Committee: Development Committee	Date: 15 September 2004	Classification: Unrestricted	Report Number: **DC039/045**	Agenda Item Number: 7.8
Report of: Director of Development and Renewal **Case Officer:** Natasha Hayes		**Title:** Town Planning Application **Location:** CROSSWAYS ESTATE, RAINHILL WAY, LONDON, E3 **Ward: Bromley By Bow/ Mile End East**		

1. SUMMARY

1.1 **Registration Details**

Reference No: PA/03/01683

Date Received: 08/12/2003
Last Amended Date: 20/01/2004

1.2 **Application Details**

Existing Use: Residential Estate comprising three tower blocks and 22 houses, housing amenity land including ball court, designated open space (allotments) land rear of Campbell Road.

Proposal: Outline Application for demolition of 1-43 Holyhead Close; refurbishment, including cladding, of three tower blocks, and sub-division of larger flats therein to increase total from 276 to 315 units. New development of 357 units of housing for sale and for rent, in blocks up to 6 storeys high, on land within the estate including designated housing amenity land. The proposal will include a new access road, a new community centre, with associated parking and landscaping.

Applicant: London Borough of Tower Hamlets (in partnership with Swan Housing Association)
Ownership: LBTH and various leaseholders within Crossways Estate
Historic Building: No
Conservation Area: Western edge of site within the Tomlins Grove Conservation Area.

2. RECOMMENDATION:

2.1 That the Development Committee **grant** outline planning permission, subject to the satisfactory completion of a legal agreement pursuant to Section 106 of the Town & Country Planning Act 1990 (and other appropriate powers) to include the matters outlined in Section 2.4 below; the reserved matters, conditions, and informatives outlined in sections 2.5 and 2.6 below;

2.2 That if the Committee resolve that planning permission be granted, that the application first be **referred to the Mayor of London** pursuant to the Town & Country Planning (Mayor of London) Order 2000, as a departure application of over 150 new residential units.

2.3 That if the Committee resolve that planning permission be granted, that the application first be **referred to the Secretary Of State** pursuant to the Town & Country Planning Direction 1999. Annex 1, paragraph 3(a), as a departure application of over 150 new residential units.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background paper:	Tick if copy supplied for register	Name and telephone no. of holder
Application case file, plans, supporting technical reports, UDP, PPG's.		Development Control 020 7364 5416

Legal Agreement

2.4 To be entered into by the developer on acquiring an interest in the land, to secure the following:

(1) Provision of affordable housing;

(2) Preparation and implementation of a Travel Plan, in consultation with Transport for London (TFL);

(3) Completion of a car free agreement.

(4) The use of local labour in the construction of the development.

Conditions

1. Time Limit – reserved matters;

2. Full Particulars of following reserved matters to be submitted for each phase of the development for approval:

   a) the design of the buildings;
   b) the external appearance of the buildings;
   c) the landscaping of the site;

3. Soil Investigation & mitigation;

4. Tree retention, protection, relocation, and replacement;

5. Planting to be carried out in first planting season & 5 years maintenance;

6. Detailed drawings showing all highway improvements and new infrastructure, including the new Campbell Road junction, the appropriate sections of the new estate road, and proposed new pedestrian & cycle routes shall to be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

7. Detailed drawings showing the parking layout (limited to a maximum of 355 car parking spaces), including parking for persons with disabilities, motor cycle and cycle storage to be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

8. The following shall be submitted with the detailed application for each phase of the development:

   a) Access Statement;
   b) Sunlight/daylight assessment in accordance with BRE guidelines;
   c) Eco-homes report on sustainable design and construction;
   d) Report on Lifetime Homes standards and wheelchair housing provision;

9. The landscaping details submitted pursuant to conditions 2c and 5b shall comply with the recommended mitigation measures of the 'Wind Environment Report - June 2004' that accompanied the application, and shall include details of biodiversity enhancements to be implemented as recommended in 7.2 of the 'Ecological Survey & Assessment Report – November 2003' that accompanied the application;

10. Construction hours restricted to: Mon-Fri 0800hrs-1800hrs, Sat 0800hrs-1300hrs. Not on Sundays or Public Holidays;

11. Full details of sound insulation and vibration isolation to be submitted for approval prior to commencement of works;

12. Layout of habitable rooms shall place habitable rooms away from noise sensitive facades

wherever possible;

13. In relation to sites 6 and 7, evidence must be submitted to demonstrate that the flats to be built directly over the Docklands Light Railway (DLR) tunnel can be structurally isolated from the DLR tunnel to mitigate any unacceptable noise and vibration impacts, to the satisfaction of the local planning authority.

    If such evidence can not be provided, detailed drawings shall be submitted showing alterations to the layout so that no residential flats are to be built directly on top of the DLR tunnel. This part of the development shall be completed only in accordance with the alteration(s) thus approved.

    The applicant shall ensure Transport for London is consulted on the above details.

14. Submission of a Strategic Sustainability Report;

15. Wheel cleaning during construction;

16. Air Quality Management Plan shall be submitted to and agreed in writing by the Local Planning Authority (LPA) prior to commencement of works;

17. Details of the route for construction traffic shall be submitted to and agreed in writing by the LPA prior to commencement of works;

18. Details of on site parking and delivery arrangements during the construction phases shall be submitted to and agreed in writing by the LPA prior to commencement of works;

19. A Code of Construction Practice shall be submitted for approval prior to commencement of development, and shall be complied with during construction;

20. Preparation of/compliance with an Environmental Management Plan.

21. Detailed design and method statements for all the ground floor structures to be provided - Crossrail consultation;

22. Applicant to provide further information on the viability and requirement for a GP service or primary health facility on the estate, for which potential accommodation is allocated on the lower two floor of Hackworth Point.

2.6 **Informatives**

a) Subject to a Planning Obligation Agreement;

b) Construction Waste;

c) Consideration to use of low emission vehicles during construction;

d) Consideration should be given within the detailed design of sites 7 and 8 to provision of a new direct access from the estate to Bow Church DLR station.

e) You attention is brought to the detailed comments provided by the DLRL (letter dated 27 July 2004) and Network Rail (letter dated 8 July 2004) regarding construction related requirements in relation to the operation of the relevant transport network.

f) Cross London Rail Links Ltd (1 Butler Place, London, SW1H OPT, tel 020 7941 7600) has indicated its preparedness to provide guidelines in relation to the proposed location of the Crossrail structures and tunnels, ground movement arising from the construction of the running tunnels, and noise and vibration arising from the running tunnels. Applicants are encouraged to discuss the guidelines with the Cossrail Engineer in the course of preparing detailed design and method statements.

g) Stopping Up Order may be requird from the Highways Authority in relation to Rainhill Way;

h) In relation to condition 2 (a), the Council will expect to see high quality external materials used for cladding of the existing towers and construction of the new build element.

i) In relation to condition 8 (c), the Council expects to see a 'good standard' of sustainable design and construction in accordance with the BRE Eco-homes standards;

j) In relation to condition 8 (d) the Council recognises that constraints of the existing site and towers may limit full compliance with the relevant standards, however the applicant should demonstrate how they propose to meet these standards as far as achievable.

3. BACKGROUND

3.1 The Crossways Estate and the area in general have been in decline for some time and this is reflected by the poor physical state of the buildings and the associated social problems.

3.2 In 1999 Tower Hamlets Housing Directorate commissioned initial appraisals which found the blocks to be in sound structural condition, but in need of full refurbishment. The same year a feasibility study was commissioned to look at options available for the Crossways Estate. Following identification of a 'preferred option' the applicant then undertook an extensive consultation process with residents and stakeholders, the current proposals being the result.

3.3 A draft Planning & Development Framework was drawn up by the Planning Projects section in August 2002 to provide the brief for the detailed master planning of the estate and as an expression of the Council's desired outcomes for the area.

3.4 The applicant is the London Borough of Tower Hamlets, in partnership with Swan Housing Association, the RSL who will take over management of the estate post ballot if successful. The applicant has attracted regeneration funding into the area through a range of programs, including SRB 6 funding for the infrastructure works that will contribute to the regeneration of the Crossways Estate. The applicant has emphasised the significance of any delays in obtaining outline permission in terms of securing substantial regeneration funding. This funding will come from Council's own capital programme, the Housing Corporation, London Development Agency, Regional Housing Board (ODPM) and the Housing Corporation.

3.5 It Outline Planning Permission is sought to create around 670 new, refurbished, or converted homes within a high quality and secure environmental setting. The construction period is anticipated at around 5 years.

4. PLANNING POLICY FRAMEWORK

4.1 The following Unitary Development Plan **proposals** are applicable to this application:

(1) Land East Of 23-27 (Odd) Campbell Rd, E3

4.2 The following Unitary Development Plan **policies** are applicable to this application:

DEV1 Design Requirements	DEV25 Conservation Areas
DEV2 Environmental Requirements	DEV29 Dev Adjacent to Conservation Areas
DEV4 Planning Obligations	DEV39 Dev Affecting Setting of Listed Building
DEV12 Landscaping	DEV50 Noise
DEV12 & 15 Trees	DEV51Contaminated Land
HSG1 Housing targets	HSG9 Density
HSG2 New Housing Developments	HSG13 Internal space
HSG3 Affordable Housing	HSG16 Amenity Space
HSG7 Dwelling mix & type	HSG17 Housing Amenity Land
HSG8 Mobility & wheelchair standards	HSG18 Improve quality of Council proprties
T9 Strategic Restraint	T17 Transport Planning Standards
T15 Transport Systems	T21 Pedestrian routes
OS1 Safeguarding of Public Open Space	OS8 Allotments

OS2 Improve Quality of Open Space
OS7 Loss of Open Space
OS9 Childrens Playspace
OS13 Youth Provision

EMP6 Employing Local People
SCF4 Primary Health Care facilities
SCF10 Community Buildings
SCF11 Meeting Places

4.3 The following New Unitary Development Plan 1st Deposit Draft **proposals** are applicable to this application:

(1) Rainhill Way Amenity Space – Housing Amenity Land.
(2) Crossways – Housing Development Opportunities.

4.4 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

UD1 Scale & Density
UD2 Architectural Quality
UD3 Inclusive Design
UD4 Design Statements/Access Statements
UD5 Safety & Security
UD11 Landscaping
UD22 Conservation Areas

ENV1 Amenity
ENV3 Noise & Vibration
ENV5 Demolition & Construction
ENV6 Sustainable Construction Materials
ENV7 Air Pollution
ENV8 Energy Efficiency
ENV9 Development on Contaminated Land
ENV11 Waste Disposal & Recycling
ENV15 Protection of Biodiversity
ENV18 Tree Protection
ENV26 Protection of Open Space
ENV28 Access to Open Space

HSG1 Housing Provision
HSG2 New Housing Developments
HSG4 Affordable Housing
HSG5 AH Ratio & Mix
HSG7 Retention of Affordable Housing
HSG8 Dwelling Mix & type
HSG9 Housing Density
HSG10 Lifetime Homes & Mobility Housing
HSG12 Amenity Space

SF1 Social Facilities

TRN1 Transport & Development
TRN2 Public Transport Schemes
TRN4 Safeguarding Transport Schemes
TRN5 The Road Network
TRN6 Parking & Servicing
TRN7 Transport Assessment
TRN8 Travel Plans
TRN9 Linkages
TRN10 Pedestrian Permeability
TRN11 Bicycle facilities

4.5 The following Community Plan **objectives** are applicable to this application:

(1) A better place for living safely - reduction in crime and improved safety.

(2) A better place for living well – quality affordable housing and access to health care.

(3) A better place for learning, achievement and leisure – improved education for children and mature aged students, excellent and accessible arts and leisure facilities.

5. CONSULTATION

5.1 The following were consulted regarding this application:

(1) **Environmental Health**

Noise & Vibration: Facades overlooking railways will be exposed to noise and vibration levels falling into Noise Exposure Category D of PPG24, other facades overlooking the road are likely to fall into category C. Planning Permission should normally be refused unless designed so that habitable rooms are not located on facades which fall into Category D. Vibration isolation of buildings may be

necessary.

Further details of the vibration isolation and insulation of the building foundations, facades, roof, windows, and doors, including materials to be used is required. Careful consideration of the building façade layout will be required to reduce road and railway noise impact. Consideration should be given to the internal layout to ensure habitable rooms are placed on quieter facades. Noise levels in amenity areas are likely to be excessive. A high degree of sound insulation will be required to all walls and roofs on the façade of the railway and all glazing in habitable rooms, along with sound attenuating ventilation.

Contaminated Land: Agree with the recommendations of the Contaminated Land Issues report to carry out additional intrusive investigations to be undertaken at the site and a quantitative risk assessment of the results of the investigation. Suggested condition for contaminated land investigation and remediation.

Air Quality: The proposed development during pre and post construction is likely to generate additional vehicle trips and subsequently increased congestion. In accordance with the Air Quality Action Plan conditions are recommended in relation to an Air Quality Assessment report, Ecohomes, Energy Statement, car parking provision, sustainable transport methods, use of low emission vehicles during construction, a Code of Construction Practice.

(2) **Conservation & Urban Design Team**

Generally supportive of the regeneration proposals. The proposed site footprinting is satisfactory in providing a defined urban edge along the site boundary. Concerns lie primarily with the level of safety and surveillance across the site. Although proposed access roads do improve the circulation and surveillance of the site, the treatment of the central towers is paramount to the success/ viability of the entire estate site. Street furniture and landscape design should be used to improve natural surveillance. The viability of this community centre will depend on who it is to be used by and how it is managed. Attention is needed to maintain the quality of facades needing to deal with noise exposure from the railway lines. Acknowledges that the Crossways Estate has difficult site characteristics to deal with and that recommended changes to the scheme have been addressed.

(3) **Cleansing Officer**

Standard refuse storage requirements provided. Suitable access and facilities for turning of refuse collection vehicles must be made where appropriate. Consideration should be given to the provision of recycling facilities.

(4) **Landscape Section**

No comments received.

(5) **Corporate Access Officer**

Initial comments in relation to accessibility have been addressed. Full Access Statements should be provided as part of the further detailed applications.

(6) **Crime Prevention Officer - E14 areas**

Comments were received from the Met Police on the original plans and a subsequent meeting was arranged to discuss the security issues. Below are the main points raised by the Met Police during this meeting.

- Site 12 - concern at the maintenance of the through route and the danger of crime due to loitering in this area. Suggested closing the gap with the new buildings, or the construction of two houses to overlook the space could be beneficial. If the route is to stay, landscape solutions may help.
- Site 5 – concern that the play and carpark provision would be sufficiently well

overlooked and secure.

- Open Space and Play areas – emphasised the need to ensure security of play areas. Recommended the enclosure and defined use of open space to avoid abuse. Careful landscape treatment is required to ensure spaces are properly used.
- Car Parking – accepted that if well managed and secure, private underground parking was viable in the borough. Preferred courtyard parking to on-street parking.
- Lighting vs. Trees – need for careful attention to the relationship between trees and lighting. Consideration to be given to the provision of pedestrian lighting in addition to roadway lighting.

Many resultant design changes were made in the revised layout to address the concerns raised. Consultation with the Met Police will be ongoing throughout the detailed design and construction of the development.

(7) **Head of Traffic**

Satisfied with the Traffic Impact Assessment in principle. Will need to see the detailed final proposals in relation to access arrangements, services, parking, pedestrian and cycle routes, to comment on their suitability.

(8) **Education Dept**

Current surplus places are available in local primary schools which should just accommodate the proposals, however there is little capacity to absorb more secondary pupils.

(9) **Strategic Social Services**

No comment received.

(10) **Network Rail (formerly Railtrack)**

Need to be satisfied that Network Rails infrastructure will not be affected by the proposal, both during construction and after completion. Asked that their comments be included as an informative to the developer.

(11) **Docklands Light Railway**

Discussions ongoing with the developer as more detailed designs are produced. Because of the sensitive nature of these proposals in relation to the DLRL railway, they would like to see their comments passed on to the developer and included on any decision notice. These comments relate to construction, safety, and operational issues; access and egress to Bow Church Station as part of detailed designs; transport assessment requirements, and noise mitigation measures under PPG24.

(12) **London Regional Transport**

No response received.

(13) **Greater London Authority**

- As a strategically important priority area for action and regeneration, the broad thrust of the proposals are strongly supported by strategic planning policy. The proposals represent a welcome modernisation and improvement of housing stock in a run-down estate, which suffers from poor environmental quality and public safety.
- The overall net gain in housing provision and affordable housing provision is welcomed and accords with strategic planning policy. The proposals will enhance housing choice and should ensure a more mixed and balanced community;
- The applicant needs to agree details of any permanent works adjacent or above

the DLR. A condition should be placed on any permission to ensure TFL are consulted as details become available.

- Disappointing that the detailed issues of design and landscaping have been relegated to reserved matters and therefore difficult to draw firm conclusions on design quality;
- Concern that little weight given to the noise impact of the DLR. Further information is needed to show how the applicant will address noise and vibration issues. Concern that addressing those issues may require a fundamental reconsideration of the built form of the estate;
- States that TFL has not yet had a chance to review the results of the impacts on the junction of Campbell Road and Bow Road, as provided by the Traffic and Transport Impact Assessment. If adverse impacts are demonstrated then appropriate mitigation is expected. TFL welcomes reference to an Outline Travel Plan and supports objective to reduce dependence on the private car. No mechanism identified in the assessment to develop the proposed initiatives;
- A Strategic Sustainability Report has been commissioned to advise the regeneration team on issues of sustainability. Highly regrettable that this report has not been submitted at this stage. This should be supplied before the application is referred back to the Mayor for a decision. The local authority should ensure that the BREEAM assessment is carried out at the detailed stage to ensure the development meets at least a 'good standard' of sustainable design and construction;
- The proposed layout could be a significant improvement on the existing pattern and could bring significant safety and design benefits, however the DLR noise impact, access, transport, and sustainability issues identified in their report need to be addressed if the scheme is to be acceptable in strategic planning terms.

(14) **Housing Strategy Group**

The Social Housing Group supports the regeneration scheme devised for the estate and supports the additional housing proposed.

(15) **Transport for London - Street Management**

Comments contained within the GLA observations.

(16) **Crossrail**

No objections raised in principal. Required that conditions relating to submission and approval of design and method statements for all ground floor structures, foundations, basements, and other structures below ground level, be placed on any permission granted.

(17) **Arts, Sports and Leisure Services**

No comments provided in relation to the outline application.

Comments from the Head of Leisure in relation to the Crossways Estate regeneration proposals were reported to the Policy Implementation Committee (PIC) on the 17th April 2002 by the Corporate Director of Housing. This report stated that Leisure Services had accepted in principal the reduction in open space in relation to this project, with the proviso that new high quality recreational areas and open spaces must be provided within the scheme.

5.2 Responses from neighbours were as follows:

No. Responses: 16 In Favour: 0 Against: 15 Petition: 0

5.3 The application has been advertised in the local press and by site notices as a major development and as a departure from the Unitary Development Plan proposals. In addition, notice of the proposal was sent to adjacent occupiers within a 40 metre radius of the site boundary. The responses are summarised as follows:

5.4 Resident of 19 Holyhead Close has occupied one of the dwellings to be demolished for over 30 years and objects to the proposals on the grounds that he has carried out many improvements to his property over the years. Also that he is a keen gardener and does not wish to move from a house to a flat.

5.5 Resident of 57 Mallard Point has concerns about the increase in the number of people living in the area and the associated impact on infrastructure and services. Would like assurances that there is funding for the whole project, concern that the works are not left in an incomplete state due to lack of funding or increasing costs as has happened elsewhere. Concern as to the human cost of moving current residents during refurbishment of the tower blocks.

5.6 13 letters of objection were received from residents within the adjacent Regent Square development, including one from the residents management group for Regents Square 'Eastways Management Ltd'. The grounds for objection and other comments are summarised below:

- Impact on property values, rental income, and associated financial implications;
- Loss of privacy and views;
- Loss of sunlight and daylight;
- Increased density of development;
- Increase in population resulting in overcrowding;
- Impact on infrastructure and services such as health & dental facilities, schools, water & drainage, recreation land, roads & public transport;
- Increased noise and disturbance;
- Increased litter pollution;
- Adverse impact on the security of existing residents due to significant increase in population;
- Believe the emphasis is on quantity of housing not quality;
- Loss of established mature trees which provide greenery, bird habitats, and privacy;
- Lack of play space for children;
- Loss of existing public footpath adjacent Regents Square, which is used by many, including children to play football and ride bikes.
- Close proximity of new buildings and feeling of being 'hemmed in';
- Concern that the land which includes garages as part of Regent Square is denoted as Site 18 a 'possible future phase';
- Land ownership queried relating to a narrow strip of land to rear of the gardens of Site 3C, and concern that it is likely to be used as dumping ground and site for anti-social behaviour;
- Security concerns in relation to proposed underground car parks;
- Inadequate parking facilities and access problems to Campbell Road;
- Concern that area may become a rat-run for traffic;
- Concern about management and ongoing maintenance of the new community centre;
- Little consideration within proposals for caring for the elderly within the community;
- Concern about access by emergency services to the estate and rear of Regents Square;
- Construction impacts over a long period such as noise, pollution and debris;
- Long term pollution impacts due to an increase in private vehicles;

5.6 Other Comments/Queries:

- Prefer to see tower blocks demolished and redevelopment of area with low-rise accommodation and more open space.
- Focus should be on improving existing housing in terms of maintenance and security;
- Existing green areas should be redesigned for better security and greater use;
- Need to reduce narrow alleyways and maintain good lighting to discourage anti-social behaviour;
- What provision for disabled access and prams?

5.7 Following the amendments made to the scheme, re-consultation was carried out with adjacent residents. Five letters were received from residents with the following additional

comments or grounds objections:

- Overshadowing and overlooking concerns remain;
- Pleased that narrow alley on site 3C, adjacent Regents Square, has been removed. Would like to know how the LBTH land ownership of this strip has been confirmed. Concern that arrangements for maintenance of the boundary wall be agreed.
- Security issues and underground car parks remain of concern. Would like to know if cost of security to underground car park would be borne by residents through Council Tax;
- Concern upheld that recreation area will be insufficient for the numbers of children within the proposed development;
- Provision of health care facilities remains a primary concern;
- Inadequate infrastructure provision (schools, transport, shops, services);
- Pleased to see some trees retained along western boundary of the site. Would like to see replacement trees that are similarly mature trees where possible and mature trees pruned rather than removed wherever possible;
- Concern that the number of new dwellings planned for the estate is too many;
- Rainhill Way is a public footway and should be retained as it is;
- Concern about access for emergency services;

5.8 The grounds of objection outlined above are addressed within the main body of the report.

6. ANALYSIS

6.1 Site Description

6.1.1 The Crossways Estate is located south of Bow Road, adjacent and over the Docklands Light Railway. The existing development rests in a former railway cutting below the level of the surrounding streets and the towers are accessed by a series of access bridges. The Estate presently comprises three tower blocks, Mallard, Hackworth and Priestman, each comprising of 92 flats of one, two, and three bedrooms. In addition, Holyhead Close provides a further 22 three bedroom houses in low-rise block directly over the DLR tunnel. The existing estate provides a total of 298 homes, 50 on street parking spaces and 22 private garages, with associated open space and play areas.

6.1.2 The estate was built in the early 1970's and is now in poor condition, making it unpopular with prospective tenants. Ground levels vary considerably across the Estate. There is a difference of around 7 metres between the ground level at the base of the towers and the apex of Campbell Road. A long depression along the middle of the estate and prevents vehicular access between the tower blocks and Campbell Road due to the change in level. The tower blocks and ball court sit at the bottom of the depression and pedestrian access to the tower blocks from Campbell Road is currently provided by high level walkways.

6.1.3 Crossways Estate is well located for public transport, directly adjacent the Bow Church DLR, 10 minutes walk from Bow Road tube, with numerous Bus Routes along Bow Road and Campbell Road. Tesco superstore is a 15 minute walk and at Stroudley Walk there is a post office, convenience store and GP surgery.

6.2 Application proposal

6.2.1 The proposals involve the following:

1. Refurbishment and conversion of the existing tower blocks. This includes increasing the number of smaller one and two bed units within the towers, which are seen as less suitable for family accommodation;
2. Demolition of 22 houses above the DLR tunnel in Holyhead Close;
3. New build blocks of houses, flats, and maisonettes constructed throughout the estate to provide replacement and additional residential accommodation;
4. Construction of a new community centre at the base of Priestman Point;
5. Creation of a new access route from Campbell Road, redesign of play spaces and landscaping of the open space areas within the estate, new pedestrian and cycle links, and restructuring of the estates parking provision.

6.2.2 Despite revisions made to the scheme throughout the assessment process, local residents still have concerns regarding the density of the proposed development and its potential impact on the amenity and infrastructure of the local area. These issues are discussed in further detail below.

6.3 Land use

6.3.1 The national policy context in relation to density and the efficient use of urban land, contained within PPG3 and PPG13, now places a strong emphasis on higher densities in urban areas. With poor quality open space, poor site access, and high levels of crime and antisocial behaviour, the subject site presents an important regeneration opportunity.

6.3.2 The regeneration proposals contained within this outline application aim to increase existing density levels in line with national guidance and the adopted London Plan. At the same time improving the existing housing stock and providing improved pedestrian, cycle, and vehicle access into and through the site, with safer and higher quality outdoor space and play areas.

6.3.3 The element of the scheme which constitutes a departure from the land use proposals of the LBTH Unitary Development Plan (UDP) is that shown on Site 7 of the Masterplan Layout - Drawing No. A266912.1/001. This part of the scheme involves building along the southern edge of a triangular area in the north-west corner of the estate, which is identified on the current UDP Proposals Map as Public Open Space for Allotments.

6.3.4 It appears that the site has never been used as allotments, and its designation under the emerging Draft UDP has changed to Housing Amenity Land. A small area towards the northern end of this site appears to have been fenced off for use as additional private garden space, presumably by the occupiers of the Campbell Road properties through adverse possession.

6.3.5 The subject open space area is around 4000sqm and located at a low level within a former railway cutting. Its location, topography, and lack of natural surveillance mean it is poorly used and is not considered to have a significant amenity value. The proposals to build new houses/flats along the southern edge of this space would involve a footprint area of around 500sqm, a relatively small area of the subject open space. The proposals will also mean that the remaining open land would be better overlooked, landscaped to improve its amenity value, and would provide more defined and usable public and private amenity space.

6.3.6 Additionally, the proposed block along the southern edge of this space forms an important part of the new bridge over the DLR tunnel, which involves housing blocks either side of a new site access onto Campbell Road. This contributes to the objective of creating a new urban context that addresses and negates the effects of the existing level changes on the site.

6.3.7 The regeneration benefits of the proposal, including the increase in the quantity and quality of affordable housing provision, as well as the estate-wide regeneration initiatives in relation to access and security, represent significant social benefits that justify this small reduction in open space. As such, whilst the proposals may constitute a departure from plan policy, it is considered that there are exceptional circumstances to justify approval in this case.

6.4 Density, Dwelling Mix & Type

6.4.1 The subject site is a residential estate with a housing density level of 278 HR/h. The site has a Public Transport Accessibility Level (PTAL) of 5/6a indicating good public transport links. In such areas densities of up to 700HR/h are considered appropriate. The proposals will result in an overall increase of 374 units, and a new density level of 534HR/h. This is considered to be consistent with current Central Government guidance, the adopted London Plan, and the emerging policies within the draft Unitary Development Plan (UDP).

6.4.2 The proposals involve increasing the number of one and two bed units within the towers, with a higher proportion of two, three, and four bed flats, maisonettes, and houses within the low rise new build development. The accommodation schedule from existing to proposed is as follows.

- Existing: 69 x 1bed (23%), 69 x 2bed (23%), 160 x 3bed (54%).
- Proposed: 234 x 1bed (35%), 349 x 2bed (51%), 79 x 3bed (12%), 15 x 4bed (2%).

The affordable housing element provides the following mix:
- 167 x 1bed (46%), 104 x 2bed (28%), 79 x 3bed (22%), 15 x 4bed (4%).

This mix is considered to provide accommodation types to meet a wide range of housing needs. It is important to note that almost all of the existing family units on the estate are within the tower blocks. A major benefit of the regeneration proposals is the re-providing family accommodation within low rise blocks or houses with private gardens. The proposals are considered to be in accordance with UDP housing policies HSG7 and HSG16.

6.4.3 The provision of a substantial number of private homes for sale within the estate will improve the mix of residents and provide a more diverse range of tenures, which is important to ensure the long term sustainability of the estate. In addition, sale of the private units will help to fund the new affordable housing units along with infrastructure improvements on the estate. These factors will contribute importantly in addressing the current high levels of crime and anti-social behaviour on the estate, and should lead to a better standard of living environment for all in accordance with the goals of the LBTH Community Plan.

6.4.4 Concern was raised by some objectors that the increased numbers of people living on the estate as a result of the proposals would lead to impacts of overcrowding, increased noise and disturbance, and increased litter pollution. Density issues are addressed earlier in this section, however it should be re-iterated that the proposals for the Crossways Estate are designed to respond to current local, strategic and central government planning guidelines in relation to housing provision requirements to address the extreme shortages of affordable housing in London. Further to this, the following points are made in response to the grounds of objection:

- It is not considered that increasing the quantity of housing on the site is at the expense of quality. The regeneration proposals involve many improvements and enhancements to the existing living environment on the estate, as discussed earlier in the report.
- Security improvements on the estate should also benefit those within adjacent developments.
- The refuse arrangements for the existing tower blocks will be refurbished and made more accessible for the borough's collection vehicles. New blocks are likely to involve either underground refuse systems or individual wheelie bins depending on the unit type.
- Any potential increase in noise and disturbance as a direct result of increased numbers of residents is not likely to be unacceptable within a central London location such as this.

6.5 Affordable Housing

6.5.1 The proposals involve refurbishment of existing affordable homes that have reached the end of their serviceable life. In addition they would provide new build affordable housing mixed with a substantial proportion of private accommodation. As a percentage of the total development including new, refurbished, and converted homes, around 54% will be affordable. As a percentage of the total number of new build homes only, around 40% will be affordable. This is considered to be in excess of the current UDP affordable housing policy HSG3 and complies with the London Plan and emerging policies of the draft UDP.

6.6 Amenity Issues

6.6.1 The Noise and Vibration report submitted in support of the application states that habitable rooms will not be located on the southern elevations of Sites 5, 6, and 11. Noise exposure to habitable rooms on other elevations will be mitigated using high performance glazing and

trickle vents. In terms of train vibration, the report states that train vibration velocities measured for DLR, London Underground Line, and commuter trains are generally within recommended guidelines, however at Site 5 vibration levels marginally exceed recommended comfort levels. Vibration isolation measures will be required.

6.6.2 The concerns expressed by Environmental Health and the Greater London Authority (GLA) concerning the potential problem of vibration and noise from adjacent railways are noted. It is agreed that the Council would not wish to encourage the construction of new dwellings with as bad an environmental quality as the existing in relation to noise. Nevertheless, it is considered that the issue of rail noise/vibration can be dealt with through the imposition of appropriate conditions. These will require further evidence to demonstrate that an acceptable level of noise can be achieved within the new residential units through the implementation of appropriate vibration and sound insulation measures, in addition to the careful layout of internal rooms to minimise noise/vibration impacts. The buildings at Site 5 and Site 11 will also be designed to act as 'barrier blocks' to reduce noise levels to the rest of the estate and outdoor amenity areas. Hence it is not considered that a refusal of the scheme is justified in this instance.

6.6.3 Concerns were expressed by adjacent residents, within the adjacent private development of Regents Square, adjoining Site 3C, in relation to potential impact on their sunlight, daylight, privacy, and outlook as a result of the proposals. The application has been assessed in consideration of the concerns raised and in accordance with policy DEV2 of the UDP.

6.6.4 The applicant has submitted sections through all existing and proposed blocks, which shows the 25 degree line drawn from the ground floor windows of existing blocks. The 25 degree method is based on guidance set out in ' Site Layout for Daylight and Sunlight, a Guide to Good Practice' published by the Building Research Establishment (BRE). The greater any transgression of the 25 degree line the greater the potential that daylight and sunlight to the subject window will be impacted to an unacceptable level.

6.6.5 The sections illustrate that in most cases the 25 degree line is either not breached or has a very marginal breach, hence no significant or unacceptable impact is expected. In cases where substantial breaches were originally found, resultant changes to the height and massing of the proposed buildings has been carried out to mitigate the potential impact.

6.6.6 As part of the submission of further detailed applications and reserved matters, the applicant will be required to carry out detailed BRE tests for Vertical Sky Component (VSC) and Annual Probable Sunlight Hours, to ensure any impact in relation to the detailed design is acceptable.

6.6.7 The layout of the new build blocks has been designed to maintain a reasonable distance between existing and proposed windows, to minimise overlooking impacts wherever possible. Policy DEV2 of the UDP suggests that a distance of around 18 metres between directly facing windows to habitable rooms will mitigate any potential loss of privacy. In relation to Regents Square, the windows on the rear elevation of the block on Site 3C would be at least 18m or more from the opposite rear elevation of the existing houses. Only where the block turns the corner at the northern end does it come closer (approximately 15m). This 3 storey house will be orientated north-south and will not require any windows in the side (flank) elevation facing Regents Square.

6.6.8 The retention of many existing mature trees within what will be the new rear gardens of the proposed buildings will maintain a level of screening and privacy between existing and proposed dwellings. The applicant's state that they recognise the development of site 3C is of particular concern to residents of Regents Square. It is proposed that the detailed planning application for this phase of housing will make special consideration to minimising any overlooking within the framework of the outline proposals.

6.6.9 Whilst private views are not a material planning consideration as such, any loss of outlook which results in a 'sense of enclosure' to a particularly detrimental and unacceptable level, are material reasons for refusing a planning application. Taking into account the set back between the proposed new build blocks from existing buildings, with private gardens in between, together with the proposed height of blocks, it is not considered that the proposals would result in an unacceptable 'sense of enclosure' from the existing properties.

6.7 Recreation, Landscaping and Open Space

6.7.1 Government guidance contained within PPG17 places a high level of importance to the retention of recreational and amenity open space in urban areas. Particular emphasis is put on the need for children and elderly people to have access to open space near where they live.

6.7.2 The existing areas of open space on the Crossways Estate are generous, but are badly maintained, under used, and have inherent safety and security problems. A major failing identified on the current estate is the poor quality of recreation and play provision. It is recognised however, that the current openness of the estate allows for nature, dog walking, and spontaneous play on grassed areas.

6.7.3 The regeneration proposals will result in a loss in the overall quantity of open space amenity land within the Crossways Estate. However, the overall open space strategy for the estate is to improve the quality of open space and recreational facilities. In order to provide a more secure and sustainable provision, the proposals involve localised play areas in well overlooked, secure locations. A new scheme of external lighting will form part of the landscaping proposals to ensure the new access routes and amenity spaces are well lit for safety and security purposes.

6.7.4 A new ball sports court will be located adjacent Priestman Point and will replace the existing courts at the southern end of the site. This will be accessible via the new community centre, to ensure it does not become subject to mis-use. Many localised play areas will be provided within the new estate layout to replace the existing isolated playground at the southern end of the site.

6.7.5 The proposals include a linear park aligned with the new access road and the three towers, acting as a green corridor through the site. The proposals aim to retain as many of the existing mature trees as possible, whilst new planting and landscaping will be carried out to provide a robust and sustainable landscape treatment which responds to the new urban layout.

6.7.6 The proposals involve carefully defined spaces within the estate for specific users, as outlined within the 'Recreation & Leisure Study'. The new layout would aim to balance communal areas, private gardens and public open spaces. Whilst the proposals do not strictly accord with UDP policies HSG17 and OS7, it is considered that a strong argument can be made to justify the reduced level of open land within the estate based on improving the quality of new recreational areas, play space, and outdoor amenity areas. The proposals involve bringing about wider regeneration benefits, improving the balance of the housing mix, and providing a greater proportion of family units in low rise blocks with private gardens

6.8 Trees

6.8.1 The proposed new estate layout and infrastructure will necessitate the removal of many mature trees within the Crossways Estate. Whilst regrettable, it is recognised that the removal of these trees is necessary to accommodate a viable new estate layout and improved access, and to achieve the broader long term regeneration of the area.

6.8.2 There are two 'broad leafed lime' trees subject to a TPO on Campbell Road and identified on the masterplan layout. Whilst these are not directly affected by the outline of the proposed new building on site 16, their proximity to the new building and their location near the proposed new access routes intersection with Campbell Road, may necessitate their removal through the detailed design.

6.8.3 The applicant has confirmed that pruning and lopping of trees will be considered prior to felling, and this should apply importantly to the TPO trees mentioned above. The proposals include the planting of many more new trees on the site than those to be removed. The applicant also proposes to use larger girth trees for new and replacement planting, rather than saplings, to be protected and managed after planting to ensure successful establishment. Several biodiversity enhancements are proposed as part of the new landscaping scheme for the estate. Conditions will be used to secure the above.

6.9 Transport, Parking, and Access

6.9.1 Poor pedestrian and vehicle access to the existing estate, and its location within a former railway cutting, mean it is both visually and physically isolated from the surrounding area. The existing road network within the estate provides a single through route, Rainhill Way, which connects with Bromley High Street to the north and Devons Road to the south.

6.9.2 A new estate access road leading from Campbell Road, replacing the existing pedestrian bridge, is intended to significantly improve permeability and access to the site. It will be designed as a wide tree-lined boulevard offering a high quality ambience. The road will need to bridge the DLR tunnel and will be designed and constructed in consultation with the DLR and TFL. The new access road will create a level access from Campbell Road and the development of a new junction with Campbell Road.

6.9.3 The new access road will continue into the estate to form the new main estate road. This will curve between Mallard Point and Hackworth Point toward the South, and slope down at a gradient of 1 in 20 to the existing lower level of the site. The new access road will be flanked by new housing, which will be perceived as being located at normal ground level. The existing site level changes will be hidden within the cross-section of the new buildings and within private garden areas. The new access route will link the north and south access points of the estate.

6.9.4 The scheme also aims to improve existing pedestrian links to the site through increased surveillance and appropriate landscaping. It has not been possible to create localised ramp access to Bruce Road between Sites 3A and 3B, and 3B and 3C, due to width restrictions. However, as requested by the Council's Access Officer, public steps in these locations will be designed to allow ease of use by the ambulant and sensory disabled and young or elderly pedestrians. Flats and houses will be constructed with level entrance thresholds, with paving and floor finishes chosen to maximise ease of use for special needs residents and visitors as well as the young and old.

6.9.5 The site is ideally located to take advantage of existing and proposed sustainable transport links. It is hoped that a new direct access route from the estate to the Bow Church DLR station can be achieved through the detailed design of the relevant phase of the development.

6.9.6 A Traffic & Transport Impact Assessment (TIA) has been submitted to address the issues arising from the regeneration proposals. This report concludes that the impact on Campbell Road as a result of the regeneration proposals would not be significant. In terms of the potential impact on Bow Road as a result of any increase in traffic flows, it is expected that this can be accommodated by existing junction capacity. With the introduction of a new access road to the estate from Campbell Road, traffic flows on Devons Road, Bromley High Street, and Bruce Road are expected to fall.

6.9.7 Concern ahs also been raised that the new route through the estate would lead to the creation of a 'rat-run'. The TIA report suggests this is unlikely as there would not appear to be any benefit in terms of shorter journey time to such a move. In any case, it is felt that with the introduction of a 20mph zone within the estate, backed up by speed restraint features would reduce the attractiveness as a through route for non-estate traffic.

6.9.8 Car ownership levels within the estate are around 28%, compared to the London average of 62%. The proposals involve a redesign of the current car parking provision on the estate. 355 car parking spaces will be provided overall, around 50% provision, through new on street and underground parking areas. The underground parking areas will have secure entrances, CCTV and 24 hour security to ensure their safety in use. They will not be for public use and will be operated on a permit basis. The security and management of the underground parking areas will be privately financed by Swan Housing and will not be subsidised by the Local Authority via Council Tax.

6.9.9 The proposed parking provision is in line with current government guidance and Council's emerging Draft UDP, which aim to reduce dependence on the private motorcar. In order to limit the impacts on surrounding streets, the applicant has agreed to enter into a car free

agreement which would prevent any residents of the development from obtaining a residents parking permit from the Council. Provision secure cycle storage will be required by condition as part of the detailed applications for the site. An outline Travel Plan has been submitted to implement further methods of encouraging more sustainable methods of transport.

6.9.10 An existing paved pedestrian area within the estate runs adjacent to the eastern boundary shared with Regents Square. An issue of objection raised by residents of Regent Square was the loss of this pedestrian footway, which they believe to be a public right of way. It is noted that the new urban layout will include new roads, pedestrian and cycle routes. The existing pedestrian path would be replaced as such by a new access route around 25m to the west. If public right of way does exist over the subject footway, a stopping up order will be required under the Highways legislation, with associated public consultation requirements.

6.10 Infrastructure and Services

6.10.1 Many objections raised concern about the ability of the existing infrastructure to cope with/absorb the increased numbers of people to be accommodated within the proposals. The issues in relation to infrastructure, facilities, and services are discussed below.

6.10.2 A number of public transport options lie within easy walking distance of the estate including several bus routes, Bow Church DLR station, and Bow Road underground station. Hence, the impact on any one public transport system as a result of the proposals is unlikely to be significant. In addition, capacity will be upgraded over time with the DLR carriage extensions and enhancements to bus and tube services.

6.10.3 The applicant states that their consulting engineers have commenced discussions with utility companies and these have not revealed any capacity problems at this stage. If capacity problems do come to light, upgrading costs are commonly borne by the developer.

6.10.4 Concern has been raised at the current limited availability of medical services in the local area able to support the new housing proposals. This has led Swan Housing Association to open a dialogue with the Bromley by Bow Centre medical team, the Primary Care Trust (PCT) and the director of the Lift Project in the borough. Swan's discussions with the PCT aim to establish the Crossways Estate within a strategic mapping exercise currently being undertaken to identify health facility requirements in the area and provide a joint solution for new health facilities within this part of the borough. Potential space has been identified and allocated within the lower two floors of Hackworth Point, should such a facility be required on the estate.

6.10.5 In relation to local school places, the LBTH Education department has commented that there is some available capacity. In any case, it is expected that the Education department will be able to assess this issue in light of their strategic plans for education provision in the borough.

6.10.6 The ground floor area of Priestman Point with a floor area of up to 200m2, will be used as a management office for Swan Housing Association together with a community room. It is proposed that the community room be used for teaching/training for local residents and will offer access to personal computers. Residents will also be able to use the space for community activities and events. It is considered that the central location of the proposed community centre within the estate will encourage inclusiveness.

6.11 Conservation & Urban Design

6.11.1 The residential terraces fronting Campbell Road, to the north-west of the Crossways Estate, are listed buildings within the Tomlins Grove Conservation Area. There is some concern about the proposed scale of buildings on Site 7 and Site 16 of the layout plan. It is noted that the existing terraces are of a modest domestic character and this should carefully be taken into consideration in the proposed scale of new development. This issue will be considered in more detail with the submission of detailed elevations for this phase of the scheme. The applicant has been made aware that the Council will be looking for a particularly high standard of design for this part of the scheme, which takes into account the above issues.

6.11.2 As an outline planning application, no detailed elevations or plans have been provided. However, through preparation of an application for the first detailed phase of development the applicant has provided further information which address some of the main design issues. These are in relation to the provision of dual aspect of units, design and layout of residential entrances, provision of balconies, strong architectural features to corners, use of high quality materials, and demarcation between public and private space. Conditions will be used to ensure external materials to be used on new buildings and cladding of the existing towers are of a high quality.

6.12 Construction and Phasing

6.12.1 The operations during construction will be subject to various conditions and requirements, including compliance with both an Environmental Management Plan and Code of Construction Practice. Detailed phasing and sequencing of the works will be developed by the contractor in consultation with the residents and other parties in order to maintain continuing access and safety and to minimise disruption and disturbance to residents. It is considered that the construction impacts in terms of noise, dust, refuse, and access can be controlled and minimised through appropriate conditions.

6.12.2 The applicant and Swan Housing have stated they are fully committed to undertaking and completing the proposed regeneration. The construction will be carried out in phases, which are outlined in the submitted phasing plan. It is expected that the process will take around six years to complete.

6.12.3 The programming and planning of the regeneration of the estate will be based on the need to minimise disturbance to residents. The decanting process will wherever possible be limited to a single move into a new or refurbished dwelling. Negotiations relating to re-housing and/or compensation are being undertaken with individual leaseholders and tenants by Swan Housing.

6.13 Sustainability Issues

6.13.1 A Strategic Sustainability Report has been produced to address the detailed sustainability issues relating to the regeneration proposals. This report will be submitted along with other additional information to be supplied to the GLA prior to referral back to the Mayor. Specific proposals are contained within this report and are to be adopted within the scheme design and construction.

6.13.2 These include measures such as new build housing to be constructed to Ecohomes 'Very Good' standard; buildings designed to optimise passive solar design and achieve high insulation levels; a detailed study to assess the appropriateness of installing a combined heat and power system on site (CHP); parking provision set at a level to ensure good public transport links are utilised to minimise local traffic levels; integration of Council recycling strategies; construction processes to optimise the use of sustainably sourced timber and recycled materials; and, development of an ecology and bio diversity plan for the estate.

6.14 Objections

6.14.1 The majority of the grounds for objection have been addressed within the above body of the report. Other objection issues are addressed below:

6.14.2 Objections received in relation to land ownership issues have been addressed through subsequent revisions to the scheme. In terms of the potential future phase, which involved land currently occupied by garages forming part of Regents Square, this phase has been omitted from the plans. In relation to the narrow strip of land between site 3C and the rear of Regents Square, ownership has been confirmed by the applicant through obtaining the title details. It appears from the title that the subject narrow strip of land does form part of the land parcels that make up the Crossways Estate. Hence, the revised plans showed this land incorporated into the private rear gardens of site 3C to avoid its mis-use, another concern raised by objectors.

6.14.3 Concerns were also raised in relation to access by emergency vehicles to the estate and the rear of Regents Square. It is considered that the new street layout and site access will increase accessibility for emergency services. The proposals involve the more traditional layout of blocks with back to back private gardens. Access by emergency vehicles is available via the front of properties, as is the case for most terraced housing throughout London. The proposals have been presented to the London Fire Brigade who have indicated their support. In general, the risk of disturbance and danger to residents and neighbours would be substantially reduced by the new layout.

6.14.4 Objections in relation to property values and rental incomes are not considered to be a material consideration in relation to this application. The proposals to not involve any serious impingement on existing properties likely to result in any direct loss of property value. If the regeneration proposals are successful in achieving their aims of providing a safer and more sustainable urban environment for the Crossways Estate, adjoining sites are more likely to benefit from the proposals in terms of property prices.

6.15 Planning Obligations

6.14.1 Policy DEV4 of the Adopted UDP states that the Council will seek appropriate planning obligations, in accordance with the advice and various tests (set out in Circulars 1/97 and 8/93, and PPG1) which dictate what constitutes an 'appropriate' planning obligation, i.e. that they should be:-

- relevant to land-use planning.
- directly related to the proposed development.
- fairly and reasonably related in scale and kind to the proposed development.
- should only be sought where they are necessary to make a proposal acceptable in land-use planning terms.

6.14.2 The heads of agreement set out in paragraph 2.4 of this report are considered to be reasonable and necessary, having regard to the above tests. Consideration has also been given to the fact that this is a social housing regeneration project, for which any units for private sale will be used to cross-subsidise new and refurbished affordable housing on the estate.

7. SUMMARY

7.1 The applicant is currently putting together a report to address queries and issues raised within the GLA Planning Report dated 2 August 2004 for the Crossways Estate. This reports and additional documents will be submitted to the GLA, prior to second stage referral.

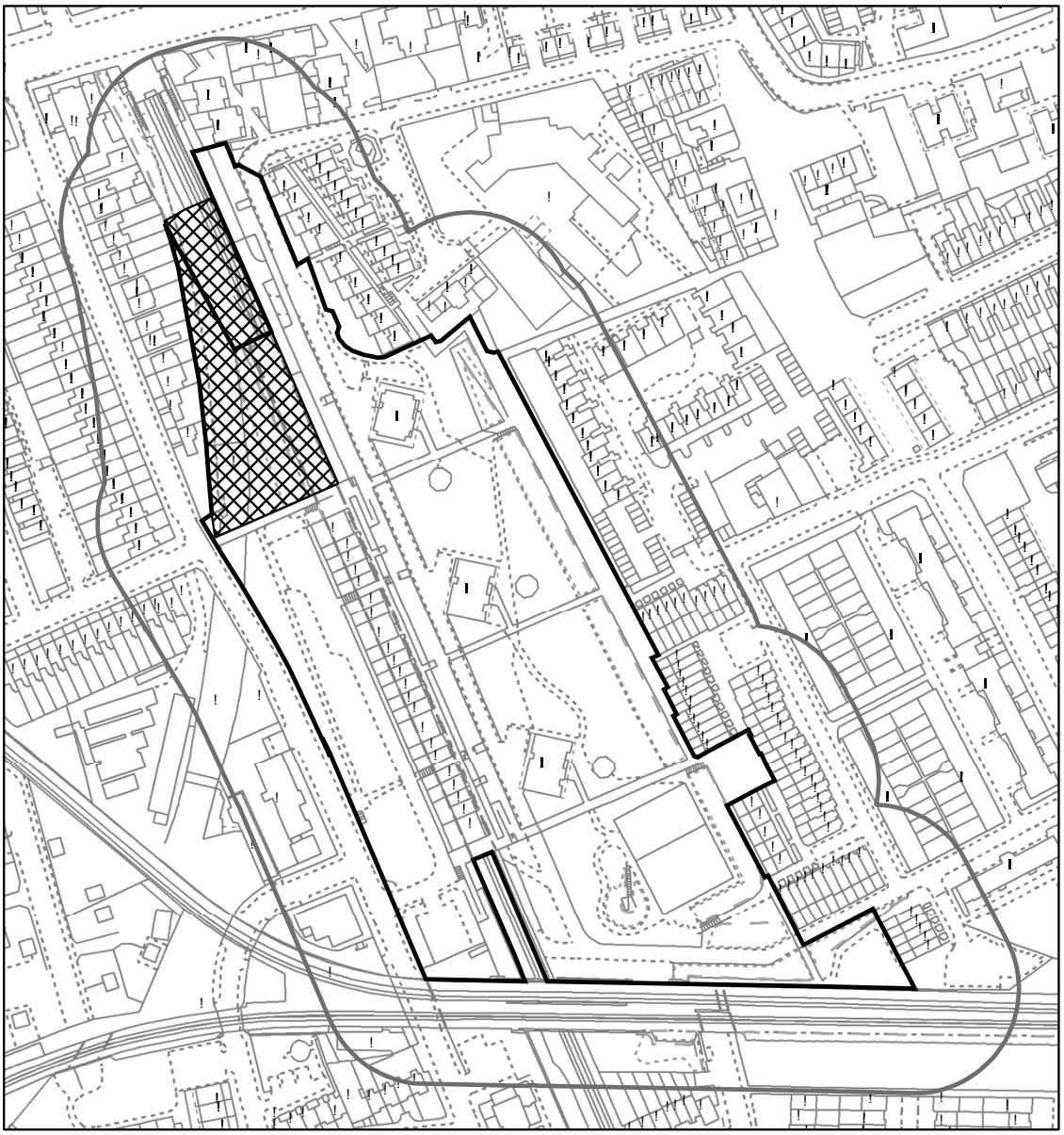
7.2 The scheme is represents a major regenerative opportunity for this part of the Borough. The proposal would improve and increase affordable housing on the site, and improve the existing mix with new private housing. Whilst involving a reduction in the amount of open land and loss of some existing recreational facilities, the proposals will result in improved, accessible, safe and usable open space and recreational facilities and would contribute towards the successful regeneration of the estate. New access routes and infrastructure improvements would link the estate more effectively with surrounding residential areas.

7.3 Whilst mindful of the various complexities of the site, it is considered that the broad parameters of the regeneration proposals as provided within this outline application are acceptable. Section 106 legal agreements, conditions, and reserved matters will be used to ensure the issues raised within this report are appropriately addressed at the detailed design and construction stage.

7.4 In conclusion, the Committee is recommended to grant outline planning permission.

Site Map

Scale 1:2,500



0 50 100 Metres

Map For:

CROSSWAYS ESTATE
RAINHILL WAY
LONDON E3

Legend

- ! Land Parcel Address
- Planning Application Site Boundary
- Public Open Space
- Consultation Area

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