officers).

Reason: In the interests of highway and pedestrian safety, to ensure a high quality of public realm and to ensure the development is well integrated with its surroundings in accordance with the requirements of policies SP09 and SP10 of the Core Strategy (2010) and policies DM20 and DM23 of the Managing Development Document (2013).

#### 19 - Archaeology

No development shall take place other than demolition to ground level until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- b) The programme for post-investigation assessment and subsequent analysis,

publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DM27 of the Council's adopted Managing Development Document (2013) and government guidance set out in the National Planning Policy Framework (2018).