

Meeting of the

DEVELOPMENT COMMITTEE

Wednesday, 3 June 2009 at 6.30 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

Members:	Deputies (if any):
Chair: Councillor Shafiqul Haque Vice-Chair:	
Councillor Helal Abbas Councillor Alibor Choudhury Councillor Fazlul Haque Councillor Shirley Houghton Councillor Shiria Khatun Councillor Harun Miah Councillor Tim O'Flaherty Councillor Muhammad Abdullah Salique	Councillor Shahed Ali, (Designated Deputy representing Councillors Shafiqul Haque, Helal Abbas, Alibor Choudhury, Fazlul Haque, Shiria Khatun and Muhammad Abdullah Salique) Councillor Tim Archer, (Designated Deputy representing Councillor Shirley Houghton) Councillor Stephanie Eaton, (Designated Deputy representing Councillor Tim O'Flaherty) Councillor Rupert Eckhardt, (Designated Deputy representing Councillor Shirley Houghton) Councillor Peter Golds, (Designated Deputy representing Councillor Shirley Houghton) Councillor Clair Hawkins, (Designated Deputy representing Councillors Shafiqul Haque, Helal Abbas, Alibor Choudhury, Fazlul Haque, Shiria Khatun and Muhammad Abdullah Salique)

Councillor Denise Jones, (Designated Deputy representing Councillors Shafiqul Haque, Helal Abbas, Alibor Choudhury, Fazlul Haque, Shiria Khatun and Muhammad Abdullah Salique)

Councillor Abjol Miah, (Designated Deputy representing Councillor Harun Miah)

Councillor Abdul Munim, (Designated Deputy representing Councillor Harun Miah)

Councillor M. Mamun Rashid, (Designated Deputy representing Councillor Harun Miah)

[Note: The quorum for this body is 3 Members].

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Paul Ward, Democratic Services, Tel: 020 7364 4207, E-mail: paul.ward@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

Wednesday, 3 June 2009

6.30 p.m.

1. ELECTION OF VICE CHAIR

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

4. UNRESTRICTED MINUTES

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of Development Committee held on 29th April 2009.

PAGE NUMBER	WARD(S) AFFECTED
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5. RECOMMENDATIONS

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

6. PROCEDURE FOR HEARING OBJECTIONS

To note the procedure for hearing objections at meetings of the Development Committee.

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7. DEFERRED ITEMS

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7 .1 101-109 Fairfield Road, London E3 (DC001/910)

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Bow East

8. PLANNING APPLICATIONS FOR DECISION

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8 .1 Charlesworth House, Dod Street, London (DC002/910)

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Limehouse

8 .2 Shepherd House, Annabel Close, London (DC003/910)

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**East India &
Lansbury**

Agenda Item 3

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.30 P.M. ON WEDNESDAY, 29 APRIL 2009

COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Shahed Ali
 Councillor Rupert Eckhardt
 Councillor Fazlul Haque
 Councillor Alexander Heslop
 Councillor Denise Jones (Vice-Chair)
 Councillor Tim O'Flaherty
 Councillor Ahmed Adam Omer

Other Councillors Present:

Councillor Marc Francis

Officers Present:

Jerry Bell	– (Interim Strategic Applications Manager)
Megan Crowe	– (Legal Services Team Leader, Planning)
Stephen Irvine	– (Development Control Manager)
Rachel McConnell	– (Interim Applications Manager)
Richard Murrell	–
Jen Pepper	– (Affordable Housing Programme Manager)
 Louise Fleming	 – Senior Committee Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Harun Miah.

2. DECLARATIONS OF INTEREST

Councillor	Item	Type of Interest	Reason
Shafiqul Haque	Items 6.1; 7.1; and 7.2	Personal	He had received correspondence in respect of all items of business.

Denise Jones	Items 6.1; 7.1; and 7.2	Personal	He had received correspondence in respect of all items of business.
Alex Heslop	Items 7.1 and 7.2	Personal	Both application sites within the Councillor's ward
Tim O'Flaherty	Item 7.2	Personal	Received correspondence from interested parties
Ahmed Omer	Items 7.1 and 7.2	Personal	Both application sites within the Councillor's ward and had been lobbied in respect of both applications

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 29th April 2009 were agreed as a correct record.

4. RECOMMENDATIONS

The Committee RESOLVED that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure.

6. DEFERRED ITEMS

6.1 15 Sturry Street, London

After consideration of the Officer's report and the addendum update report, the Committee RESOLVED, on a vote of 4 for and none against, that planning

permission be GRANTED for the construction of a 3 and 4 storey building to provide 9 residential units (3 x 1 bed flats, 5 x 2 bed flats and 1 x 3 bed house) together with landscaping and associated infrastructure works at site adjacent to 15 Sturry Street, London subject to the conditions and informatives set out in the report.

(Councillors Fazlul Haque, Denise Jones and Tim O'Flaherty could not vote on the application, due to not being present at the previous meeting)

(Councillor Shahed Ali was not present for the consideration of this item)

7. PLANNING APPLICATIONS FOR DECISION

7.1 101-109 Fairfield Road, London

Ms Lorraine Harris, a neighbouring resident, spoke in objection to the application.

Mr Nathan Jones, for the applicant, spoke in support of the application.

Councillor Marc Francis, a Ward Member, spoke in objection to the application.

After consideration of the Officer's report and the addendum update report the Committee RESOLVED, on a vote of 5 for and 1 against, that the application for the demolition of existing building and erection of a six storey building to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom, 4 x 5 bedroom) together with the provision of a pedestrian link between Fairfield Road and Primrose Close, cycle and bin stores and roof top amenity space at 101-109 Fairfield Road be DEFERRED to allow further consultation between officers and the applicant in respect of the removal of pedestrian link; gating the development for a limited time; or a refusal of the application. A report setting out the options for the Committee would be presented to the next meeting.

(Councillor Shahed Ali could not vote on the application due to not being present for the duration of the item).

7.2 Gun Wharf, 241 Old Ford Road

Mr Mike Hooper, on behalf of the applicant, spoke in support of the application.

Councillor Marc Francis, a Ward member, spoke on the application.

After consideration of the Officer's report and the addendum update report, the Committee unanimously RESOLVED that planning permission be GRANTED for the demolition of existing buildings occupying the site and

redevelopment to provide four buildings of between three and four storeys providing 110 sqm commercial floorspace (A1, A3, B1 or D1 uses) and 121 residential units (comprising 7 x studio, 48 a 1 bedroom, 47 x 2 bedroom, 14 x 3 bedroom and 5 x 5 bedroom units). Provision of associated car parking, cycle parking and landscaped amenity space at Gun Wharf, 241 Old Ford Road, London E3 subject to the legal agreement and conditions set out in the report with the following amendments:

Condition 11 amended to restrict the operation of the commercial unit from **8.00 am** until **9.00 pm** on any day.

Condition 10 amended to restrict the hours of construction from 8.00am until 5.00pm Monday to Friday and **9.00am** until 1.00pm on Saturday

(Note: The Committee noted that the application site was in the Bow East ward, not the Bow West ward as stated on the agenda.)

The meeting ended at 8.35 p.m.

Chair, Councillor Shafiqul Haque
Development Committee

Agenda Item 6

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

Provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 6.1 Where a planning application is reported on the "Planning Applications for Decision" part of the agenda, individuals and organisations which have expressed views on the application will be notified by letter that the application will be considered by Committee at least three clear days prior to the meeting. The letter will explain these provisions regarding public speaking.
- 6.2 When a planning application is reported to Committee for determination the provision for the applicant/supporters of the application and objectors to address the Committee on any planning issues raised by the application, will be in accordance with the public speaking procedure adopted by the relevant committee from time to time (see below).
- 6.3 All requests to address a committee must be made in writing or by email to the committee clerk by 4pm on the Friday prior to the day of the meeting. This communication must provide the name and contact details of the intended speaker. Requests to address a committee will not be accepted prior to the publication of the agenda.
- 6.4 After 4pm on the Friday prior to the day of the meeting the Committee clerk will advise the applicant of the number of objectors wishing to speak.
- 6.5 The order of public speaking shall be as stated in Rule 5.3, which is as follows:
 - An objector who has registered to speak
 - The applicant/agent or supporter
 - Non-committee member(s) may address the Committee for up to 3 minutes
- 6.6 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.7 Following the completion of a speaker's address to the committee, that speaker shall take no further part in the proceedings of the meeting unless directed by the Chair of the Committee.
- 6.8 Following the completion of all the speakers' addresses to the Committee, at the discretion of and through the chair, committee members may ask questions of a speaker on points of clarification only.
- 6.9 In the interests of natural justice or in exceptional circumstances, at the discretion of the chair, the procedures in Rule 5.3 and in this Rule may be varied. The reasons for any such variation shall be recorded in the minutes.
- 6.10 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

Public speaking procedure adopted by this Committee:

- For each planning application up to two objectors can address the Committee for up to three minutes each. The applicant or his/her supporter can address the Committee for an equivalent time to that allocated for objectors (ie 3 or 6 minutes).
- For objectors, the allocation of slots will be on a first come, first served basis.
- For the applicant, the clerk will advise after 4pm on the Friday prior to the meeting whether his/her slot is 3 or 6 minutes long. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- Where a planning application has been recommended for approval by officers and the applicant or his/her supporter has requested to speak but there are no objectors or non-committee members registered to speak, the chair will ask the Committee if any member wishes to speak against the recommendation. If no member indicates that they wish to speak against the recommendation, then the applicant or their supporter(s) will not be expected to address the Committee.

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Agenda Item 7

Committee: Development	Date: 3 rd June 2009	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director Development and Renewal		Title: Deferred Items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred. The following information and advice applies to them.

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
29/4/09	PA/09/00177	101-109 Fairfield Road, London	Demolition of existing buildings and construction of a six storey building to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom and 4 x 5 bedroom) together with a pedestrian link, cycle and bin stores and rooftop amenity space.	To allow further consultation between Officers and the applicant in respect of removing the pedestrian link; gating the development for a limited time; or refusal of the application.

3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 The following deferred applications are for consideration by the Committee. The original reports along with any update reports are attached;
- 6.1 PA/09/00177: 101-109 Fairfield Road, London
- 3.2 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

4. PUBLIC SPEAKING

- 4.1 As public speaking has already occurred when the Committee first considered these deferred items, the Council's Constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

presented in the “Planning Applications for Decision” part of the agenda. This is generally where substantial new material is being reported to Committee and the recommendation is significantly altered.

5. RECOMMENDATION

- 5.1 That the Committee note the position relating to deferred items and to take any decisions recommended in the attached reports.

Agenda Item 7.1

Committee: Development	Date: 3 June 2009	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Mary O'Shaughnessy		Ref No: PA/09/00177	
		Ward(s): Bow East	

1. APPLICATION DETAILS

Location:	101-109 Fairfield Road, London
Existing Use:	Light Industrial
Proposal:	Demolition of existing building and erection of a six storey building to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom, 4 x 5 bedroom), together with the provision of a pedestrian link between Fairfield Road and Primrose Close, cycle and bin stores and roof top amenity space.
Drawing Nos/Documents:	BOX-PL-01, BOX-PL 02, BOX-PL-03A, BOX-PL-04A, BOX-PL-05A, BOX-PL-06A, BOX-PL-07A, BOX-PL-08A, BOX-PL-09A - Proposed Unit Mix, BOX-PL-10A, BOX-PL-11A, BOX-PL-12A - Schedule of Accessible Accommodation, BOX-PL-13 - Schedule of Accommodation.
Applicant:	Fairfield Road Developments Ltd.
Ownership:	Fairfield Road Developments Ltd.
Historic Building:	n/a
Conservation Area:	Adjacent to Fairfield Road Conservation Area

2. BACKGROUND

2.1 On the 29th April 2009, the Development Committee considered a report and an addendum update report on the application for planning permission at 101-109 Fairfield Road detailed above. The report and addendum update report are attached at **Appendix 1 and Appendix 2** to this item.

2.2 After consideration of the report and the addendum update report, the Committee resolved that the item be **DEFERRED** to allow further consultation between Officers and the applicant in respect of 3 options:

- (1) The removal of the pedestrian link;
- (2) Gating the development for a limited time; or
- (3) Refusal of the application.

A report setting out the 3 options for the Committee would be presented in a supplemental report.

3. ADDITIONAL REPRESENTATIONS

- 3.1 A further letter has been received from Old Ford Housing Association who has previously made representations in objection to the proposal.
- 3.2 The letter advised that as the pedestrian access runs across land owned and maintained by Old Ford Housing Association. They state that their intention is to take legal action against the proposed developers, should any trespassing on their land take place.
- 3.3 *[Officer Comment: This is a civil matter and is not material to the determination of the application.]*

4. MATERIAL PLANNING CONSIDERATIONS

- 4.1 Following the Development Committee on 29th April 2009, a meeting was held between Officers and the applicant in order to discuss the three options for consideration. Each option is discussed in turn.

Option 1: Removal of Pedestrian Link

- 4.2 This option has been explored by the applicant and is the preferred option.
- 4.3 Policy DEV4 in the Interim Planning Guidance (2007) aims to ensure that the safety and security of development and the surrounding public realm is optimised, without compromising the achievement of good design and inclusive environments.
- 4.4 It is considered that the removal of the pedestrian link from the existing scheme could be successfully achieved by placing an condition on the planning permission. This condition would require the applicant to submit full details of boundary treatment, lighting and other alterations to prevent public access through the site and ensure that the security of the development is not compromised.
- 4.5 It is considered that this option would be an acceptable solution to overcome concerns raised by members of the public with regard to safety and security in accordance with the aims of Policy DEV4 in the Interim Planning Guidance (2007). On balance, the concerns regarding safety and security outweigh the benefit of including a pedestrian link to improve the permeability within this area. As such, consideration has been given to saved policy T16, T21 of the adopted UDP (1998), policy CP24, CP42, CP46 and DEV3 of the adopted UDP (1998), which seek to improve permeability.

Option 2: Gating the development for a limited time

- 4.6 This option would involve the gating of the development between dusk and dawn, providing public access through the application site during the daytime.
- 4.7 Policy DEV3 in the Interim Planning Guidance (2007) states that the Council will not support developments with restricted access. Whilst this option would allow access during the daytime, it is considered that the appearance of gates would create the perception that the walkway is not accessible to the public. The introduction of any gates would be likely to impact on the open, accessible nature of the walkway.
- 4.8 As such, it is considered that the proposal would not successfully achieve a more inclusive and permeable environment in accordance with policy CP24, CP42, CP46 and DEV3 of the Interim Planning Guidance (2007). These policies seek to improve connectivity and permeability within the Borough.

Option 3: Refusal

- 4.9 The proposal development is considered acceptable in terms of design, land use, provision of affordable housing, density, housing amenity space, residential amenity, transport, sustainability and energy as set out in the reasons for approval in the case officers report (Appendix 1).
- 4.10 Given that the objections raised regarding safety and security can be overcome by Option 1 (as detailed above), it is not recommended that the application is refused.

5. SECTION 106 HEADS OF TERMS

- 5.1 The section 106 heads of terms as outlined in paragraph 3.2 of the Officers report would no longer include the requirement for public access through the site if Members resolve to GRANT planning permission subject to the condition outlined in Option 1.

6. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 6.1 Consideration has been given to all three options. It is considered that Option 1 which requires imposing an amending condition requiring the removal of the pedestrian link would result in an acceptable scheme. Consequently, the recommendation to approve the scheme is being presented to Committee and the summary of material planning considerations are as follows:
- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. The proposal makes efficient use of the site with a high-density residential redevelopment and as such accords with policy 3A.3 of the London Plan (2008) and HSG1 of the Council's Interim Planning Guidance (2007). These policies seek to maximum intensity of use compatible with local context.
 - The proposed 6 storey residential development is considered appropriate in terms of design, bulk and scale. The design of the new building is in keeping with the surrounding properties in terms of general building line, height and use of materials. This is in line with saved policy DEV1 of the adopted UDP (1998) and DEV2 of the Interim Planning Guidance (2007). These policies seek to ensure appropriate design within the Borough which respects the local context.
 - The loss of employment floor space is considered acceptable due to the emerging residential character of the area and as such the long term viability of the site for employment uses. It is considered that the site is inappropriate for the re-provision of commercial space due to the proximity to existing residential properties. The site is not designated for industrial uses in the London Plan (2008), the adopted UDP (1998) or the IPG (2007). As such, the principle of a residential use can be considered acceptable. The scheme is therefore considered in line with saved policy EMP1 of the adopted UDP (1998), policy EE2 of the IPG (2007). These policies consider appropriate locations for industrial floor space.
 - The proposal provides 35.3% affordable housing. Furthermore, the overall mix of units is acceptable. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (2008), policy HSG7 of the adopted UDP 1998 and policies CP22, HSG2 and HSG3 of the Interim Planning Guidance (2007). These policies seek to ensure that new developments offer a range of housing choices.

- The proposal would result in a density of 1370 habitable rooms per hectare, which is above the limits set out in the London Plan Spatial Development Strategy for Greater London (2008). However, the density of the scheme does not result in any of the significant adverse impacts typically associated with overdevelopment, and is therefore acceptable in terms of policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007). These policies seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
- The quantity and quality of housing amenity space and communal space is acceptable and accords with policies 3A.6, 3D.13 and 4B.1 of the London Plan (2008), policies DEV1, DEV12 and HSG16 of the adopted UDP (1998) and policies DEV2, DEV 3, DEV4 and HSG7 of the Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.
- The proposal is considered appropriate in relation to the residential amenity of the site. The impact of the development in terms of daylighting and sunlighting, overshadowing, sense of enclosure, outlook, privacy and noise is acceptable given the compliance with relevant BRE Guidance and the urban context of the site. This is in line with saved policy DEV1 and DEV2 of the adopted UDP (1998) and DEV1 and DEV2 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- In reference to transport matters, including provision of cycle parking, access, servicing the creation of a car free development, the proposal is considered acceptable and in line with policies DEV1 and T16 of the adopted UDP (1998) and policies DEV17, DEV18 and DEV19 of the Interim Planning Guidance (2007). These policies seek to ensure developments can be supported within the existing transport infrastructure.
- Sustainability matters, including energy, are broadly acceptable in that the scheme can achieve a minimum of 10% reduction in carbon emissions. This is in line with London Plan (2008), policies 4A.4 and 4A.7 and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- Contributions have been secured towards the provision of health care, education facilities and highway works in line with Government Circular 05/05, saved policy DEV4 of the adopted UDP (1998) and policy IMP1 of the Council's Interim Planning Guidance (2007). These policies seek to secure contributions toward infrastructure and services required to facilitate proposed development.
- The proposed development preserves the character of the adjacent buildings within the Fairfield Road Conservation Area. The building is in keeping with the character and appearance of Fairfield Road, in terms of design, bulk, scale and use of materials. Furthermore, it is considered that the proposal respects the setting of the Grade II Listed Match Factory by merit of the fact that the listed building is located on the opposite of Fairfield Road and is set back from the street line. This is in line with PPG15: Planning and the Historic Environment and policy CON2 of the Interim Planning Guidance (2007). These policies seek to ensure that development preserves or enhances the setting of the Conservation Area and that it does not have an adverse impact on the setting of listed buildings.

7. RECOMMENDATION

7.1 The recommendation to GRANT planning permission is subject to:

7.2 The prior completion of a **legal agreement** to secure the following planning obligations:

- A contribution of £74,052 to mitigate the demand of the additional population on education facilities;
- A contribution of £65, 788 to mitigate the demand of the additional population on health care facilities;
- Affordable housing provisions of 35% of habitable rooms with a 69:31 split between affordable rented/shared ownership to be provided on site;
- A contribution of £20,000 to mitigate the demand of the additional population on the surrounding highway network;
- Completion of a 'Car Free' agreement to restrict occupants applying for residential parking permits;
- Commitment towards utilising employment initiatives in order to maximise the employment of local residents in during the construction phase; and
- Any other planning obligation(s) considered necessary by the Corporate Director of Development and Renewal

7.3 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

7.4 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

1. Time Limit
2. Materials
3. Details of boundary treatment, lighting and other alterations to close pedestrian link
4. Landscape Management Plan
5. 10% provision of Renewables
6. Contamination – water sample details
7. Archaeological investigation
8. Construction Management Plan
9. Code for Sustainable Homes Assessment
10. Secure by Design Assessment
11. Green Travel Plan
12. Wheelchair Accessible Units
13. Lifetime Homes
14. Hours of Construction
15. Hours of Pile Driving

Any other planning condition(s) considered necessary by the Corporate Director of Development and Renewal.

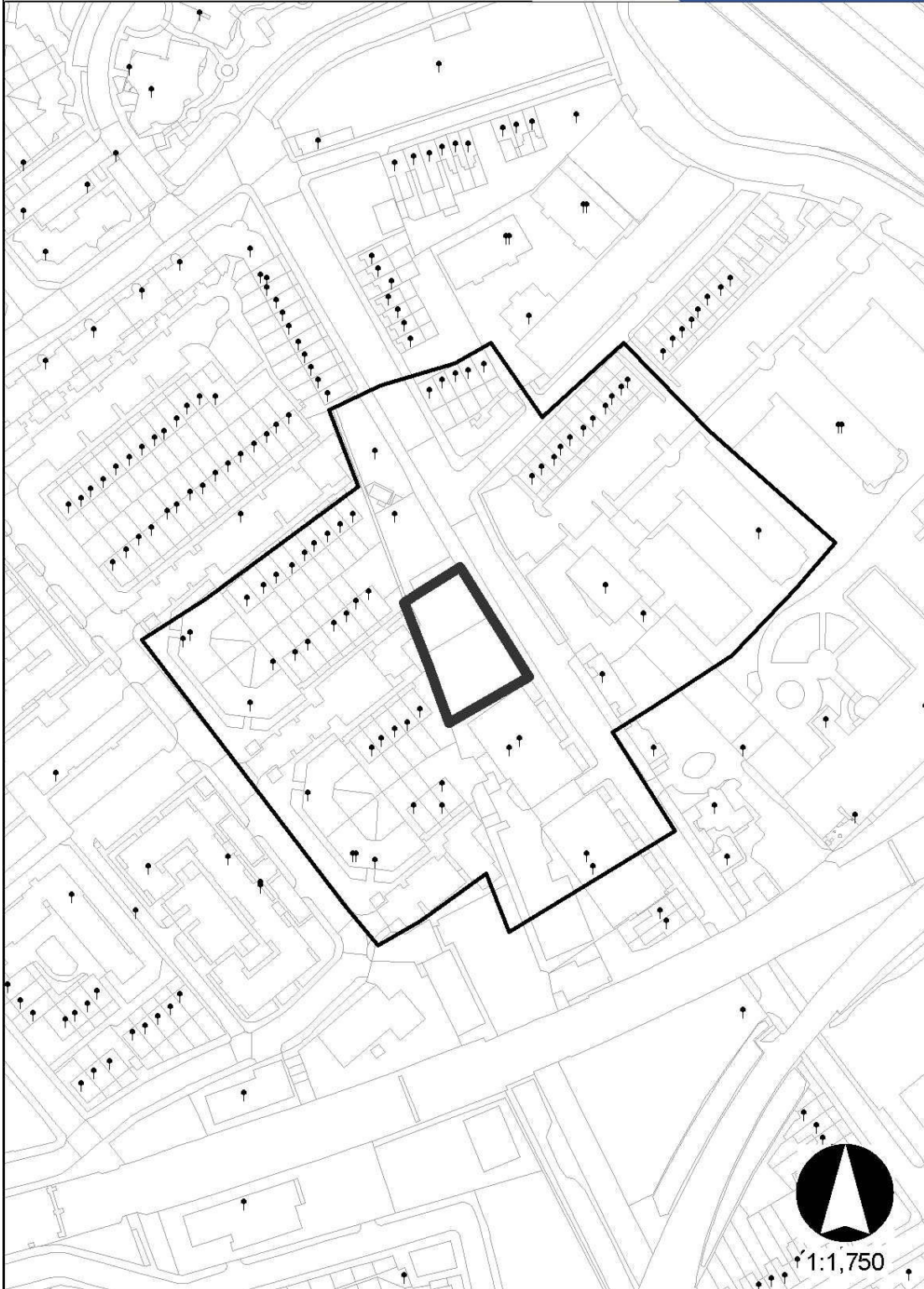
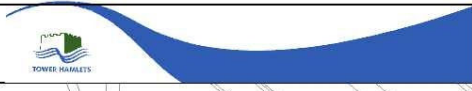
Informatives

- 1) Section 106,
- 2) Contact Environmental Health,
- 3) Contact Highways,
- 4) Contaminated Land; and,

Any other planning informative(s) considered necessary by the Corporate Director of Development and Renewal.

- 7.5 That, if by 31st June 2009 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

Planning Application Site Map



1:1,750



Planning Application Site Boundary



Consultation Area



Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

APPENDIX 1

Committee: Development	Date: 29 th April 2009	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Mary O'Shaughnessy		Ref No: PA/09/00177	
		Ward(s): Bow East	

1. APPLICATION DETAILS

Location:	101-109 Fairfield Road, London
Existing Use:	Light Industrial
Proposal:	Demolition of existing building and erection of a six storey building to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom, 4 x 5 bedroom), together with the provision of a pedestrian link between Fairfield Road and Primrose Close, cycle and bin stores and roof top amenity space.
Drawing Nos/Documents:	BOX-PL-01, BOX-PL 02, BOX-PL-03A, BOX-PL-04A, BOX-PL-05A, BOX-PL-06A, BOX-PL-07A, BOX-PL-08A, BOX-PL-09A - Proposed Unit Mix, BOX-PL-10A, BOX-PL-11A, BOX-PL-12A - Schedule of Accessible Accommodation, BOX-PL-13 - Schedule of Accommodation.
Applicant:	Fairfield Road Developments Ltd.
Ownership:	Fairfield Road Developments Ltd.
Historic Building:	n/a
Conservation Area:	Adjacent to Fairfield Road Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, Interim Guidance, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. The proposal makes efficient use of the site with a high-density residential redevelopment and as such accords with policy 3A.3 of the London Plan (2008) and HSG1 of the Council's Interim Planning Guidance (2007). These policies seek to maximum intensity of use compatible with local context.
- The proposed 6 storey residential development is considered appropriate in terms of design, bulk and scale. The design of the new building is in keeping with the surrounding properties in terms of general building line, height and use of materials. This is in line with saved policy DEV1 of the adopted UDP (1998) and DEV2 of the Interim Planning Guidance (2007). These policies seek to ensure appropriate design within the Borough which respects the local context.

- The loss of employment floor space is considered acceptable due to the emerging residential character of the area and as such the long term viability of the site for employment uses. It is considered that the site is inappropriate for the re-provision of commercial space due to the proximity to existing residential properties. The site is not designated for industrial uses in the London Plan (2008), the adopted UDP (1998) or the IPG (2007). As such, the principle of a residential use can be considered acceptable. The scheme is therefore considered in line with saved policy EMP1 of the adopted UDP (1998), policy EE2 of the IPG (2007). These policies consider appropriate locations for industrial floor space.
- The proposal provides 35.3% affordable housing. Furthermore, the overall mix of units is acceptable. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (2008), policy HSG7 of the adopted UDP 1998 and policies CP22, HSG2 and HSG3 of the Interim Planning Guidance (2007). These policies seek to ensure that new developments offer a range of housing choices.
- The proposal would result in a density of 1370 habitable rooms per hectare, which is above the limits set out in the London Plan Spatial Development Strategy for Greater London (2008). However, the density of the scheme does not result in any of the significant adverse impacts typically associated with overdevelopment, and is therefore acceptable in terms of policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007). These policies seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
- The quantity and quality of housing amenity space and communal space is acceptable and accords with policies 3A.6, 3D.13 and 4B.1 of the London Plan (2008), policies DEV1, DEV12 and HSG16 of the adopted UDP (1998) and policies DEV2, DEV 3, DEV4 and HSG7 of the Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.
- The proposal is considered appropriate in relation to the residential amenity of the site. The impact of the development in terms of daylighting and sunlighting, overshadowing, sense of enclosure, outlook, privacy and noise is acceptable given the compliance with relevant BRE Guidance and the urban context of the site. This is in line with saved policy DEV1 and DEV2 of the adopted UDP (1998) and DEV1 and DEV2 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- In reference to transport matters, including provision of cycle parking, access, servicing the creation of a car free development, the proposal is considered acceptable and in line with policies DEV1 and T16 of the adopted UDP (1998) and policies DEV17, DEV18 and DEV19 of the Interim Planning Guidance (2007). These policies seek to ensure developments can be supported within the existing transport infrastructure.
- The proposed development includes the creation of a pedestrian link between Fairfield Road and Primrose Close via an under-croft. There are currently no east-west links along the western edge of Fairfield Road. It is considered that the proposed pedestrian link will improve permeability and connections within this area. This is in line with Council policy which seeks to create a more permeable public realm. This is in line with saved policy T16, T21 of the adopted UDP (1998), policy CP24,

CP42, CP46 and DEV3 of the adopted UDP (1998). These policies seek to improve connectivity and permeability within the Borough.

- Sustainability matters, including energy, are broadly acceptable in that the scheme can achieve a minimum of 10% reduction in carbon emissions. This is in line with London Plan (2008), policies 4A.4 and 4A.7 and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- Contributions have been secured towards the provision of health care, education facilities and highway works in line with Government Circular 05/05, saved policy DEV4 of the adopted UDP (1998) and policy IMP1 of the Council's Interim Planning Guidance (2007). These policies seek to secure contributions toward infrastructure and services required to facilitate proposed development.
- The proposed development preserves the character of the adjacent buildings within the Fairfield Road Conservation Area. The building is in keeping with the character and appearance of Fairfield Road, in terms of design, bulk, scale and use of materials. Furthermore, it is considered that the proposal respects the setting of the Grade II Listed Match Factory by merit of the fact that the listed building is located on the opposite of Fairfield Road and is set back from the street line. This is in line with PPG15: Planning and the Historic Environment and policy CON2 of the Interim Planning Guidance (2007). These policies seek to ensure that development preserves or enhances the setting of the Conservation Area and that it does not have an adverse impact on the setting of listed buildings.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

3.2 The prior completion of a **legal agreement** to secure the following planning obligations:

- A contribution of £74,052 to mitigate the demand of the additional population on education facilities;
- A contribution of £65, 788 to mitigate the demand of the additional population on health care facilities;
- Affordable housing provisions of 35% of habitable rooms with a 69:31 split between affordable rented/shared ownership to be provided on site;
- A contribution of £20,000 to mitigate the demand of the additional population on the surrounding highway network;
- Public access route secured through the site;
- Completion of a 'Car Free' agreement to restrict occupants applying for residential parking permits;
- Commitment towards utilising employment initiatives in order to maximise the employment of local residents in during the construction phase; and
- Any other planning obligation(s) considered necessary by the Corporate Director of Development and Renewal

3.3 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

3.4 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Time Limit
- 2) Materials
- 3) Details of the proposed undercroft – including lighting and materials
- 4) Landscape Management Plan
- 5) 10% provision of Renewables
- 6) Contamination – water sample details
- 7) Archaeological investigation
- 8) Construction Management Plan
- 9) Code for Sustainable Homes Assessment
- 10) Secure by Design Assessment
- 11) Green Travel Plan
- 12) Wheelchair Accessible Units
- 13) Lifetime Homes
- 14) Hours of Construction
- 15) Hours of Pile Driving

Any other planning condition(s) considered necessary by the Corporate Director of Development and Renewal.

Informatives

- 5) Section 106,
- 6) Contact Environmental Health,
- 7) Contact Highways,
- 8) Contaminated Land; and,

Any other planning informative(s) considered necessary by the Corporate Director of Development and Renewal.

- 3.5 That, if by 4th May 2009 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is for the redevelopment of 101-109 Fairfield Road. This would involve the demolition of the existing building on site and the erection of a building between 4 and 6 storeys in height comprising 46 new residential units.
- 4.2 The proposal includes landscaping, public open space in the form of a new pedestrian link between Fairfield Road and Primrose Close at the rear and cycle parking spaces.
- 4.3 The application proposes the erection of a building up to six storeys in height to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom, 4 x 5 bedroom).
- 4.4 12 of the units are to be affordable housing (36.4% of proposed habitable rooms). Of which 7 of the affordable units are available for social rent and 5 for shared ownership. This equates to a 69:31 split between the two tenures by habitable room. 5 Wheelchair accessible units are proposed. All 46 units will accord with Lifetime homes standards.
- 4.5 The scheme is proposed to be car free and provides 46 cycle parking spaces residents and 6 visitor spaces. There is adequate provision of refuse and recycling storage.

- 4.6 The scheme will provide 760sqm of amenity space of which 563sqm will be private and 197sqm will be communal.

Site and Surroundings

- 4.7 The site is located on the western side of Fairfield Road in a predominately residential area. The site is an irregular shaped plot, narrowing to the north of the site. It measures 1017sqm. There is currently a two-storey industrial building on site.
- 4.8 To the south of the site is a residential development of 6 storeys in height. To the north of the site is an industrial building which is two storeys in height. To the east of the site is Primrose Close which runs perpendicular to Fairfield Road. The properties situated on Primrose Close run at right angles to the rear of the site. The properties adjacent to the site are 2 storeys in height and the rise to 4 storeys adjacent to Morville Street.
- 4.9 The site is not listed nor is it located within a Conservation Area. However, it is directly adjacent to the Fairfield Road Conservation Area which encompasses the eastern side of Fairfield Road.
- 4.10 The surrounding area is undergoing significant change and is emerging as a predominately residential area.
- 4.11 The site has good access to public transport with a PTAL rating of 4. Bus and rail services are within walking distance, providing links to Central London. Bow Church DLR Station is located approximately 500 metres to the south and Bow Road Underground Station is approximately 700 metres to the south. There are also bus routes passing along Fairfield Road.

Relevant Planning History

- 4.12 The following planning decisions are relevant to the application:

PA/04/01581 *Demolition of existing buildings and erection of a seven storey building to provide 49 flats, this application was withdrawn dated 14th February 2005.*

5. POLICY FRAMEWORK

- 5.1 The following policies are relevant to the application:

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV12	Provision of Landscaping in Development
	DEV43	Protection of Archaeological Heritage
	DEV50	Noise
	DEV51	Soil Tests
	DEV55	Development and Waste Disposal
	DEV56	Waste recycling
	EMP1	Encouraging New Employment Uses
	HSG7	Dwelling Mix & Type
	HSG13	Standard of Converted Dwellings
	HSG15	Preservation of Residential Character
	HSG16	Housing Amenity Space

T7	The Road Hierarchy
T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrian Needs in New Development

Interim Planning Guidance for the purposes of Development Control

Core Strategies:	IMP1	Planning Obligations	
	CP1	Creating Sustainable Communities	
	CP2	Equality of Opportunity	
	CP3	Sustainable Environment	
	CP4	Good Design	
	CP11	Sites in Employment Use	
	CP19	New Housing Provision	
	CP20	Sustainable Residential Density	
	CP21	Dwelling Mix and Type	
	CP22	Affordable Housing	
	CP25	Housing Amenity Space	
	CP38	Energy Efficiency and Production of Renewable Energy	
	CP39	Sustainable Waste Management	
	CP40	Sustainable Transport Network	
	CP41	Integrating Development with Transport	
	CP42	Streets for People	
	CP45	The Road Hierarchy	
	CP46	Accessible and Inclusive Environments	
	CP47	Community Safety	
	CP49	Historic Environment	
	Policies:	DEV1	Amenity
		DEV2	Character and Design
		DEV3	Accessibility and Inclusive Design
		DEV4	Safety and Security
		DEV5	Sustainable Design
		DEV6	Energy Efficiency and Renewable Energy
		DEV7	Water Quality and Conservation
		DEV9	Sustainable Construction Materials
		DEV10	Disturbance from Noise Pollution
		DEV12	Management of Demolition and Construction
		DEV13	Landscaping and Tree Preservation
		DEV15	Waste and Recyclables Storage
		DEV16	Walking and Cycling Routes and Facilities
		DEV17	Transport Assessments
		DEV18	Travels Plans
		DEV19	Parking for Motor Vehicles
		EE2	Redevelopment / change of use of employment sites
		HSG1	Determining Residential Density
		HSG2	Housing Mix
		HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-use Schemes
		HSG4	Varying the Ratio of Social Rented to Intermediate Housing
		HSG7	Housing Amenity Space
		HSG9	Accessible and Adaptable Homes
		HSG10	Calculating Provision of Affordable Housing
		CON1	Listed Buildings
CON2		Conservation Areas	
CON4		Archaeology and Ancient Monuments	

Spatial Development Strategy for Greater London (London Plan) (2008)

3A.1	Increasing London's supply of housing
3A.2	Borough housing targets
3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.6	Quality of housing provision
3A.7	Large residential developments
3A.8	Definition of affordable housing
3A.9	Affordable housing targets
3A.10	Negotiating affordable housing in private residential and mixed-use schemes
3A.11	Affordable housing thresholds
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable transport in London
3C.23	Parking Strategy
4A.1	Tackling climate change
4A.2	Mitigating climate change
4A.3	Sustainable design and construction
4A.4	Energy assessment
4A.5	Provision of heating and cooling networks
4A.6	Decentralised Energy: Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4B.1	Design principles for a compact city
4B.2	Promoting world-class architecture and design
4B.2	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.8	Respect local communities and context
4B.10	Large-scale buildings – design and impact
4B.11	London's Built Heritage
4B.12	Heritage Conservation
4B.15	Archaeology

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG15	Planning and the Historic Environment
SPG	Residential Space Standards
SPG	Designing Out Crime

Community Plan The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

6.2 The following were consulted regarding the application:

LBTH Environmental Health – Noise and Vibration

- 6.3 The LBTH Environmental Noise and Vibration Team advised that they have no objection to the planning application. However, in order to ensure the proposed development does not prejudice the enjoyment of neighbouring occupiers or future occupiers of their land the development should adhere to Internal Ambient Noise Levels in accordance with BS8233:1999 'Sound Insulation and Noise Reduction for Buildings – Code of Practice'. In reference to residential development which is adjacent to commercial uses, the development should ensure that the building is designed and constructed to provide reasonable resistance to the transmission of sound between residential development and commercial development. In relation to the protection against sound from other parts of the building and adjoining buildings, dwelling houses, flats and rooms for residential purposes shall be designed and constructed in accordance with the Approved Document E – Resistance to the Passage of Sound, 1st July 2003. Finally, in reference to vibration, residential developments must be designed to ensure compliance with BS6472:1992 'Evaluation of Human Exposure to Vibration in Buildings'.

In relation to control over the general works, it is advised that

During demolition and construction on site:-

1. The best practical means available in terms of British Standard Codes of Practice 5228:1997 Parts 1 to 4 should be observed
2. Construction/refurbishment and demolition works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of:

Monday to Friday 08:00 to 18:00

Saturday 08:00 to 13:00

Audible works should not be carried out at any time on Sundays and Bank Holidays.

[Officer Comment: An informative will be placed on the planning permission advising the applicant of the need to comply with the relevant Environmental Health legislation.]

LBTH Environmental Health – Contaminated Land

- 6.4 The Contaminated Land Officer advised that having reviewed the Contamination Assessment, which includes a Phase I and Phase II Environmental Assessment dated November 2004 and April 2005 respectively, that they are satisfied with the desk study and intrusive investigation works undertaken and are in agreement that based on the soil sampling data there are no significant risks given the proposed development.

The Officer also noted that the report stated that additional water sampling results will be submitted in due course. The Officer continues to state that if there are no issues with regards to controlled waters then I see no reason why conditions relating to contaminated land can not be discharged.

[Officer Comment: Further information regarding water sampling results has not been received. A condition will be placed on the planning permission requiring this information to be submitted prior to the commencement of any works on site.]

LBTH Environmental Health – Daylight and Sunlight

- 6.5 The Daylight and Sunlight Officer advised that having reviewed the Daylight/Sunlight by BVP dated 8th January 2009, the contents of the report are acceptable and there is no impact on the surrounding residential buildings. It is acceptable to consider planning permission.

LBTH Housing

- 6.6 The Housing Officer has advised that the scheme delivers 67% family units against our target of 45% family housing. The overall development fits more closely to the London development plan than the Councils planning policy, in achieving a 70-30 split providing 37% affordable housing overall within the development than our 80-20 split.

Other matters discussed included the density of the scheme (8.9-8.15), the provision of wheelchair units (8.49 – 8.50), the location of the bin store and cycle store, communal amenity space and the undercroft (8.51 – 8.57 and 8.84 - 8.91).

[Officer Comment: These issues have been dealt with in the main body of the report in the paragraph numbers listed in brackets.]

LBTH Education

- 6.7 The Education Officer advised that the proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 6 additional primary school places. The figure is calculated at £74,052. This funding will be pooled with other resources to support the Local Authority's programme for the borough of providing additional places to meet need.

[Officer Comment: The Section 106 Agreement includes Education as one of the heads of terms and the figure of £74,052 is being secured via Section 106.]

LBTH Highways

- 6.8 The Highways Officer has advised that from the Planning Transport Accessibility Level (PTAL) map the subject site is in an area with a PTAL accessibility rating of 4. The site is considered to have a moderate level of accessibility to public transport links.

Whilst the Ptal indicates a moderate level of accessibility the site does have good access to local transport facilities within walking distance. The Officer concludes that as such given the site location and accessibility to local transport facilities the site should be designated as "car free" and this should be included on any section 106 Agreement.

In reference to cycle parking, highways are satisfied with the provision of spaces (48) for residents this meets the Council criteria of 1 per unit which equates to a total of 48 parking spaces which would be acceptable. There is also an adequate provision of visitor cycle parking (6 spaces).

The refuse arrangements are considered satisfactory. The location of the refuse store is accessible to all flats and allows collection within the cartilage of the site.

In reference to pedestrian access, the applicant has proposed a pedestrian link through the development. This proposed access would provide an increase in the permeability through the area and provide a pedestrian through route by connecting Fairfield Road and Primrose Close and the surrounding areas located to the east of the site. This results in a significant reduction in the walking / cycling distances and times to the public transport facilities, which would be acceptable.

In reference to traffic generation, the applicant upon request has submitted details with regard to the impact of the scheme on the public transport network, in terms of trip generation. Whilst, trip generation details were not supplied for the impact on the highway network, on balance given the "car free" nature of the proposals, vehicle trip generation would be minimal. Furthermore, the provision of £20,000 for traffic calming measures along Fairfield Road would further ensure that the increase in pedestrian traffic would be offset.

In relation to a travel plan, it is considered that the applicant has provided a Travel Plan Framework which would be acceptable in principle.

In relation to Section 278 Works, it is considered that the site requires works to areas of public highway this would include the removal of any existing crossovers and accesses into the site and their reinstatement to the existing kerb level. Please include the following informative: In accordance with the Highway Act 1980, all highway works shall be carried out under section 278 agreement.

[Officer Comment: The applicant will be advised via an informative that a Section 278 agreement will be required and the Highways Department should be contacted in order to discuss the matter.]

Olympic Delivery Authority (ODA)

- 6.9 The ODA advised that they have no objections to the proposals set out in this planning application.

Tower Hamlets Primary Care Trust

- 6.10 The PCT advised that a financial contribution of £67,218 is required in order to mitigate the demand of the additional population on health care facilities. This was based on the provision of 47 units. The scheme has been reduced to provide 46 units and as such a pro rata reduction is calculated as £65,788.

[Officer Comment: The Section 106 Agreement includes Health as one of the heads of terms and the figure of £65,788 is being secured via Section 106.]

English Heritage Archaeology

- 6.11 To date no comments have been received.

7. LOCAL REPRESENTATION

- 7.1 A total of 440 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has been published in the local press and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	9	Objecting:	9	Supporting:	0
No of petitions received:	2 objecting containing 37 signatories 0 supporting containing				

- 7.2 The following local groups/societies made representations:

- 1) Tredegar Monteith Lefevre Resident Involvement Group
- 2) Old Ford Housing Association

- 7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

- The proposed pedestrian link between Fairfield Road and Primrose Close would cause noise and anti-social behaviour which would reduce the quality of life of the

residents of Primrose Close. Furthermore, the link would be of no benefit to the surrounding community. The proposed link will increase the foot traffic.

[Officer Comment: Please refer to section 8.84 – 8.91 and 8.102.]

- The height of the building could cause overshadowing to properties in Primrose Close.
- The proposal would result in a reduction in sunlight which would cause health problems.

[Officer Comment: Please refer to section 8.58 – 8.69.]

- The proposed building would cause privacy issues and reduce the quiet enjoyment of the residents of Primrose Close. The proposed roof top amenity space would cause problems.

[Officer Comment: Please refer to section 8.70 – 8.76.]

- The demolition of the factory will cause noise, dust and mess.

[Officer Comment: Please refer to section 8.77.]

- The proposal is contrary to Tower Hamlets planning policy which is to resist the change of use from business to residential units unless it can be clearly shown that the commercial use is no longer viable. The property is currently occupied by the Olympia Business Centre and there are a range of units of different sizes in operation. There are a number of different uses ongoing within the site. The proposal has never been marketed commercially.
- The proposal would result in businesses having to relocate which could mean loss of jobs.

[Officer Comment: Please refer to section 8.1 – 8.8.]

- The proposal would result in a loss of social and leisure facilities which are currently contained within the building.

[Officer Comment: It is evident from the planning records that the submitted planning application form that the existing use is Light Industrial. As such, the use of the property for social and leisure facilities is unauthorised. There are no applications on the statutory register which refer to a change of use application to either of the above use. The Land Use section of this report (section 8.1 – 8.6) deals with the loss of employment floor space.]

- The existing building is architecturally significant and attractive and this would be destroyed.
- The aesthetic quality of the environment is being reduced by the introduction of tall buildings in the area.

[Officer Comment: Please refer to section 8.16 – 8.36.]

- Along Fairfield Road there is not sufficient car parking and there are already problems with congestion and vehicles not being able to pass each other. The proposal should not allow access to on street car-parking.

[Officer Comment: Please refer to section 8.78 – 8.83.]

- The proposal would result in an increase in population of an already densely populated area. This would result in traffic congestion, lack of safety for children on the highway and air pollution.

[Officer Comment: Please refer to section 8.9 – 8.15.]

8. MATERIAL PLANNING CONSIDERATIONS

The main planning issues raised by the application that the Local Planning Authority have considered are:

1. Land Use
2. Density
3. Design and Appearance
4. Housing
5. Amenity
6. Highways
7. Sustainability and Energy
8. Other Planning Issues

Land Use

- 8.1 The application site has no specific designations in the adopted UDP (1998) and the IPG (2007). The Leaside Area Action Plan (AAP) (2007) which forms part of the Councils Interim Planning Guidance locates the site in the sub-area Bow Church. It outlines that the area is predominately residential in nature. The site currently provides 1550 sqm of light industrial floor space (Use Class B1). The application proposes the redevelopment of the site to provide a high quality residential scheme with a range of unit sizes including a high proportion of family housing.
- 8.2 Policies EMP1 and EMP8 of the adopted UDP seek employment growth and the development of small businesses. Policies CP11 and EE2 of the IPG (2007) seek to protect sites in employment use, and policy CP9 seeks to retain employment space for small business. The policies require that there should be no net loss of employment floors space, unless it is demonstrated that the continued use of the land is no longer viable.
- 8.3 The site is currently in employment use, B1 (Light Industrial). Whilst the site was previously vacant it is currently leased to Fast Drinks Ltd on a short term basis. They are a company which manufactures packages and distributes a range of food and drink products. They occupy the majority of the building. However, there are some smaller industrial units at ground floor level. These include a car wash, motor engineering business and some of the units are used for ancillary storage.
- 8.4 To the north of the Bow Junction Railway Bridges, the land uses were predominantly industrial. However, in recent years the nature of this area of Fairfield Road has begun to change. The surrounding area is now characterised by predominately residential developments. To the south Fairfield Road is characterised by low rise residential development. Whilst, many of the sites surrounding the site were previously in employment uses they have been granted planning permission for residential uses. Examples include, 123 Fairfield Road and 94 Fairfield Road. Both these sites were previously in industrial use and have now been granted planning permission for residential schemes. It is considered that this area of Fairfield Road, which was previously industrial in nature, is now emerging as a residential area. It is not considered that the retention of employment uses on the site would be appropriate given the residential nature of the surrounding area.
- 8.5 It is considered that due to the sites isolation within an emerging residential area it is no longer a suitable location for employment floor space. Furthermore, it not considered that the building would, in the long term, be able to provide good quality employment floor space. Furthermore, the Councils Industrial Land Study (2006) outlines that there was little pressure on manufacturing floor space with this type of floor space making up on average of 36% of total Stock in London between 2000 – 2003. This is further reflected in the recorded vacancy rate of 11.6% for 2003. It should also be noted that within the vicinity of the site is the Fish Island sub area, which has been designated as an Industrial Employment area by the IPG

(2007).

- 8.6 It is considered the site is inappropriate for the re-provision of some commercial space within the proposed scheme; again this is due to the residential nature of the surrounding area.
- 8.7 Whilst, it is acknowledged that this application will result in the loss of employment floor space it should be noted that the isolation of the site within this emerging residential area, the capacity of the building to function long term as employment floor space and the provision of employment floor space within Fish Island all demonstrate that in this instance the loss of employment floor space is justifiable. Overall the scheme will result in the provision of an acceptable level of affordable housing including a large number of family units and this will contribute to meeting the Boroughs Housing need.
- 8.8 In view of the above comments and that the site is not designated for industrial uses in the London Plan (2008), the adopted UDP (1998) or the IPG (2007), it is considered on balance that the provision of a residential scheme should be accepted. The scheme is therefore considered in line with saved policy EMP1 of the adopted UDP (1998), policy EE2 of the IPG (2007). A residential-led development of this brownfield site is supported.

Density

- 8.9 National planning guidance in PPS1: Sustainable Development and PPS3: Housing stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3A.3 – which requires development to maximise the potential of sites, and policy 4B.1 – which details design principles for a compact city. Interim Planning Guidance (2007) policies CP20 and HSG1 also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.10 In calculating the density of this site reference has been made to table 3A.2 of policy 3A.3 of the London Plan. The site has a moderate public transport accessibility level (PTAL) (4). For urban sites with a PTAL range of between 4 and 6 the appropriate density is 450-700 habitable rooms per hectare. The proposed density would be 1370 habitable rooms per hectare (Net site area), which is higher than the recommended standard.
- 8.11 In the simplest of numerical terms, the proposed density would appear to suggest an overdevelopment of the site. However, the intent of the London Plan and the Council's Interim Planning Guidance is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity. It should be noted that this is a guide and in some instances a higher or lower density may be more appropriate when considering the local context.
- 8.12 However, it should be noted that solely exceeding the recommended range is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that the high density value was symptomatic of an overdevelopment of the site. Typically an overdeveloped site will experience shortfalls in one or more of the following areas:

Access to sunlight and daylight
Sub-standard dwelling units
Increased sense of enclosure
Loss of outlook
Increased traffic generation
Detrimental impacts on local social and physical infrastructure
Visual amenity
Lack of open space; or

Poor housing mix

These specific factors are considered in detail in later sections of the report – and are found to be acceptable.

- 8.13 Typically an overdeveloped site will experience shortfalls in one or more of the following areas:

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Detrimental impacts on local social and physical infrastructure
Visual amenity
Lack of open space; or
Poor housing mix

These specific factors are considered in detail in later sections of the report – and are found to be acceptable.

- 8.14 Policies CP20 and HSG1 of the Interim Planning Guidance seek to maximise residential densities on individual sites taking into consideration:-

- Local context and character
- Residential amenity
- Site accessibility
- Housing mix and type
- Achieving high quality, well designed homes
- Maximising resource efficiency
- Minimising adverse environmental impacts
- The capacity of social and physical infrastructure and open spaces; and
- To ensure the most efficient use of land within the borough

- 8.15 In the case of this proposal it is considered that the proposal is of a particularly high quality that responds to the local context of Fairfield Road and the adjacent Fairfield Road Conservation Area. The proposal does not result in any of the adverse symptoms of overdevelopment. The proposal provides good quality homes, including larger family houses, of an appropriate mix with an acceptable percentage of affordable housing. The package of S106 mitigation measures including contributions towards affordable housing, health-care, education and transport. They will mitigate for any potential adverse impacts on social and physical infrastructure.

Design and Appearance

- 8.16 The existing building at 101 – 109 Fairfield Road is a two storey industrial building. It's appearance is run down and it detracts from the existing character and appearance of Fairfield Road.
- 8.17 The proposal is for the demolition of the existing building and the erection of a building of between 4 and 6 storeys. There would be a total of 46 residential units including a mix of studio, 1 bed, 2 bed, 3 bed and 5 bed flats and maisonettes.
- 8.18 Saved policy DEV1 of the adopted UDP (1998) outlines that all development proposals should take into account and be sensitive to the character of the surrounding area in terms of

design, bulk, scale and the use of materials, they should also be sensitive to the development capability of the site, maintain the continuity of street frontages and take into account existing building lines, roof lines and street patterns. Furthermore, development should take into consideration the safety and security of the development.

- 8.19 Policy CP4 and DEV2 of the IPG (2007) seek to ensure that new development amongst other things, respects the local context, including character, bulk and scale of the surrounding area, ensuring the use of high quality materials and finishes, contribute to the legibility and permeability of the urban environment, and contribute to the enhancement of local distinctiveness.

Height, scale, bulk and appearance

- 8.20 The proposed height, scale, bulk are considered acceptable. The scale of buildings in the surrounding area varies. Directly, to the west of the site, Primrose Close is a small scale residential development which varies from two stories directly adjacent to the site and rises to four storeys adjacent to Morville Street. Directly, to the south of the site 87 – 97 Fairfield Road is 6 storeys in height. Directly, to the north of the site there is a 2 storey industrial building. To the east of the site on the opposite side of Fairfield Road, the Match Factory buildings are much larger in scale.
- 8.21 Along Fairfield Road, the proposed building is a maximum of 6 storeys adjacent to 87 – 97 Fairfield Road to the South. It drops to five storeys in height adjacent to 111 Fairfield Road to the North. The rear elevation which faces the smaller scale Primrose Close is four storeys in height adjacent to 111 Fairfield Road and rises to 6 Storeys in height adjacent to 87 – 97 Fairfield Road. The southern section adjacent to 87-97 Fairfield Road is narrower in depth and provides private gardens at ground floor level.
- 8.22 The principle elevations are the eastern elevation which faces Fairfield Road and the western elevation which faces Primrose Close.
- 8.23 The Fairfield Road elevation is considered acceptable in terms of design. The proposal complements the adjacent 87 – 97 Fairfield Road and contributes to the character and appearance of Fairfield Road. The building is divided vertically into 3 elements on both the front and rear elevations. At ground floor level, the southern element of the building provides 4, 5 bedroom maisonettes which are accessed from Fairfield Road. The building line is partially set back to provide defensible space at ground floor level. At the upper levels, balconies over hang the lower floors. The central spine of the building has a deeper-plan. This depth results from the way that this element of the building incorporates recessed balconies within its volume. At ground floor level there is a two storey under-croft which provides an access route between Fairfield Road and Primrose Close. Finally, the northern element of the building is reduced in height to 5 storeys and is again set back with projecting balconies.
- 8.24 The Primrose Close elevation is considered acceptable in terms of design and contributes to the character and appearance of Primrose Close. At the rear, the vertical division of the building into 3 elements is also visible. The block to the south of the central spine is much shallower in depth. The central spine is wider in depth, containing recessed balconies, and the under-croft is one storey in height. The northern element of the building is four storeys in height adjacent to Primrose close and the fifth storey is set back. This ensures the building relates to the adjacent 2 storey properties in Primrose Close.
- 8.25 It is considered that the proposed building is acceptable in terms of height, bulk, scale and appearance. The scale of the building, respects the surrounding area and the adjacent sites. The building does not appear over dominant when viewed from Fairfield Road as it is in line with the adjacent properties. The proposed building is also considered acceptable when

viewed from Primrose Close. The bulk and scale of the building has been lowered to 4 stories where the building line is adjacent to the two storey properties in Primrose Close and the depth of the building has also been reduced. This ensures that the development relates to the scale of development in Primrose Close which varies from 2 – 4 storeys in height. To conclude, it is considered that the proposed building contributes to the character and appearance of the surrounding area in terms of design and appearance. As such the design of the scheme is sensitive to the character of the surrounding area in terms of design, bulk and scale.

Materials

- 8.26 In principle, the proposed materials are considered acceptable subject to the submission of full details and samples. This will be controlled via condition. It is proposed that the building uses a single primary material, high quality brickwork for its external walls. The proposed use of buff brick would integrate with the recently built neighbouring buildings on the western side of Fairfield Road.
- 8.27 The proposed windows would be colour anodised aluminium frames which would be set back within the walls with the reveals lined with an equivalent metal surround which will finish flush with the brick.
- 8.28 There are two main types of balconies. Within the central element of the building, the balconies and loggias are recessed. The treatment of these balconies and loggias involves the use of frameless structural glazing. Whilst, the projecting balconies are to be made in fine vertical metal railings to contract the use of structural glazing for the balustrades forming the loggias.
- 8.29 In respect of the window and balcony detail, detailed drawings at a scale of 1:20 would be required via condition in order to ensure the detailed design of these elements of the proposal contributes to the overall design of the building.
- 8.30 To conclude, the proposed used of materials appear satisfactory and in keeping with the character and appearance of the surrounding area. However, in order to ensure the high quality use of materials these matters will be controlled via condition.

Impact on the setting of the Fairfield Road Conservation Area

- 8.31 The application site lies directly opposite the Fairfield Road Conservation area and is adjacent to a number of Grade II Listed buildings. As such, the proposed development will have an impact on the setting of this conservation area and the listed buildings.
- 8.32 PPG15: Planning and the Historic Environment and policy CON2 of the IPG (2007) outline that development which would affect the setting of a conservation area should preserve or enhance the special architectural or historic interest of the Conservation Area. Furthermore, PPG15 outlines that in considering applications for buildings that affect the setting of a listed building to the desirability of preserving the setting of the Grade II listed building.
- 8.33 The Fairfield Road Character Appraisal states that “The Fairfield Road Conservation Area presents a varied townscape, reflected in the widely differing ages and characteristics of its buildings.” The Bryant and May Match Factory, sets the character of the Northern part of the Conservation Area which is adjacent to the application site. The large buildings date from 1861 and are the most important surviving industrial complex in East London. The buildings are Grade II Listed.
- 8.34 Currently, there is a two storey industrial building on site which does not contribute positively to the setting of the Fairfield Road Conservation area. It is considered that the demolition of this building and the redevelopment of the site to provide a residential led scheme would

contribute positively to the adjacent conservation area.

8.35 As discussed under design above, the scale of the building is comparable to existing buildings in the area and is appropriate to the character of this area of the Conservation Area. Furthermore, the proposed building is in keeping with the building line and the proposed use of materials is in keeping with the character and appearance of Fairfield Road. The proposed development preserves the character of the adjacent buildings within the Fairfield Road Conservation Area.

8.36 The Bryant and May Match Factory which is Grade II Listed, to the south of the site on the opposite side of Fairfield Road. Due to the distances between the two buildings and the fact that the proposed development respects the Grade II Listed building in terms of height, bulk and scale it is considered that the proposed development would not have an adverse impact on the setting of the Grade II Listed building. This is in line with Council and National Policy.

Housing

8.37 The application proposes 46 residential units (Class C3) in the following mix when split into private, intermediate, and socially rented tenures:

Table 1: Affordable Housing

	Private	Intermediate	Social Rented
Studios	2	0	0
1 Bedroom	20	0	1
2 Bedroom	8	2	1
3 Bedroom	5	2	1
5 Bedroom	0	0	4
Total Units	35	4	7
Total Number of Units	46		
Total Number of Affordable Units	11		
Total Number of Habitable Rooms	86	14	33

8.38 This section of the report considers the acceptability of the housing provision proposed in terms of key issues including affordable housing provision, provision of family sized units, wheel chair housing, lifetime homes, floor space standards and provision of amenity space.

Affordable Housing

8.39 Policy 3A.9 of the London Plan (2008) states that Borough's should seek the maximum reasonable amount of affordable housing taking into account, the Mayor's strategic target that 50% of all new housing in London should be affordable as well as the Borough's own affordable housing targets.

8.40 Policy CP22 of the IPG (2007) seeks that for schemes providing more than 10 units there is a target of 50% affordable housing provision with a minimum requirement of 35% affordable housing.

8.41 Policy HSG2: Housing Mix, of the IPG (2007) specifies an expected unit mix. The policy seeks that a range of dwellings with differing layouts should be provided to widen housing choice.

- 8.42 The proposals are for the creation of 46 units and falls within the threshold for providing affordable housing. The proposal is for the provision of 35.3 % affordable housing which complies with policy.
- 8.43 The affordable housing provision is further split into social rented and shared ownership tenures. A split of 80:20 is suggested pursuant to Policy HSG4 of the IPG (2007), whilst the London Plan (2008) indicates a regions wide requirement of 70:30 split pursuant to Policy 3A.7. The scheme provides a 70:20 split which is more in line with The London Plan (2008). This is acceptable and considered to be generally in line with policy.

Housing Mix

- 8.44 The Borough is in short supply of suitable family sized accommodation (3-6 units) as demonstrated in the Housing Needs Study (2004). Saved policy HSG7 of the adopted UDP requires new developments to provide a mix of unit sizes including a substantial proportion of family housing. Policy CP21 Dwelling Mix and Type of the IPG seeks new developments to contribute to the creation of mixed communities by offering a range of housing choices including a mix of dwelling sizes, family housing and accessible homes. Furthermore, policy CP19 New Housing Provision of the IPG seeks that new housing developments contribute to the Borough's housing need in particular contributing to family housing.
- 8.45 Family sized housing (3-5 bedrooms) is a requirement in all three housing tenures (private, intermediate and socially rented) although varying amounts are required by each.
- 8.46 For Private and Intermediate housing, policy CP21 of the IPG (2007) requires 25% family provision, and the scheme proposes 23% and 57% respectively. In the social-rent housing 45% is required and 85% is provided.
- 8.47 Overall the scheme deliveries 42% family housing based on habitable rooms. Furthermore, the proposed affordable housing provision of 35.3% based on habitable rooms meets the minimum criteria. The total provision of family housing is in line with policy and significantly the proposal involves the provision of 4, 5 bedroom maisonettes with private garden space within the socially rented sector. The proposed mix is considered acceptable and in line with Council policy.

Residential Space Standards

- 8.48 The SPG Residential Space Standards (1998) and saved policy HSG13 of the adopted UDP set out the minimum space standards for all new housing developments. In terms of unit size of the 46 units only 1 fails to meet the minimum space standards. Whilst in reference to bedroom room sizes within the whole scheme only 4 double bedrooms do not meet the minimum space standards. On balance the schemes is in compliance with the standards and is considered acceptable.

Wheelchair Housing and Lifetime Homes

- 8.49 Policy DEV3 of the IPG outlines that new development is required to incorporate inclusive design principles. Policy HSG9 of the IPG requires that at least 10% of all housing should be wheelchair accessible and new housing should be designed to Lifetime Homes standards.
- 8.50 6 units are to be easily adaptable to wheelchair accessible standards equating to 13% of the housing. The 6 accessible units are across all tenures and are all 2 bedroom units. All of the units are to be designed to lifetime homes standards. A condition will secure appropriate levels of wheelchair and lifetime homes housing.

Amenity Space

- 8.51 Saved policies HSG16 of the adopted UDP and Policy CP25 of the IPG provides that all new

housing developments should provide high quality, useable amenity space, including private and communal amenity space, for all residents of a new housing scheme. Both HSG16 and CP25 reinforces the need to provide high quality and usable private external space fit for its intended user, to be an important part of delivering sustainable development and improving the amenity and liveability for Borough's residents.

8.52 The SPG Residential Space Standards (1998) sets the space criteria, as does policy HSG7 of the IPG (2007).

8.53 The application proposes the following amenity space provision:
760 sqm of amenity space of which, 563 sqm is private amenity space in the form of private gardens, balconies and loggias and 197 sqm is shared amenity space in the form of a roof top terrace. The policy requirements are summarised in the tables below:

Table 2: SPG: Residential Space Standards (1998)

Tenure	Proposed	SPG Requirement	Total (m2)
Family Units	12	50sqm of private space per family unit	650
Non-family units	34	50sqm plus an additional 5 sqm per 5 non-family units	84
Child bed spaces	34	3sqm per child bed space	102
Total			836

Table 3: Interim Planning Guidance Amenity (2007) Space Standards

Units	Proposed	Minimum Standard (sqm)	Required Provision (sqm)
Studio	2	6	12
1 Bed	20	6	120
2 Bed	10	10	100
3 Bed	7	10	70
4 Bed	0	10	0
5 Bed	0	10	0
Total	39		302
Ground Floor Units			
Studio	0	25	0
1 Bed	1	25	25
2 Bed	1	25	25
3 Bed	1	50	50
4 Bed	0	50	0
5 Bed	4	50	200
Total	7		300
Grand Total			
			602
Communal Amenity	50sqm for the first 10 units, plus a further 5sqm for every additional 5 units		86
Total Housing Amenity Space Requirement			688

- 8.55 The provision of 760sqm falls between the IPG (2007) requirement of 688sqm and the Residential Space Standard (1998) requirement of 836sqm. On balance it is considered that the proposed level of amenity space provision is acceptable. In order to ensure that the proposed communal amenity space is well designed, a condition will be placed on the planning permission requiring details of all the communal landscaped areas to be submitted for the Council for approval.
- 8.56 Whilst private amenity space for some individual units falls below the recommended minimum levels, given that overall the total amenity space is acceptable and there is access to a communal roof terrace it is considered that the scheme would provide a good level of amenity space for future occupants.
- 8.57 In reference to Child Play Space in accordance with IPG (2007), it is necessary to provide 40sqm of child floor space. This will be provided within the communal roof terrace area and details of a child play space strategy will be required via condition as part of the Landscape Management Plan condition.

Amenity

- 8.58 Saved policy DEV2 of the UDP and policy DEV1 of the IPG seek to protect the residential amenity of the residents of the borough. These policies seek to ensure that adjoining buildings are not detrimentally affected by loss of privacy or overlooking of adjoining habitable rooms or a material deterioration of daylighting and sunlighting conditions.

Daylight and Sunlight

- 8.59 The amenity requirements that need to be satisfied in order for any development to be considered acceptable are specified in the BRE Guidelines (1991).
- 8.60 With regards to daylight, this guidance requires an assessment of the amount of visible sky which is achieved by calculating the vertical sky component at the centre of the window. The vertical sky component (VSC) should exceed 27%, or not exhibit 1 reduction of 20% on the former value, to ensure sufficient light is still reaching windows. In the event that these figures are not achieved, consideration should be given to other factors including the layout of the dwelling and average daylight factor (ADF).
- 8.61 With regard to sunlight, there is a requirement to assess windows of surrounding properties where the main windows face within 90 degrees of due south. Rooms are considered to receive sufficient sunlight if the window can receive more than 25% of annual probable sunlight hours during winter months.
- 8.62 The submitted daylight and sunlight report assessed the effects of the proposed development on the following schemes:
Staten Building – to the east of the site
Moreland Cottages – to the east of the site
Primrose Close – to the west of the site
- 8.63 The submitted report outlines that in reference to the Staten Building, whilst some of the windows will retain a VSC of more than 27%, the majority will be just below the benchmark. However, the variation in daylighting will be so minimal that proposed values will in the worst case be 0.87 compared with the former value and as such there will be no significant impact in terms of daylighting in relation to this building.
- 8.64 In reference to the Moreland Cottages, the ground floor windows which were tested have an

existing VSC of less than 27% but the variation as a result of the proposed scheme will be minimal. The proposed values will be 0.93 and 0.95 in difference from their former values.

- 8.65 In reference to Primrose Close, the four closest ground floor windows with a view of the development were tested. In 3 of the 4 windows, the VSC will remain above 27%, whilst in the fourth window the VSC level is already below 27%. However, as the proposed value will be 0.9 of the existing value, BRE guidance confirms that this variation will not be discernable to the occupant and the criterion is satisfied. In addition, 2 flank windows which face the proposed development have been tested. The difference between the existing VSC and the VSC as a result of the development will be 0.92 and 0.94 and as such will have a minimal impact. Notwithstanding, the Consultant believes these windows serve bathrooms.
- 8.66 In reference to sunlighting levels a number of windows that have been reviewed enjoy a southerly aspect i.e. have a view of the proposed development and face 90 degrees due south. In all these cases sunlight availability will continue to satisfy BRE criteria. The report outlines that there will not be an adverse effect.
- 8.67 A shadow analysis was conducted to the front of the Staten Building even though there is no amenity zone in front of these buildings. The analysis confirms that sunlight availability at the face of the ground floor windows will remain extremely good. As the Moreland Cottages stand slight to the south of the proposed development overshadowing is not relevant. Furthermore, there is no amenity zone in front of this property.
- 8.68 In reference to Primrose Close, similar to the existing building, the proposed development will cast a shadow onto the first gardens either side of Primrose Close but only in the morning hours. Even before midday the shadow will coincide with the long axis of the proposed development and the properties in Primrose Close will receive sun on the ground without hindrance from the proposed development.
- 8.69 It has therefore been established that the impacts of the proposed development in terms of daylight and sunlight, will comply with the standards as specified in the BRE guidance. The assessment concludes that there are no residential windows to the north or south of the site that require consideration and those to the east and west will continue to receive daylight in accordance with BRE recommendations and there will be no significant adverse affect. Similarly, with sunlight, the majority of residential windows reviewed for daylighting purposes enjoy a southerly aspect and in all these relevant cases, sunlight availability will continue to satisfy BRE criteria.

Sense of Enclosure, Outlook, Privacy and Overlooking

- 8.70 It is not considered that the proposed scheme would have an adverse impact on the outlook of residents to the east, north and south of the site.
- 8.71 Residents to the west of the site are separated from the property by minimum distance of approximately 27.8 metres and as such are not considered to be impacted upon in terms of outlook, sense of enclosure, privacy or overlooking because of the separation distances involved. The same can be said of residential properties to the south the site as there are no windows along the northern flank wall of 87-97 Fairfield Road.
- 8.72 The properties in Primrose Close at the rear of the development face in an east west direction and are perpendicular to the application site. As such, it is not considered that the proposed development will have an adverse impact on the residents of Primrose Close in terms of outlook from their properties as the face in an east west direction.

- 8.73 In reference to sense of enclosure, the separation distance between the flank wall of number 5 Primrose Close which is the nearest residential façade at the southern side of the site and

the proposal is a minimum of approximately 14 metres. The flank wall of Number 13 Primrose Close which is at the northern edge of the site does not directly face the proposed development. Here the separation distance is approximately 6 metres.

- 8.74 It is considered that as the properties in Primrose Close are facing in a north south direction the impact of the proposed development is minimised. Furthermore, where the development is closest to the properties in Primrose Close at the northern edge of the site the bulk and mass of the scheme has been reduced. At the front elevation along Fairfield Road the property is reduced to 5 storeys and at the rear elevation the property is reduced to 4 storeys. This reduces the impact of the proposed development and as such it is considered that the development will not have an adverse impact on the residents of Primrose Close in terms of outlook and sense of enclosure.

- 8.75 Residents in Primrose Close have raised concerns about the impact of the proposed development in terms of privacy. Number 10 and Number 13 Primrose Close have flank walls facing the proposed development. The separation distances at the southern end of the site are considered acceptable in this dense urban environment. Furthermore, number 10 does not have any windows in the flank wall. At the northern end of the site the separation distance is less. However, the flank wall of number 13 is not directly opposite the site. As such, there would be no direct over looking between habitable room windows.

- 8.76 In relation to the proposed balconies and loggias at the upper floors and the proposed roof terrace, it is considered that they would not result in an unacceptable level of overlooking in this urban environment. The properties in Primrose Close are perpendicular to the proposed development and as such, there would be no direct overlooking from the balconies. In reference to the communal garden at roof level this is set back from the property line and would not result in an increase in overlooking. As such the proposed development is considered acceptable in terms of sense of enclosure, outlook, privacy and overlooking in relation to the surrounding residential developments. This is in line with saved policy DEV2 of the adopted UPD (1998) and DEV1 of the IPG (2007). These policies seek to ensure appropriate design within the Borough.

Noise

- 8.77 Saved policy DEV50 of the adopted UDP and DEV10 of the IPG seek to ensure that residents of the Borough are not adversely affected by works during construction. Conditions restricting the hours of construction and pile driving will be placed on the planning permission.

Highways

Parking Provision

- 8.78 Policy CP40 of the IPG seeks to ensure that the Council will create a sustainable transport network in the Borough which would seek to minimise car travel and support walking, cycling and public transport. Saved UDP policy T16 and policy DEV17 of the IPG outlines that in respect of new development consideration should be given to the impact of the additional traffic which is likely to be generated. Furthermore, policies 2A.1, 3A.5, 3C.1 of the London Plan (2008) reflect the Councils own policies.
- 8.79 The application is supported by a Transport Statement (Ref: 08122, January 2009, prepared by First Plan) and a draft Travel Plan, (Ref: 08122, January 2009, prepared by First Plan). Further, information was also provided in relation to trip generation data in relation to the impact of the proposed development on the surrounding public transport network.
- 8.80 The site is located within a PTAL range of 4. The site is in close proximity to Bow Church DLR Station and Bow Road Underground Station. There are also several bus routes

adjacent to the site. The LBTH Highways comments are discussed in section 6 of this report. Overall they are satisfied with the proposal.

- 8.81 Initially, the proposal sought to use the surrounding on street parking bays as well as providing 4 additional on street bays in front of the sites. After discussion, the applicant agreed to sign a 'car free agreement' and this will be secured via the Section 106 agreement. This is in line with the Council's parking standards which are set out in Planning Standard 3 contained within the Interim Planning Guidance (2007). It is also in line with DEV19 of the Interim Planning Guidance (2007). This policy seeks to minimise parking provision and promote sustainable transport options within the Borough. In this location, it is considered that the lack of disabled car parking is acceptable. Disabled badge holders are exempt from the Section 106 Car Free Agreement. Furthermore, there are on street car parking bays directly adjacent to the site.
- 8.82 The proposal includes the provision of 46 cycle spaces which is located at within the undercroft. This is a secure location for cycle parking and is accessible via stairs and lift. There is also a provision of 6 visitor parking cycle spaces. This is in line with the above policies.
- 8.83 Objections have been received from neighbours expressing concern about the impact of the proposed development on Fairfield Road. As the development will be designated as 'car free' this will reduce any impact on the highway network. Furthermore, £20,000 has been secured as a contribution to highways works along Fairfield Road for traffic calming measures.

Permeability

- 8.84 Policy T16 of the adopted UDP (1998) outlines that in accessing development proposals account should be taken of various matters including if the operation of the development would result in a detonation in the environment of residential areas.
- 8.85 Policy T21 of the adopted UDP (1998) seeks to ensure that existing pedestrian routes will be retained and improved. The main body of the text continues to state that "improvement to the safety and convenience of pedestrians on the roads is therefore seen as a critical element of the Council's transport strategy.
- 8.86 Policy CP24 of the IPG (2007) outlines that the Council will seek the creation of a sustainable transport network; this includes supporting the provision of new and improved pedestrian and cycle facilities. Furthermore, policy CP42 seeks the creation of better and safer streets to improve the quality of life and this includes encouraging innovative measures to facilitate pedestrian and cyclist movement.
- 8.87 Policy CP46 of the IPG (2007), seeks to create inclusive environments by ensuring buildings and the public realm can be accessed and used by all people. This includes ensuring that new development is integrated into the surrounding area and assists in improving connectivity and accessibility and ensuring new development assists in creating a more permeable public realm. DEV3 also reflects this and seeks to ensure that development should improve permeability of the site and improve connectivity with the surrounding area, particular to public transport and town centres.
- 8.88 The proposed development includes the creation of a pedestrian link between Fairfield Road and Primrose Close via an under-croft. Residents have raised concerns about the impact of the proposed pedestrian link in terms of safety and security, an increase in foot traffic and a reduction in their quality of life.
- 8.89 The route of the former North London Railway line, now partially used by the DLR system to the south of Bow Junction bridges, creates a significant urban severance. Essentially, there is a lack of east-west routes along the length of Fairfield Road on the western edge.

- 8.90 Consequently, the neighbourhoods to the rear of the site are relatively isolated in terms of its connections to the surrounding streets. Fairfield Road is 619 metres in length and runs in a north-south direction. There are no east west routes along the western edge of Fairfield Road. The proposed pedestrian link would connect Primrose Close at the rear to Fairfield Road. Furthermore, the pedestrian link would potentially reduce the journey time to Bow Road underground station from 9 minutes (700 metres) to 5 minutes (700 metres).
- 8.91 Overall, it is considered that the creation of improved permeability and connections in this area is essential and is in line with Council policy which seeks to create a more permeable public realm. The access route through the site will be secured by a legal agreement. In relation to concerns regarding safety and security, as previously noted a condition requiring compliance with secure by design standards will be required. Furthermore, full details of the proposed lighting scheme and materials for the undercroft will be controlled via condition.

Sustainability and Energy

- 8.92 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used and generated from renewable sources. The London Plan (2008) requires a reduction of 20% reduction in carbon dioxide emissions from on site renewable energy generation.
- 8.93 The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG. In particular, policy DEV6 requires that:
- All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
 - Major developments incorporate renewable energy production to provide at least 10% of the predicted energy requirements on site.
- 8.94 The submitted energy assessment is broadly in compliance with the above policies. It has assessed a number of passive and energy efficiency design measures including improved building fabric and glazing which will ensure compliance with Part L1a of the Building Regulations. Furthermore, the proposal has looked at a range of renewables and has concluded that either photovoltaic or solar thermal would be the preferred option which would result in a savings of between 6.4% and 10.1%. As the full details of the proposed method of achieving 10% of predicted energy requirements on site have not been provided, it is proposed to place a condition on the planning permission requiring full details to be submitted prior to the commencement of the development.
- 8.95 The proposed affordable housing would need to meet Code Level 3 of the code for sustainable homes in order to be in line with policy. A condition will be placed on the planning permission requiring a full assessment to be completed and submitted to the Local Planning Authority for approval prior to the occupation of the building.

Other Planning Issues

Refuse Storage

- 8.96 The proposed bin store is located at ground floor level within the undercroft and will provide a total of 10 eurobins, 5 of which will be for refuse, 3 for dry recyclables and 2 for compostable waste. It is considered that the proposed provision of refuse storage is acceptable in terms of accessibility and collection arrangements.

Safety and Security

- 8.97 Concern was raised by the Crime Prevention Officer about the large recesses at ground floor

level on Fairfield Road. However, it is considered that the provision of semi-private space along the Fairfield Road elevation creates interest at street level. Furthermore, the height of the proposed walls for these semi private spaces would be 2 metres in height and are adequately overlooked and as such would not pose a problem.

8.98 Whilst, the Crime Prevention Officer has raised concerns about the provision of an undercroft, it is considered that the benefits of creating east west links in this location outweigh these concerns. Furthermore, there will be activity within the undercroft as this will be the main entrance for the residential properties above and also contains the bin store and bike store which will ensure a level of natural surveillance.

8.99 It is considered that a condition requiring the application for secure by design standards would ensure that the proposed development will ensure the creation of a safe and secure development which would not result in crime problems in the surrounding area. Details of the lighting levels within this public area of the development will also be required via condition in order to ensure that this is a well used safe space.

Contaminated Land

8.10 A land contamination assessment has been submitted as part of the application and this has been reviewed by the LBTH Environmental Health Contaminated Land Officer. Overall, they were satisfied with the contents of the report subject to the submission of further information regarding water sampling results. This will be controlled via condition.

Archaeology

8.10 The site is located in an area of archaeological importance or potential. A condition will be placed on the planning permission requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation.

Landscaping

8.10 The proposed development includes the creation of a communal roof garden and a pedestrian link which would have public access. As such, it is essential that these areas of the development are landscaped satisfactory and maintained for perpetuity. A condition will be placed requiring full details of a landscaping management plan to be submitted for approval by the LPA.

Conclusions

8.10 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application
Site Map



1:1,461



Planning Application Site Boundary



Consultation Area



Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

LONDON BOROUGH OF TOWER HAMLETS

Agenda Item number:	7.1
Reference number:	PA/09/00177
Location:	101 – 109 Fairfield Road
Proposal:	Demolition of existing building and erection of a six storey building to provide 46 residential units (2 x studio, 21 x 1 bedroom, 11 x 2 bedroom, 8 x 3 bedroom, 4 x 5 bedroom), together with the provision of a pedestrian link between Fairfield Road and Primrose Close, cycle and bin stores and roof top amenity space.

1. ADDITIONAL REPRESENTATIONS

- 1.1 An email has been received from Fast Drinks Ltd, withdrawing both the petition and letter they submitted in objection to the scheme.

2. CLARIFICATION

- 2.1 There is a typing error in paragraph 4.4 of the report in relation to the proposed housing mix for the scheme. It should read:

11 of the units are to be affordable housing (35.3% of proposed habitable rooms). Of which 7 of the affordable units are available for social rent and 4 for shared ownership. This equates to a 70:30 split between the two tenures by habitable room. 5 Wheelchair accessible units are proposed. All 46 units will accord with Lifetime homes standards.

- 2.2 There is a typing error in paragraph 4.8 of the report in relation to the location of Primrose Close. It should read:

To the south of the site is a residential development of 6 storeys in height. To the north of the site is an industrial building which is two storeys in height. To the west of the site is Primrose Close which runs perpendicular to Fairfield Road. The properties situated on Primrose Close run at right angles to the rear of the site. The properties adjacent to the site are 2 storeys in height and the rise to 4 storeys adjacent to Morville Street.

- 2.3 There is a typing error in paragraph 8.43 of the report which in relation to the proposed housing split. It should read:

The affordable housing provision is further split into social rented and shared ownership tenures. A split of 80:20 is suggested pursuant to Policy HSG4 of the IPG (2007), whilst the London Plan (2008) indicates a regions wide requirement of 70:30 split pursuant to Policy 3A.7. The scheme provides a 70:30 split which is more in line with The London Plan (2008). This is acceptable and considered to be generally in line with policy.

- 2.4 There is a typing error in paragraph 8.73 of the report. It incorrectly identifies number 10 Primrose Close as number 5. The paragraph should read:

In reference to sense of enclosure, the separation distance between the flank wall of number 10 Primrose Close which is the nearest residential façade at the southern side of the site and the proposal is a minimum of approximately 14 metres. The flank wall of Number 13 Primrose Close which is at the northern edge of the site does not directly face the proposed development. Here the separation distance is approximately 6 metres.

- 2.5 There is a typing error in paragraph 8.90 of the report in relation to the distance between Primrose Close and Bow Church Underground Station as a result of the proposed development. The paragraph should read:

Consequently, the neighbourhoods to the rear of the site are relatively isolated in terms of its connections to the surrounding streets. Fairfield Road is 619 metres in length and runs in a north-south direction. There are no east west routes along the western edge of Fairfield Road. The proposed pedestrian link would connect Primrose Close at the rear to Fairfield Road. Furthermore, the pedestrian link would potentially reduce the journey time to Bow Road underground station from 13 minutes (700 metres) to 5 minutes (500 metres).

- 2.4 For clarification the front elevation of the properties numbered 1-3 (odd) Primrose Close face south east and the front elevation of properties numbered 2-10 (even) Primrose Close face north west.

2. RECOMMENDATION

- 2.1 The recommendation to GRANT planning permission is unchanged.

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Agenda Item 8

Committee: Development	Date: 3 rd June 2009	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
 - the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
 - the adopted London Plan 2004 (as amended by Early Alterations December 2006)
- 3.2 Other material policy documents include the Council's Community Plan, Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 Whilst the adopted UDP 1998 (AS SAVED) is the statutory development plan for the borough (along with the London Plan), it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework. As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 3.7 The reports take account not only of the policies in the statutory UDP 1998 but also the emerging plan and its more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 22 of the General Development Procedure Order 1995, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at Agenda Item 5.

5. RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

Agenda Item 8.1

Committee: Development	Date: 3 June 2009	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Marie Joseph		Ref No: PA/09/00050	
		Ward(s): Limehouse	

1. APPLICATION DETAILS

Location:	Charlesworth House, Dod Street London
Existing Use:	Vacant land
Proposal:	Construction of 7 three storey residential units on land to the rear of Charlesworth House comprising 6 x 4 bed houses and 1 x 5 bed house together with landscaping and associated infrastructure works.
Drawing Nos:	LW20(PL) 00 – Location plan LW20(PL) 01D – Ground floor plan LW20(PL) 02D – First floor plan LW20(PL) 03D – Second floor plan LW20(PL) 04D – Roof plan LW20(PL) 05D – South East & North West elevations LW20(PL) 06D – Flank Elevation & Sections Supporting Information : - Design and Access Statement prepared by Stock Woolstencroft Architects - Transport Statement prepared by Intermodal Transportation - Air Quality Assessment prepared by WSP - Sustainability and Energy Statement prepared by Dixon DeBoise - Tree Survey prepared by Hayden's Arboricultural Consultants - Daylight and Sunlight Report prepared by Delva Patman - Environmental Site Investigation Report prepared by REC Ltd
Applicant:	Urban Living
Owners:	Poplar Housing and Community Association
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan (UDP), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's Policy, as well as the Government Guidance which seeks to maximise the development potential of sites. The proposal makes efficient use of the site with a high-density residential development and as such accords with Policy 3A.3 of the London Plan (Consolidated with alterations since 2004) and HSG1 of the Council's Interim Planning Guidance (2007). These Policies seek to maximise intensity of use compatible with local context.
- The proposed buildings are considered appropriate in terms of design, bulk and

scale. This is in line with Saved Policy DEV1 of the adopted UDP (1998) and Policies DEV2 and CON2 of the Interim Planning Guidance (2007). These policies seek to ensure appropriate design within the Borough which respects the local context and preserves.

- The application provides 7 family sized units (6 x 4 bed houses and 1 x 5 bed), for which there is a substantial demand in the Borough, as shown by the Housing Need Survey (2004). As such, the proposal would comply with Policy 3A.5 of the London Plan (Consolidated with Alterations Since 2004) and Policy CP23 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007) which seek to ensure an appropriate provision of family sized accommodation in the Borough.
- The quantity and quality of housing amenity space and communal space is acceptable and accords with Policies 3A.6, 3D.13 and 4B.1 of the London Plan (2008), Policies DEV1, DEV12 and HSG16 of the adopted UDP (1998) and policies DEV2, DEV3 DEV4 and HSG7 of the Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.
- The proposal is considered appropriate in relation to the residential amenity of the site. The impact of the development in terms of daylighting and sunlighting, overshadowing, sense of enclosure, outlook, privacy and noise is acceptable given the compliance with relevant BRE Guidance and the urban context of the site. This is in line with Saved Policy DEV1 and DEV2 of the adopted UDP (1998) and DEV1 and DEV2 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- Contributions have been secured towards the provision of affordable housing, health care and education facilities in line with Government Circular 05/05, Saved Policy DEV4 of the Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance: Core Strategy and Development (October 2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

A. The prior completion of a **legal agreement** to secure the following planning obligations:

- a) The affordable housing at the Charlesworth Terrace site is provided prior to the occupation of the market housing at Shepherd House.
- b) To provide 36.6% of the residential accommodation across both the Charlesworth Terrace and Shepherd House sites as affordable housing measured by habitable rooms.
- c) To provide a tenure split of 75% social rented and 25% intermediate housing across both the Charlesworth Terrace and Shepherd House sites.
- d) Health contribution of £34,036 (combined contribution for both sites)
- e) Education Contribution of £86,394 (combined contribution for both sites)
- f) Highways Contribution £3,000
- g) Car Free Agreement.
- h) Any other planning obligations considered necessary by the Corporate Director Development and Renewal.

3.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

- 3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Full time limit
- 2) Facing Materials
- 3) Contamination condition
- 4) Landscaping
- 5) Insulation measures and noise assessment
- 6) Any other condition(s) considered necessary by the Corporate Director of Development and Renewal.

Informatives

- 1) S278 Highways agreement

- 3.4 That if by 18 June 2009 any legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director of Development and Renewal be delegated the authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This application seeks permission for the construction of 7 three storey residential units comprising 6 x 4 bed houses and 1 x 5 bed house, together with landscaping and associated infrastructure works.
- 4.2 This site forms part of the Urban Living Initiative proposed by Poplar Harca and Bellway Homes which aims to create new residential units within the Poplar area of the Borough through regeneration.
- 4.3 The application is linked to a proposal at Shepherd House, Annabel Close which is located 800 metres to the east (Ref. PA/09/00483). The application at Shepherd House is reported separately on this agenda. The applications are linked regarding the provision of affordable housing and dwelling mix. It is proposed that this application comprises 100% affordable social rented housing, with a mix of market and intermediate housing provided at Shepherd House.

Site and Surroundings

- 4.2 The site is located along the frontage of Farrance Street is bounded by the residential blocks of Gurdon House to the North, Charlesworth House to the West and Leybourne House to the South West. The site is situated approximately 40m from the main thoroughfare of Burdett Road and is located within the Limehouse Ward of the Borough. The site is located 800 metres West of Shepherd House in Annabel Close (Ref. PA/09/00483) which is linked with this application.
- 4.3 The site currently exists as an area of paving adjacent to the grassed amenity space of Charlesworth House. This area does not provide any formal amenity space for the existing buildings.
- 4.4 The area in which the site is located is predominantly residential. The residential blocks immediately surrounding the site range between four and five storeys in height.

4.5 The site has a higher than average public transport accessibility level (PTAL) of 4.

5. POLICY FRAMEWORK

5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

Unitary Development Plan 1998 (as saved September 2007)

5.2 Policies:	ST1	Deliver and Implementation of Policy
	ST23	Quality Housing Provision
	ST28	Restrain Private Car
	DEV1	General design and environmental requirements
	DEV2	Development requirements
	DEV4	Planning Obligations
	DEV12	Landscaping in development
	DEV15	Retention/Replacement of Mature Trees
	DEV50	Noise
	DEV 51	Contaminated Land
	DEV55	Development and Waste Disposal
	DEV56	Waste recycling facilities
	HSG7	Housing Mix and Type
	HSG1	Residential Space Standards
	HSG15	Preserving Residential Character
	HSG16	Amenity space
	T16	Pedestrians
	T18	Pedestrians

Interim Planning Guidance for the purposes of Development Control

2.3 Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Development
	CP4	Good Design
	CP19	New Housing Provision
	CP20	Sustainable Residential Development
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP38	Energy Efficiency and Production of Renewable Energy
	CP40	Sustainable Transport Network
	CP47	Community Safety
Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy Efficiency and Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables storage
	DEV19	Parking for Motor Vehicles
	DEV22	Contaminated Land
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions
	HSG4	Varying the Ratio of Social Rented and Intermediate Housing
	HSG7	Housing Amenity Space

HSG9	Accessible and Adaptive Homes
HSG10	Calculating Provision of Affordable Housing
PS2	Refuse and Recycling Provision
PS3	Parking Matrix
PS4	Density Matrix
PS5	Lifetime Homes

Spatial Development Strategy for Greater London (London Plan) Consolidated with alterations since 2004.

5.4	Policies	2A.1	Sustainability Criteria
		2A.2	Spatial Strategy for Development
		2A.6	Areas for Intensification
		3A.1	Increasing London's Supply of Housing
		3A.2	Borough Housing Targets
		3A.3	Maximising the Potential of Sites
		3A.5	Housing Choice
		3A.8	Definition of affordable Housing
		3A.9	Affordable Housing Targets
		3A.10	Negotiating Affordable Housing
		3A.11	Affordable Housing Thresholds
		3A.13	Special needs and Specialist Housing
		3A.17	Addressing the Needs of London's Diverse Population
		3A.20	Health Objectives
		3A.23	Health Impacts
		3A.24	Education Facilities
		3C.1	Integrating Transport and Development
		3C.2	Matching Development to Transport Capacity
		3C.22	Sustainable Transport in London
		3C.23	Parking Strategy
		3C.3	Maintaining and Improving Retail Facilities
		3D.8	Realising the Value of Open Space and Green Infrastructure
		3D.12	Open Space Provision
		3D.13	Play and Informal Recreation Strategies
		3D.14	Biodiversity and Nature Conservation
		4A.1	Tackling Climate Change
		4A.2	Mitigating Climate Change
		4A.3	Sustainable Design and Construction
		4A.6	Energy Assessment
		4A.9	Renewable Energy
		4A.13	Flood Risk Management
		4A.16	Water Supplies and Resources
		4A.19	Water Sewerage and Infrastructure
		4A.20	Reducing Noise
		4B.1	Design Principles for a Compact City

Government Planning Policy Guidance/Statements

5.5	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPG13	Transport
	PPS22	Renewable Energy

Community Plan The following Community Plan objectives relate to the application:

5.6	A better place for living safely
	A better place for living well

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL

PLANNING CONSIDERATIONS section below.

The following were consulted regarding the application:

LBTH Arboricultural Officer

- 6.2 No comment in respect of the proposed development.

LBTH Education

- 6.3 The proposed dwelling mix is assessed as requiring a contribution towards the provision of 7 additional primary school places at £12,342 each, therefore totalling £86,394 (NB- this is combined with the development at Shepherd House)

LBTH Environmental Health

6.4 Land Contamination

- The desk based study submitted is considered to be satisfactory.
- The applicant has stated that further works must be undertaken on site and therefore no comments can yet be made in relation to the remediation that has taken place. Contamination condition would be appropriate.

Noise and Vibration

- All units should be designed in accordance with the code of practice internally and externally.
- The developer must carry out a background noise assessment and should confirm the mitigation proposed for indoor noise levels.

[Officer Comment: It is considered that the above matters can be dealt with by condition]

Daylight and Sunlight

- No objections to the proposal

LBTH Highways

- 6.5 The subject site is in an area with an above average PTAL accessibility rating and no car parking spaces are proposed. Therefore, the site is considered to have a very good level of accessibility to local public transport links and a car-free S106 agreement should be applied.

A financial contribution of £3,000 towards:

- consultation on a Traffic Management Order
- provision of an on-street disabled bay on Farrance Street

There are existing cycle facilities within the immediate area of the site which are acceptable and would meet the requirements for cycle storage.

Conditions should be included in relation to highways improvements and S278 agreement.

[Officer Comment: The £3000 contribution requested by LBTH Highways has been secured. Requirements for a s.278 will be dealt with by placing an informative]

London Thames Gateway (Statutory Consultee)

- 6.6 No comments to make in relation to the scheme.

Land Use

- 8.2 This application proposes 6 x 4 bed, 1 x 5 bed residential units with associated landscaping and infrastructure works.
- 8.3 Policy CP19 of the Interim Planning Guidance (October 2007) seeks to direct new residential development to brownfield sites appropriate for housing. Given the current redundant use of the site and the residential character of the area, it is considered that the proposed residential dwellings would be in accordance with this policy.
- 8.4 Concerns have been raised within representations that the proposed terrace would constitute development on an area of existing open space facing onto Farrance Street. The area comprises of hard standing and appears to be used for storage. It is not accessible from the surrounding properties. Charlesworth House and Gurdon House have existing rear amenity spaces which adjoin the application site, but are separated by existing fencing. This site is not considered to be an area of public open space. As such, it is the principle of development of this unused hardstanding is considered to be acceptable.

Density

- 8.5 Policy CP20 of the Interim Planning Guidance (October 2007) recognises the need to maximise residential densities on individual sites within the Borough taking into account other material considerations. The application proposal has a density of 825 habitable rooms per hectare. The London Plan sets out a density range of 200-700 habitable rooms per hectare. The proposal does not significantly exceed the density levels set out in the London Plan. The site is located in an area with good access to public transport and is considered to be of an appropriate scale in view of the surrounding context. As such, the proposal accords with the aims of Policy 3A.3 in the London Plan in accordance with Policy CP20 of the Interim Planning Guidance (October 2007).

Housing

Affordable Housing

- 8.6 Policy 3A.9 of the London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing, taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Boroughs own affordable housing targets. Interim Planning Guidance policies CP22 and HSG3 seek to achieve 50% affordable housing from all sources across the Borough, and specify that individual developments should provide a minimum 35% affordable housing.
- 8.7 Policy HSG3 in the Interim Planning Guidance supports the provision of off-site affordable housing where an appropriate alternative site has been identified which can accommodate the provision and the Council considers that it will result in a better outcome than if the affordable housing was provided on site.
- 8.8 The developer seeks to link the affordable housing obligation arising from this development for Charlesworth Terrace with the development at the Shepherd House which is reported separately on this agenda. It is proposed that off-site provision is provided at Charlesworth Terrace in lieu of the majority of the obligation arising from the Shepherd House development. It is proposed that the majority of the private residential accommodation would be within the higher density development at Shepherd House. This proposal at the Charlesworth Terrace site would be a lower density scheme with a focus on affordable family accommodation.
- 8.9 This 'package approach' provides 37% affordable housing provision across both sites (41 habitable rooms) together with the re-provision of the existing 16 habitable rooms in Shepherd House to give an overall provision of 57 habitable rooms. This would provide an overall affordable housing provision of 44.5% of the total number of habitable rooms.

8.10 It is considered that providing affordable housing off-site is of benefit for the following reasons:

- Provide a better mix of affordable housing
- Produce better quality affordable housing – the social rented units comprise houses with private rear gardens which are more suitable for family accommodation.
- A higher proportion of family housing is provided (all social rented units proposed in this scheme are family sized)

8.11 For the reasons above, it is considered that the proposal would result in a better outcome and as such complies with the requirements of Policy HSG3 in the Interim Planning Guidance.

Tenure Mix

8.12 London Plan Policy 3A.9 promotes mixed and balanced communities by seeking a 70:30 split between social rent and intermediate tenures in affordable housing. In Tower Hamlets there is an identified need for a larger percentage of social rented units which is reflected in the 80:20 split between these tenures specified in IPG policies CP22 and HSG4. In terms of affordable housing split, the combined development at Shepherd House and Charlesworth Terrace represents a provision of 25% intermediate and 75% social rented housing. This falls between the London Plan requirements and those in the IPG and as such is considered acceptable.

Housing Mix

8.13 London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Unitary Development Plan policy HSG7 requires new housing schemes to provide a mix of unit sizes including a substantial proportion of family dwellings of between 3 and 6 bedrooms. Policies CP21 and HSG2 in the IPG specify that a mix of unit sizes should be provided to reflect local need and to contribute to the creation of balanced and sustainable communities. Policy HSG2 provides target percentages for dwelling sizes in affordable and market housing.

Unit Size	Total Units	Social Rented Charlesworth Terrace			Intermediate Shepherd House			Market Shepherd House		
		Units	%	Target	Units	%	Target	Units	%	Target
Studio	0	0	0	0	0	0	25	0	0	25
1 bed	12	0	0	20	2	40	25	10	40	25
2 bed	11	0	0	35	2	40	25	9	36	25
3 bed	7	0	0	30	1	20	25	6	24	25
4 bed	6	6	86	10	0	0		0	0	
5 bed	1	1	14	5	0	0		0	0	
Total	37	7	100	100	5	100	100	25	100	100

8.14 The overall provision of family units across both sites equates to an overall provision of 38% of units with 3 or more bedrooms, with all social rented units (located in Charlesworth Terrace) being family sized units. Given the high level of family housing provision in the social rented sector, it is considered that the overall mix responds well to local needs and is acceptable in terms of policy.

Design

8.15 This application seeks permission for a terrace of three storey buildings to be erected on site which would measure 11.9 metres at its highest point. The neighbouring properties of Leybourne House, Gurdon House and Charlesworth House measure 16.3 metres, 11.2 metres and 14 metres respectively. Given these existing building heights, it is considered that the proposal would be in keeping with its surroundings in accordance with Saved Policy

DEV1 of the UDP (1998), Policy DEV2 of the Interim Planning Guidance (October 2007) and Policy 3A.6 of the London Plan.

- 8.16 The design of the proposal consists of a uniform terrace of dwellings, each with render sections at first and second floor levels which project from the main brick form and have an angled mono-pitch roofline. The third floor of the units would be clad with cedar and include balconies. It is considered that the proposed scale, design, materials and height of the proposal be acceptable and respect the character and appearance of the area.
- 8.17 The proposal would be faced with yellow stock brick, off white render, red cedar cladding and painted powder coated window frames and balustrades. It is considered that these materials are of a high specification and would have no discernible impacts upon the existing street scene. To ensure that an appropriate finish is secured, a condition has been imposed for samples of the facing materials to be approved in writing before development commences.
- 8.18 The Council's Conservation and Urban Design Department have been consulted in relation to the proposal and were involved within pre-application discussions relating to the entire Poplar Harca Urban Living Initiative. No objections have been raised to the proposed design and a condition has been included in relation to facing materials to ensure an appropriate finish.
- 8.19 There are no trees located on the application site. A tree survey has been submitted to consider the impact on trees in the adjoining gardens. The Council's Arboriculture Department have been consulted and have no objection to these proposals. No formal landscaping scheme has been submitted for the proposed amenity areas, a condition has been imposed to ensure a high specification of amenity in accordance with Saved Policy DEV12 of the UDP (1998) and Policy DEV13 of the Interim Planning Guidance (October 2007).
- 8.20 For these reasons the proposal would adhere to Saved Polices DEV1, DEV12 and DEV7 of the Unitary Development Plan (1998) and Policies DEV2 and HSG2 of the Interim Planning Guidance: Core Strategy and Development Control Plan (October 2007) and Policy 3A.7 of the London Plan (February 2008) which seek to ensure appropriate design, amenity space and quality of developments within the Borough

Amenity

- 8.21 This application seeks permission for 7 residential units 6 x 4 bed and 1 x 5 bed, all of which are 3 storeys in height.

Standard of Accommodation

- 8.22 In regard to HSG13 (Residential Space) it is considered that there is an adequate provision of internal residential space. The minimum space standards set out in The London Borough of Tower Hamlets Supplementary Planning Guidance Note Residential Space (1998) are met by all applicable rooms. All units would provide accommodation to the lifetime homes standard, and one unit would be designed as a wheelchair accessible house. As such, the proposal would adhere to Policy HSG9 of the Interim Planning Guidance and Policy 3A.5 of the London Plan which seek to ensure accessible homes within new developments in the Borough.
- 8.23 Policy HSG16 of the UDP requires the provision of adequate amenity space in new housing development. Interim Planning Guidance Policy HSG7 set specific minimum standards for housing amenity space based on the size of the dwellings. The policy set out that 50 sq.m is required per house.
- 8.24 The application proposes rear gardens and a roof terrace accommodated at second floor

level. The 4 bedroom houses each have amenity space totalling 30.5 sq.m and the 5 bedroom house has amenity space totalling 43 sq.m. Whilst this is below the standards set out in the IPG, the site is located within 200m of Bartlett Park which provides a large open recreational area. As such, it is considered that the proposed amenity space provision can be accepted.

- 8.25 It is considered that this would be an adequate supply of amenity space in accordance with Saved policy HSG16 of the UDP (1998), Policies CP25 and HSG7 of the Interim Planning Guidance (October 2007) and Policy 3A.6 of the London Plan.

Residential Amenity

- 8.26 In terms of amenity, Policy DEV2 in the UDP and Policy DEV1 in the IPG seeks to ensure that development protects the amenity of existing and future residents.
- 8.27 In accordance with BRE guidance, a Daylighting and Sunlighting report was submitted with the application. The report calculates the Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Sunlighting for adjoining properties.
- 8.28 The VSC quantifies the amount of skylight falling on a vertical wall or window. For a room with non-continuous obstructions there is the potential for good daylighting provided that the VSC, at the window position 2m above ground, is not less than the value for a continuous obstruction of altitude 25 degrees. This is equal to a VSC of 27%.
- 8.29 The VSC calculation can be related to the ADF which, in addition to the amount of skylight falling on a vertical wall or window, considers the interior daylighting of the building. The calculation takes into account the thickness of the glazing, size of the window, reflectance and total area of room surfaces.
- 8.30 Sun lighting has been measured using sunlight availability indicators or sunpath indicators. The British Standard recommends that at least 25% of annual probable sunlight hours be available at the reference point, including at least 5% of annual probable sunlight hours in the winter months.
- 8.31 Concerns have been raised by neighbouring occupiers in relation to a loss of daylight, particularly at Charlesworth, Leybourne and Gurdon House. In accordance with BRE guidance, a Daylight and Sunlight report and additional sky contour assessment has been submitted and examined by the Council's Environmental Health Department.
- 8.32 In particular, Charlesworth House currently benefits from an open site to the south. As such, there will be some daylight impacts on the properties at ground and first floor given that there is currently no obstruction. However, all of the resultant daylight and sunlight readings would adhere to the current BRE standards and as such all existing properties would still benefit from acceptable daylight and sunlight levels. The Council's Environmental Health Department have reviewed the report and consider the findings acceptable.
- 8.33 It is not considered that the proposed scheme would have an adverse impact on the outlook of residents surrounding the site. In terms of overlooking, the windows in the rear elevation at first and second floor level have been angled to prevent any direct overlooking to the surrounding developments. Other windows in the rear elevation serve bathrooms and are indicated on the plans as being opaque glazing.
- 8.34 For the reasons stated above it is considered that the proposal would meet the required standards and adhere to Saved Policy DEV2 of the Interim Planning Guidance (1998) and DEV1 of the Interim Planning Guidance (October 2007) which seek to safeguard the amenities of the occupiers of the borough.
- 8.35 Entrances to the houses are proposed from Farrance Street. These are in close proximity to

the public highway and have good visibility therefore minimising safety and security issues for future occupiers in accordance with Policy DEV4 of the Interim Planning Guidance (October 2007).

Refuse and Recycling

- 8.36 Each property has space at the front of the property for 2 refuse stores and this is considered to be acceptable and has raised no objections from the Council's Refuse or Highways department.

Transport & Highways

- 8.37 The site is situated within an area of above average public transport accessibility. Concerns have been raised in relation to the current parking situation within the area and the impact that further properties would have on this. However, the proposal includes no car parking spaces in accordance with policy DEV19 in the Interim Planning Guidance (October 2007) which seeks to minimise parking and promote sustainable transport. This car-free development will be endorsed within the S106 agreement which accompanies the application.
- 8.38 Initial concerns were raised by the Council's Highways Department in relation to a lack of information pertaining to disabled parking spaces within the vicinity of the development. Following discussions with the developer £3,000 has been secured within the S106 agreement for traffic management, and a disabled space provided as shown on the disabled bay location plan. As such, it is considered that the scheme would adhere to Saved Policies T16 and T18 of the Unitary Development Plan (1998).

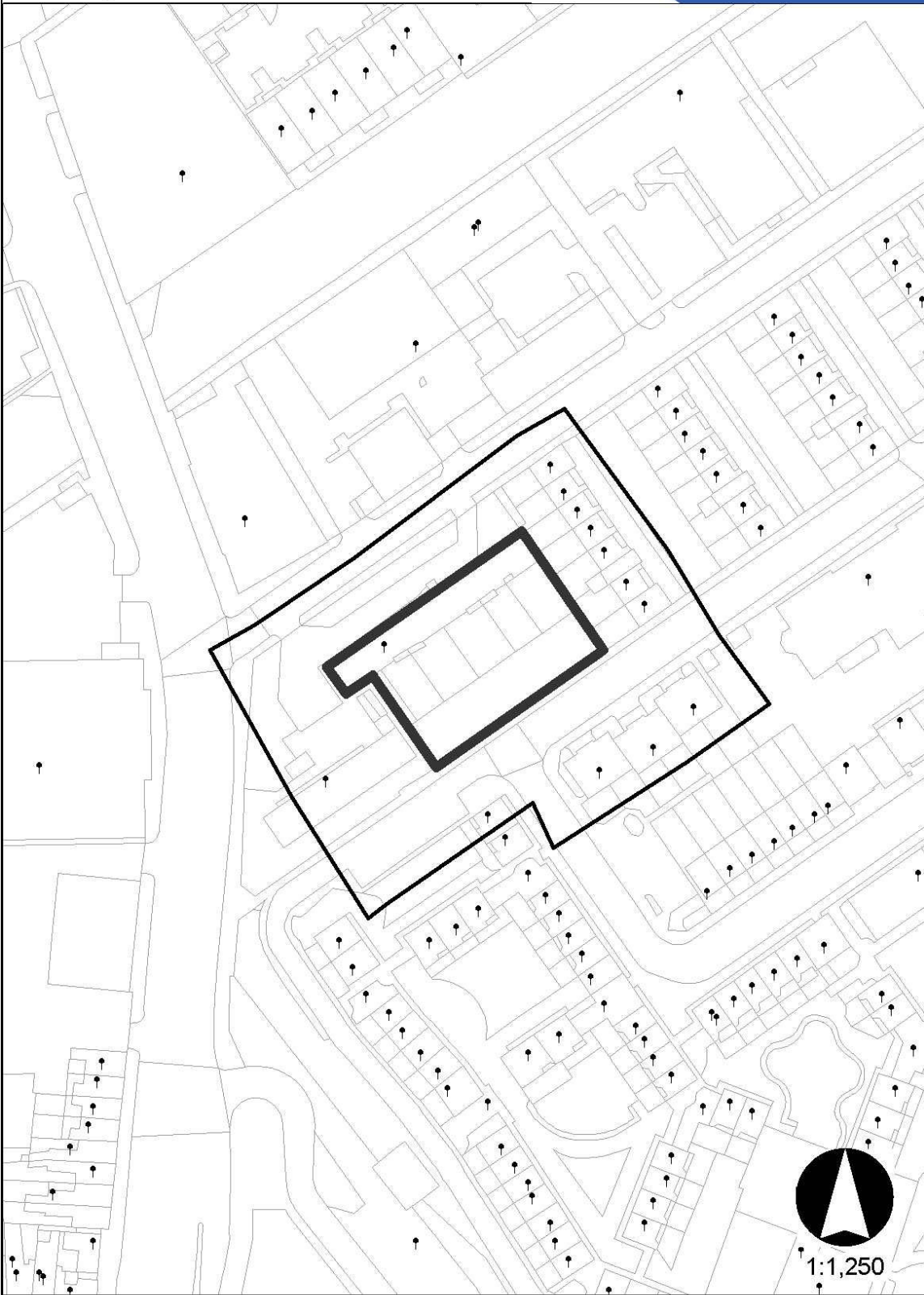
Other Issues

- 8.39 Substantial objection has been received from neighbouring residents in relation to anti-social behaviour within the area and the potential increase in anti-social behaviour as a result of the development. Crime and anti-social behaviour in the borough is a planning consideration however there is no evidence to support the view that the proposal would lead to an increase.
- 8.40 The entrances to the proposed units are located on the active frontage of Farrance Street. It is considered that this location would benefit from an amount of natural surveillance and would be safe, accessible and visible, adhering to Policies DEV4 and CP47 of the Interim Planning Guidance (October 2007).

9.0 CONCLUSIONS

- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application
Site Map



0 30 m



Planning Application Site Boundary



Consultation Area



Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

Agenda Item 8.2

Committee: Development	Date: 3 June 2009	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Marie Joseph		Ref No: PA/09/00483	
		Ward(s): East India and Lansbury	

1. APPLICATION DETAILS

Location:	Shepherd House, Annabel Close, London
Existing Use:	Residential
Proposal:	Demolition of existing bed-sit accommodation (1-18 Shepherd House) and the erection of a 30 new dwellings (12 x 1 bedroom, 11 x 2 bedroom and 7 x 3 bedroom units) including affordable housing, in a building extending to 4 storeys in height, together with associated landscaping and infrastructure works.
Drawing Nos:	Location Plan, L1(PL)01 Rev G, L1(PL)02 REV F, L1(PL)03 REV F, L1(PL)04 REV F, L1(PL)05 REV D, L1(PL)020 REV E, L1(PL)021 REV E, L1(PL)022 REV F, L1(PL)023 REV F. Design and Access Statement prepared by Stock Woolstencroft Heritage Report prepared by Savills Environmental Site Investigation Report prepared by REC Ltd. Flood Risk Assessment prepared by Peter Brett Assoc. Code for sustainable homes pre-assessment prepared by Dixon DeBoise. Transport Statement prepared by Intermodal Transportation Ltd. Air Quality Statement prepared by WSP. Sustainable Energy Strategy prepared by Dixon DeBoise. Tree Survey prepared by Haydens. Planning Statement prepared by Savills. Daylight and Sunlight Study prepared by Delva Patman Assoc. Shadow Analysis prepared by Delva Patman Assoc.
Applicant:	Urban Living
Owners:	Poplar Harca, Mr. Ahmed (Flat 4), Mr. Boateng (Flat 8)
Historic Building:	N/A
Conservation Area:	Lansbury

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of these applications against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan (UDP), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. The proposal makes efficient use of the site with a high-density residential redevelopment and as such accords with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and HSG1 of the Council's Interim Planning Guidance (2007). These policies seek to maximum intensity of use compatible with local context.

- The proposed building is considered appropriate in terms of design, bulk and scale and would preserve the character of the Lansbury Conservation Area. This is in line with saved policy DEV1 of the adopted UDP (1998) and policies DEV2 and CON2 of the Interim Planning Guidance (2007). These policies seek to ensure appropriate design within the Borough which respects the local context and reserve or enhance the character and appearance of conservation areas.
- Considered with the linked development of Charlesworth Terrace (Ref. PA/09/00050), the provision of 36.6% affordable housing across the two sites (43% including re-provision at Shepherd House) at with a tenure comprising of 75% social rented and 25% intermediate housing, broadly complies with The London Plan policies 3A.9, 3A.10 and policies CP22, HSG3 and HSG4 of the Council's interim planning guidance 2007.
- Considered with the linked development of Charlesworth Terrace (Ref. PA/09/00050), the proposed residential mix across the two sites would be satisfactory in accordance with HSG2 of the Council's Interim Planning Guidance 2007 which seeks to ensure an appropriate mix of units is provided.
- The quantity and quality of housing amenity space and communal space is acceptable and accords with policies 3A.6, 3D.13 and 4B.1 of the London Plan (2008), policies DEV1, DEV12 and HSG16 of the adopted UDP (1998) and policies DEV2, DEV 3, DEV4 and HSG7 of the Interim Planning Guidance (2007), which seek to improve amenity and liveability for residents.
- The proposal is considered appropriate in relation to the residential amenity of the site. The impact of the development in terms of daylighting and sun-lighting, overshadowing, sense of enclosure, outlook, privacy and noise is acceptable given the compliance with relevant BRE Guidance and the urban context of the site. This is in line with saved policy DEV1 and DEV2 of the adopted UDP (1998) and DEV1 and DEV2 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- Contributions have been secured towards the provision of affordable housing, health care and education facilities in line with Government Circular 05/05, Saved Policy DEV4 of the Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance: Core Strategy and Development (October 2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

A. The prior completion of a **legal agreement** to secure the following planning obligations:

- a) The affordable housing at the Charlesworth Terrace site is provided prior to the occupation of the market housing at Shepherd House
- b) To provide 36.6% of the residential accommodation across both the Charlesworth Terrace and Shepherd House sites as affordable housing measured by habitable rooms.
- c) To provide a tenure split of 75% social rented and 25% intermediate housing both across the Charlesworth Terrace and Shepherd House sites.
- d) Health contribution of £34,036 (combined contribution for both sites)
- e) Education Contribution of £86,394 (combined contribution for both sites)

- f) Open Space contribution of £10,000
- g) Car Free Agreement.
- h) Any other planning obligations considered necessary by the Corporate Director of Development and Renewal.

3.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Standard time limit
- 2) Samples/full details of all external facing materials
- 3) Contaminated land survey
- 4) Full details of landscaping
- 5) Residential development to Lifetime Homes standard
- 6) At least 10% homes wheelchair accessible or easily adaptable
- 7) Renewable energy provision
- 8) Code for Sustainable Homes - Level 3
- 9) Environment Agency condition relating to finished floor levels and surface water drainage
- 10) Any other condition(s) considered necessary by the Corporate Director of Development and Renewal.

Informatives

- 1) S278 Highways agreement

3.4 That if by 18 June 2009 any legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (legal services), the Corporate Director of Development and Renewal be delegated the authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes the demolition of the existing building on site and the erection of a four storey building of 30 new residential units comprising 12 x 1 bed, 11 x 2 bed and 7 x 3 bed with associated landscaping and amenity space.
- 4.2 This site forms part of the Urban Living Initiative proposed by Poplar Harca and Bellway Homes which aims to create new residential units within the Poplar area of the Borough through regeneration.
- 4.3 The application is linked to a proposal at Charlesworth Terrace which is located 800m West of this site (Ref. PA/09/00050). The application at Charlesworth Terrace is reported separately on this agenda. The applications are linked regarding the provision of affordable housing and dwelling mix. It is proposed that the Charlesworth Terrace comprises 100% affordable housing and a mix of market and affordable units on this site. It is proposed that the affordable housing at Charlesworth Terrace will comprise single family dwelling houses with private rear gardens.

Site and Surroundings

- 4.4 The site is on a corner plot bounded by Grundy Street to the North, Annabel Close to the East and the Mayflower Primary School to the South and West. The site is situated approximately 80m from the main thoroughfare of East India Dock Road and is located within the Lansbury Conservation Area and the East India and Lansbury Ward of the Borough.
- 4.5 The site currently comprises a two storey brick built corner building with communal amenity space to the rear of the site and a small amount of defensible space to the front with access to the units. The accommodation on site comprises 18 flats, all of which are bed-sits.
- 4.6 The area in which the site is located is predominantly residential, with some non-residential uses within the vicinity. Mayflower Primary School is situated directly to the South West of the site and Grade II listed Trinity Church and Centre are located to the South of Annabel Close. Immediately surrounding the site, the built form ranges between 2-4 storeys in height.
- 4.7 The site has an above average public transport accessibility level (PTAL) of 4.

Planning History

- 4.8 PA/08/02626 – Demotion of Shepherd House – Conservation Area Consent granted on 2 February 2009.

PA/08/02620 - Demolition of existing bedsit accommodation (1-18 Shepherd House) and the erection of a 30 new dwellings (12 x 1 bedroom, 11 x 2 bedroom and 7 x 3 bedroom units) including affordable housing, in a building extending to 4 storeys in height, together with associated landscaping and infrastructure works – application withdrawn by the applicant on 24 February 2009 following local objection.

Further consultation has been carried out between the Mayflower School and poplar Harca prior to submission of this application.

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

Unitary Development Plan 1998 (as saved September 2007)

- 5.2 Policies:

ST1	Deliver and Implementation of Policy
ST23	Quality Housing Provision
ST28	Restrain Private Car
DEV1	General design and environmental requirements
DEV2	Development requirements
DEV4	Planning Obligations
DEV12	Landscaping in development
DEV15	Retention/Replacement of Mature Trees
DEV50	Noise
DEV 51	Contaminated Land
DEV55	Development and Waste Disposal
DEV56	Waste recycling facilities
HSG7	Housing Mix and Type
HSG1	Residential Space Standards
HSG15	Preserving Residential Character
HSG16	Amenity space
T16	Pedestrians
T18	Pedestrians

Interim Planning Guidance for the purposes of Development Control

- 2.3 Core Strategies: IMP1 Planning Obligations

	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Development
	CP4	Good Design
	CP19	New Housing Provision
	CP20	Sustainable Residential Development
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP38	Energy Efficiency and Production of Renewable Energy
	CP40	Sustainable Transport Network
	CP47	Community Safety
Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy Efficiency and Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables storage
	DEV19	Parking for Motor Vehicles
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions
	HSG4	Varying the Ratio of Social Rented and Intermediate Housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptive Homes
	HSG10	Calculating Provision of Affordable Housing
	CON2	Conservation Areas
	PS2	Refuse and Recycling Provision
	PS3	Parking Matrix
	PS4	Density Matrix
	PS5	Lifetime Homes

Spatial Development Strategy for Greater London (London Plan) Consolidated with alterations since 2004.

5.4	Policies	2A.1	Sustainability Criteria
		2A.2	Spatial Strategy for Development
		2A.6	Areas for Intensification
		3A.1	Increasing London's Supply of Housing
		3A.2	Borough Housing Targets
		3A.3	Maximising the Potential of Sites
		3A.5	Housing Choice
		3A.8	Definition of affordable Housing
		3A.9	Affordable Housing Targets
		3A.10	Negotiating Affordable Housing
		3A.11	Affordable Housing Thresholds
		3A.13	Special needs and Specialist Housing
		3A.17	Addressing the Needs of London's Diverse Population
		3A.20	Health Objectives
		3A.23	Health Impacts
		3A.24	Education Facilities
		3C.1	Integrating Transport and Development
		3C.2	Matching Development to Transport Capacity

3C.22	Sustainable Transport in London
3C.23	Parking Strategy
3C.3	Maintaining and Improving Retail Facilities
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.12	Open Space Provision
3D.13	Play and Informal Recreation Strategies
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.6	Energy Assessment
4A.9	Renewable Energy
4A.12	Flooding
4A.13	Flood Risk Management
4A.16	Water Supplies and Resources
4A.19	Water Sewerage and Infrastructure
4A.20	Reducing Noise
4B.1	Design Principles for a Compact City

Government Planning Policy Guidance/Statements

5.5	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPG13	Transport
	PPG15	Planning and the Historic Environment
	PPS22	Renewable Energy
	PPS25	Flood Risk Assessments

Community Plan The following Community Plan objectives relate to the application:

5.6	A better place for living safely
	A better place for living well

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

The following were consulted regarding the application:

LBTH Arboricultural Officer

6.2 No objection to the removal of trees.

LBTH Education

6.3 The proposed dwelling mix is assessed as requiring a contribution towards the provision of 7 additional primary school places at £12,342 each, therefore totalling £86,394 (NB- this is combined with the development at Charlesworth Terrace)

LBTH Environmental Health

6.4 Land contamination

- The desk based study submitted is considered to be satisfactory.
- Given the site's history of bomb damage further remediation works may be required and validated by environmental health before works commence.

Daylight/ Sunlight

- Satisfied with daylight/sunlight report in terms of impact on neighbours.

LBTH Highways

- 6.5 The subject site is in an area with an above average PTAL accessibility rating and no car parking spaces are proposed. Therefore, the site is considered to have a very good level of accessibility to local public transport links and a car-free S106 agreement should be applied.

The proposal would meet the requirements for cycle storage. However, the 18 space store appears to be somewhat cramped and manoeuvrability may be difficult. Sheffield storage would be preferable.

Conditions should be included in relation to highways improvements required via a S278 agreement.

[Officer comment: An informative will be imposed to advise the applicant to enter into a s.278 agreement]

LBTH Housing

- 6.6 - The proposal delivers 10% accessible housing.
- Housing fully support both applications PA/08/2620 and PA/09/00050 as considered together.

LBTH Open Space

- 6.7 The Boroughs open space standard is 12sqm per resident and relates to publicly accessible open space. A contribution of £10,776 has been requested towards the upgrade of open space in the local area.

[Officer comment: A contribution of £10,000 has been secured which is considered acceptable]

Primary Care Trust (Statutory Consultee)

- 6.8 The primary care trust seeks a total 'revenue' and capital contribution of across both sites of £174,749.

[Officer comment: The figure of £174,749 includes a revenue and capital contribution. However, two appeals in Tower Hamlets have shown that revenue contributions sought for current expenditure on health services, and not for the provision of a new health care facility in close proximity to a site, cannot be justified. As such, the Council can only justify a capital contribution for works directly related to the provision of health care facilities.

As such, a contribution of £34,036 has been secured across both sites.]

Environment Agency (Statutory Consultee)

- 6.9 No objections are raised and conditions should be included in relation to surface water drainage, finished floor levels and works in accordance with the submitted flood risk assessment.

London Thames Gateway Authority (Statutory Consultee)

- 6.10 The London Thames Gateway Authority has no objections to the proposal.

Housing

8.4 Affordable Housing

Policy 3A.9 of the London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing, taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Boroughs own affordable housing targets. Interim Planning Guidance policies CP22 and HSG3 seek to achieve 50% affordable housing from all sources across the Borough, and specify that individual developments should provide a minimum 35% affordable housing.

8.5

Policy HSG3 in the Interim Planning Guidance supports the provision of off-site affordable housing where an appropriate alternative site has been identified which can accommodate the provision and the Council considers that it will result in a better outcome than if the affordable housing was provided on site.

8.6

The developer seeks to link the affordable housing obligation arising from the development at the Shepherd House to the parallel proposal for the redevelopment of Charlesworth Terrace that is reported separately on this agenda. It is proposed that off-site provision is provided at Charlesworth Terrace in lieu of the majority of the obligation arising from the Shepherd House development. It is proposed that the majority of the private residential accommodation would be within the development at Shepherd House. The Charlesworth Terrace site would be a scheme with a focus on affordable family accommodation.

8.7

This 'package approach' provides 37% affordable housing provision across both sites (41 habitable rooms) together with the reprovision of the existing 16 habitable rooms in Shepherd House to give an overall provision of 57 habitable rooms. This would provide an overall affordable housing provision of 44.5% of the total number of habitable rooms.

8.8

It is considered that providing affordable housing off-site is of benefit for the following reasons:

- Provide a better mix of affordable housing
- Produce better quality affordable housing – the social rented units comprise houses with private rear gardens which are more suitable for family accommodation.
- A higher proportion of family housing is provided (all social rented units are family sized)

8.9

For the reasons above, it is considered that the proposal would result in a better outcome and as such complies with the requirements of Policy HSG3 in the Interim Planning Guidance.

Tenure Mix

8.10

London Plan Policy 3A.9 promotes mixed and balanced communities by seeking a 70:30 split between social rent and intermediate tenures in affordable housing. In Tower Hamlets there is an identified need for a larger percentage of social rented units which is reflected in the 80:20 split between these tenures specified in IPG policies CP22 and HSG4. In terms of affordable housing split, the combined development at Shepherd House and Charlesworth Terrace represents a provision of 25% intermediate and 75% social rented housing. This falls between the London Plan requirements and those in the IPG and as such is considered acceptable.

Housing Mix

8.11

London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Unitary Development Plan policy HSG7 requires new housing schemes to provide a mix of unit sizes including a substantial proportion of family dwellings of between 3 and 6 bedrooms. Policies CP21 and HSG2 in the IPG specify that a mix of unit sizes should

be provided to reflect local need and to contribute to the creation of balanced and sustainable communities. Policy HSG2 provides target percentages for dwelling sizes in affordable and market housing.

		Social Rented Charlesworth Terrace			Intermediate Shepherd House			Market Shepherd House		
		Units	%	Target	Units	%	Target	Units	%	Target
Unit Size	Total Units									
Studio	0	0	0	0	0	0	25	0	0	25
1 bed	12	0	0	20	2	40	25	10	40	25
2 bed	11	0	0	35	2	40	25	9	36	25
3 bed	7	0	0	30	1	20	25	6	24	25
4 bed	6	6	86	10	0	0		0	0	
5 bed	1	1	14	5	0	0		0	0	
Total	37	7	100	100	5	100	100	25	100	100

8.13 The overall provision of family units across both sites equates to an overall provision of 38% of units with 3 or more bedrooms, with all social rented units (located in Charlesworth Terrace) being family sized units. Given the high level of family housing provision in the social rented sector, it is considered that the overall mix responds well to local needs and is acceptable in terms of policy.

Design

- 8.14 Good design is central to the objectives of national, regional and local planning policy. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These policies are reflected in saved policies DEV1, DEV2 and DEV3 of the UDP and IPG policies DEV1 and DEV2.
- 8.15 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and use of materials. They also require development to be sensitive to the capabilities of the site and not result in overdevelopment or poor space standards.
- 8.16 This application seeks permission for a four storey building to be erected on site which would measure 12.45 metres at its highest point. The proposed building would replace the existing property which measures 7.8 metres.
- 8.17 Annabel Close is characterised by buildings ranging between 6.5 metres and 13.8 metres in height. Some taller properties are in close proximity, such as the 37.7 metre high St. Mary and St. Joseph RC church in Grundy Street. Given these existing building heights, it is considered that the proposal would be in keeping with the existing street scene of Annabel Close in accordance with Saved Policy DEV1 of the UDP (1998), Policy DEV2 of the Interim Planning Guidance (October 2007) and Policy 3A.6 of the London Plan.
- 8.18 The proposal is of a modern design and would be faced with buff brickwork, green panel rain screen cladding, coloured panel rain screen cladding, aluminium windows and glass guarding panels. The area encompasses buildings of Victorian to modern design. It is considered that the proposal would be in keeping and would therefore preserve the character and appearance of the Lansbury conservation area. To ensure that an acceptable finish is achieved, a condition has been imposed for samples of the facing materials to be approved in writing before development commences.
- 8.19 The applicant has submitted a Heritage Report with the proposal. It is considered that the scale, materials, design and height of the building would be in keeping with its surroundings and therefore would preserve the character and appearance of the surrounding Lansbury

Conservation Area and the integrity of neighbouring listed buildings. This would be in accordance with Saved Policy DEV1 of the UDP (1998) and Policies DEV2, CON1 and CON2 of the Interim Planning Guidance (October 2007) and the guidance found within PPG15 which seek to retain the historic fabric, character and integrity of listed buildings within the Borough.

- 8.20 Five trees currently exist on site, three of which are proposed to be removed within the Tree Survey Report, as submitted by the applicant, with the introduction of two additional trees adjacent to Grundy Street. The Council's Arboriculture Department have been consulted and have no objection to these proposals. However, as no formal landscaping scheme has been submitted for the proposed amenity areas, a condition has been imposed to ensure a high specification of amenity in accordance with Saved Policy DEV12 of the UDP (1998) and Policy DEV13 of the Interim Planning Guidance (October 2007).

Amenity

- 8.21 This application seeks permission for 30 residential units; 5 x 1 bed and 3 x 2 bed at ground floor level, 3 x 1 bed, 4 x 2 bed and 1 x 3 bed at first floor level, 3 x 1 bed, 4 x 2 bed and 1 x 3 bed at second floor level and 1 x 1 bed and 5 x 3 bed at third floor level.

Standard of Accommodation

- 8.22 In regard to HSG13 (Residential Space) it is considered that there is an acceptable provision of internal residential space. The minimum space standards set out in the London Borough of Tower Hamlets Supplementary Planning Guidance: Residential Space (1998) are met by all applicable rooms.
- 8.23 Policy HSG9 of the Interim Planning Guidance and Policy 3A.5 of the London Plan seek to ensure accessible homes within new developments in the Borough. A lift suitable for wheelchair users is proposed to give access to all floors of the building. All units will be built to lifetime homes standards.
- 8.24 All proposed units benefit from private amenity space in the form of private courtyards to the rear ground floor units, balconies and a shared garden to the rear of the site with the exception of one ground floor unit. However, this unit has direct access onto the communal amenity space and as such considered acceptable.
- 8.25 Amenity space is provided in the form of balconies, terraces, private gardens and a shared communal garden space to the rear. Ground floor units have direct access to private gardens (minimum 12m²) and decked areas (minimum 5m²). One bedroom upper floor units have balconies of 5m², with two bed units generally having a balcony of 10m², whilst the 3rd floor family units benefit from 2 separate terraces of 8m² each. The west facing communal garden can be accessed by all residents and provides a further 120m² of amenity space. It is considered there would be an adequate supply of amenity space in accordance with Saved policy HSG16 of the UDP (1998), Policies CP25 and HSG7 of the Interim Planning Guidance (October 2007) and Policy 3A.6 of the London Plan.
- 8.26 London Plan Policy 3D.13 requires residential development to make provision for play and informal recreation, based on the expected child population. The Mayor's SPG sets a benchmark of 10sq.m of usable child space to be provided per child. The Council's Interim Planning Guidance sets a standard of 3 sq.m per child. There is no designated child playspace provided on site. Given that a financial contribution has been secured towards open space in the local area and Bartlett Park is approximately 250m from the application site, this is considered acceptable.

Residential Amenity

- 8.27 It is considered that the inclusion of windows within all elevations of the proposal would not result in an unacceptable level of overlooking to that which exists on the current site. The site would be located at least 12 metres from the residential properties of Shaftesbury Lodge and 14 Grundy Street, as is currently the case, and as such would have no significant impacts of overlooking and loss of privacy above the current situation.
- 8.28 Following consultation with the Mayflower School, the balcony sides on the south-western elevation have been obscurely glazed from floor to ceiling height. A 2.5m high brick wall is proposed for the school boundary with the site. A 1.5m screen will be attached to the top of the wall, which will comprise tensile stainless steel wires with climbing plants. Windows in the western elevation have been angled and obscured on the side directly facing the playground. As such, it is considered that the impact of overlooking to the school will be minimal.
- 8.29 A Daylight and Sunlight report has been submitted as part of this application and reviewed by the Council's Environmental Health Department. The report looks specifically at the effects of the development upon the neighbouring properties of Shaftesbury Lodge, Trinity House, 14 Grundy Street and The Queen Victoria Seamans Rest. A Vertical Sky Component (VSC) analysis was undertaken which shows that all windows would conform to BRE standards.
- 8.30 There are no daylight and sunlight policy guidelines in relation to educational facilities and therefore Mayflower Primary School was not considered within this analysis. However, following concerns raised in to the previously withdrawn scheme, a detailed shadow analysis has been carried out. The analysis demonstrates that the proposal would not have a significant impact on the Mayflower School.
- 8.31 For the reasons stated above it is considered that the proposal would meet the required standards and adhere to Saved Policy DEV2 of the Interim Planning Guidance (1998) and DEV1 of the Interim Planning Guidance (October 2007) which seek to safeguard the amenity of the occupiers of the borough.
- 8.32 Entrances to the site are proposed from Grundy Street and Annabel Close. These are in close proximity to the public highway and have good visibility therefore minimising safety and security issues for future occupiers in accordance with Policy DEV4 of the Interim Planning Guidance (October 2007).

Refuse and Recycling

- 8.33 The refuse and recycling area is proposed on the ground floor and can be accessed from Grundy Street. The proposed area would contain 6 bins and this is considered to be acceptable and has raised no objections from the council's refuse or highways department.

Transport & Highways

- 8.34 Cycle storage has been provided all 30 units and 4 storage spaces have also been provided for visitors. This would comply with saved policies T16 and T21 of the UDP.
- 8.35 The site is situated within an area of above average public transport accessibility. The proposal includes no car parking spaces in accordance with policy DEV19 in the Interim Planning Guidance (October 2007) which seeks to minimise parking and promote sustainable transport. This car-free development will be endorsed within the S106 agreement which accompanies the application.

Other

Flood Risk

8.36 Interim Planning Guidance policy DEV21 seeks to ensure developments do not lead to increased risk from flooding. The site lies within Flood Zone 3 and therefore a flood risk assessment has been submitted in relation to the application. The Environment Agency have been consulted in relation to the application and following a Sequential Test being carried out by the Council to demonstrate the acceptability of this location for residential development, no objections are raised.

Sustainability

8.37 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used and generated from renewable sources. The London Plan (2008) requires a reduction of 20% reduction in carbon dioxide emissions from on site renewable energy generation.

8.38 The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG. In particular, policy DEV6 requires that:

- All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions;
- Major developments incorporate renewable energy production to provide at least 10% of the predicted energy requirements on site.

8.39 An Energy Strategy has been submitted which considers the potential options for offsetting carbon dioxide emissions through onsite renewables. The strategy considers the potential renewable options including CHP, ground source heat pumps, air source heat pumps, wind turbines, solar thermal and solar photovoltaics, for offsetting carbon dioxide emissions. The strategy identifies that the inclusion of solar photovoltaics (PV) would be the preferred option and it is proposed to include PV panels on the roof which will offset 10% of the sites carbon dioxide emissions.

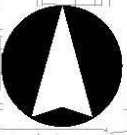
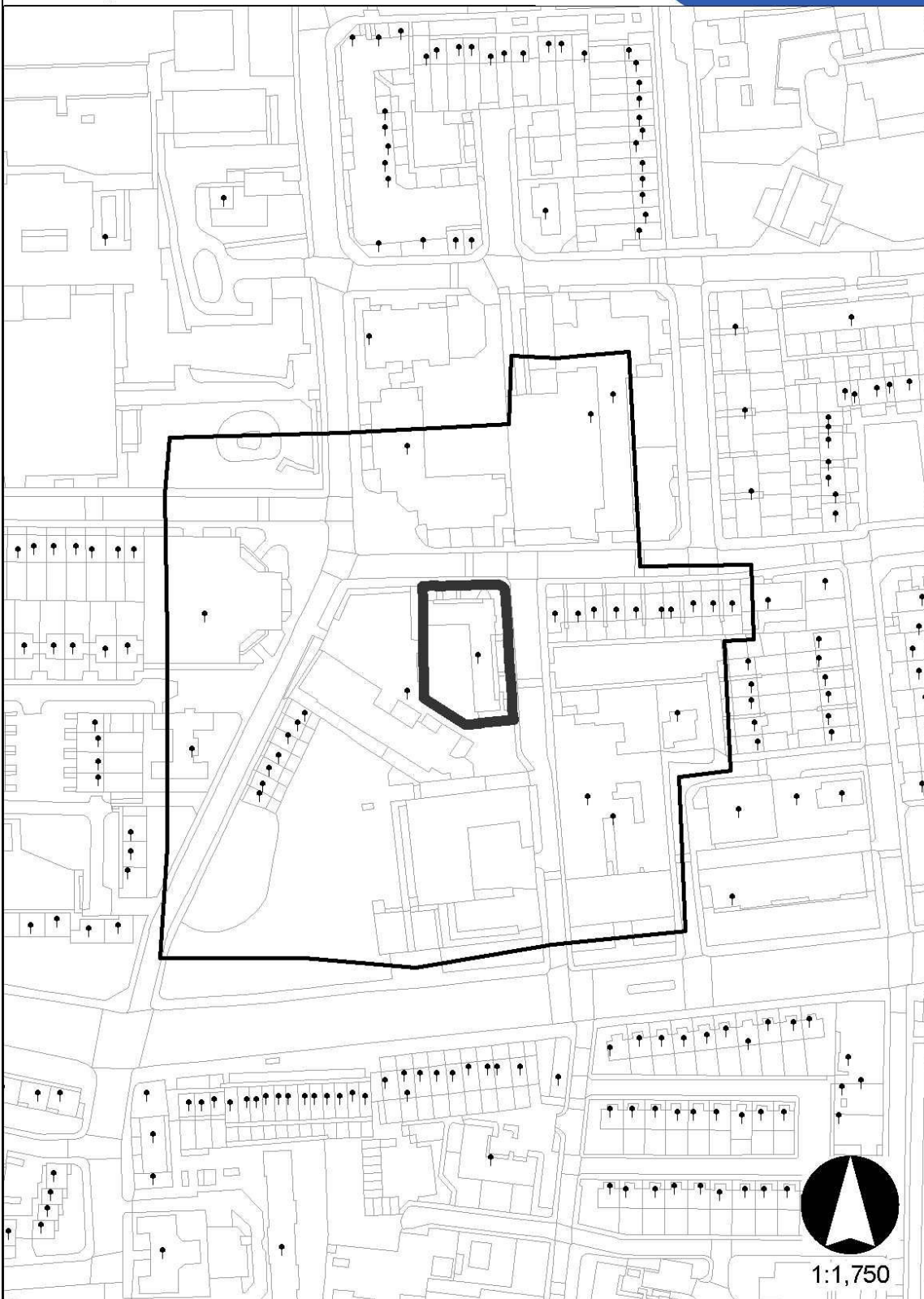
8.40 The submitted energy assessment is broadly in compliance with the above policies. Is proposed to place a condition on the planning permission requiring that renewable energy technologies are installed prior to occupation.

8.41 The proposed affordable housing would need to meet Code Level 3 of the code for sustainable homes in order to be in line with policy. A condition will be placed on the planning permission requiring to require that measures are implemented in accordance with the submitted strategy.

9.0 CONCLUSIONS

9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application
Site Map



1:1,750



Planning Application Site Boundary



Consultation Area



Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288

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