

Committee: Strategic Development	Date: 3 rd March 2010	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Laura Webster	Ref No: PA/09/2657
	Ward: East India and Lansbury

1. APPLICATION DETAILS

Location:	Site at land bounded by Cordelia Street, Carron Close and Chrisp Street, London, E14
Existing Use:	Vacant Housing (32 bedsits)
Proposal:	Demolition of existing residential buildings on site and construction of buildings between three and nine storeys to provide 117 residential units, 300 sqm of commercial floorspace comprising retail, restaurant, business and non-residential institution (Use Classes A1, A3, B1 and D2). Provision of open space improvements and car parking.
Drawing Nos/Documents:	PL 005, PL 010 Rev G, PL011 Rev G, PL012 Rev E, PL 013 Rev E, PL014 Rev E, PL015 Rev E, PL016 Rev F, PL017 Rev E, PL018 Rev E, PL019 Rev E, PL/020 Rev C, PL/021 Rev C, PL/022 Rev C, PL023 Rev C, PL/024 Rev C, PL/025 Rev C, PL/026 Rev C, PL/027 Rev C.
	Documents: Energy Statement dated 10 th February, Air Quality Assessment Dated December 2009, Daylight and sunlight report dated 25 th November 2009, Delivery and Service Plan (draft) dated December 2009, Environmental Site Investigation report dated April 2008, Flood Risk Assessment dated November 2009, Impact Statement dated December 2009, Landscape Design Statement, Design and Access Statement, Sustainability Statement dated 1 st December 2009, Transport Assessment dated December 2009.
Applicant:	Urban Living (Poplar HARCA)
Ownership:	Ms H Warren, Mr Clarke (Poplar HARCA)
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, the Council's Interim Planning Guidance (2007), Tower Hamlets Core Strategy (Submission Version 2009), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- a) The proposal will help facilitate regeneration improvements within the area and provide high quality housing. This is in accordance with the Mayor's Housing Supplementary Planning Guidance (November 2005) and Policy HSG5 in the Council's Interim Planning Guidance (2007), which support the principle of estate regeneration proposals and the delivery of new housing in suitable locations.
- b) The site is not within a conservation area and the housing units to be demolished are bedsit units in a poor state of repair. Given that the existing units would be replaced with an additional number of better quality units, there is no conflict with the objectives of London Plan policy 3A.15, UDP policy HSG4 and Interim Planning Guidance (October 2007) policy CP23, which seeks to prevent the loss of housing.
- c) Given the sustainable location, the proposal would be acceptable in terms of density and would result in 820 habitable rooms per hectare. The proposed development is considered to be sensitive to the context of the surrounding area, by reason of its site coverage, massing, scale and height. The development is therefore in accordance with Policy 3A.3 London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004) which seeks to ensure the maximum intensity of use, compatible with local context.
- d) The proposal provides an acceptable amount of affordable housing (40% by habitable room) and mix of units overall. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998, policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) and policy SP02 in the Core Strategy (Submission Version 2009) which seek to ensure that new developments offer a range of housing choices.
- e) The height, scale and design of the proposed buildings are acceptable and in line with policy criteria set out in 4B.1 and 4B.10 within the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of the Council's Interim Planning Guidance (October 2007) and policy SP10 in the Core Strategy (December 2009) which seek to ensure buildings are of a high quality design and suitably located.
- f) The scale, design and detailed architectural design of the proposal is considered sensitive to the character of conservation area to the south. As such, it accords with the requirements of saved policy DEV28 of the Council's Unitary Development Plan 1998, policy CON2 in the Council's Interim Planning Guidance (October 2007), policy SP10 in the Core Strategy (December 2009) and advice in PPG15, which seek to ensure high quality development that enhances the character of Conservation Areas.
- g) The proposed development would improve the overall quality of public amenity space provision for existing and future residents. The development therefore accords with PPS3, policies 3A.6, 3D.13 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan 1998, policies OSN2, DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) and policy SP02 and SP04 in the Core Strategy (Submission Version 2009) which seek to improve amenity and liveability for residents.
- h) Transport matters, including parking, access and servicing are acceptable and in line with policies DEV1 and T16 of the Council's Unitary Development Plan 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October

2007) and policy SP08 in the Core Strategy (December 2009) which seek to ensure developments can be supported within the existing transport infrastructure.

- i) The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, overlooking, sense of enclosure and noise is acceptable given the urban context of the development. As such, it accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policy SP02 in the Core Strategy (Submission Version 2009) which seek to ensure development does not have an adverse impact on neighbouring residential amenity.
- j) Sustainability matters, including energy, are acceptable and accord with policies 4A.4, 4A.6, 4A.7, 4A.14 and 4B.2 of the London Plan (Consolidated with Alterations since 2004), policies DEV5 to DEV9 of the Interim Planning Guidance (October 2007) and policy SP11 in the Core Strategy (December 2009) which seek to promote sustainable development.
- k) Planning contributions have been secured towards education, healthcare, leisure, open space and highways, in line with Government Circular 05/2005, policy DEV4 of the Council's Unitary Development Plan 1998, policy IMP1 of the Interim Planning Guidance (October 2007) and policy SP13 in the Core Strategy (December 2009) which seek to secure contributions towards infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

3.2 A. Any **direction** by **The Mayor**

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

Financial Contributions

- a) Provide a contribution of **£130,973** towards the provision of future health and social care facilities.
- b) Provide a contribution of **£221,156** towards the provision of primary school places.
- c) Provide a contribution of **£63,239** towards the provision of Leisure facilities.
- d) Provide a contribution of **£59,998** towards the provision of Open Space.
- e) Provide a contribution of **£100,000** towards highways improvements.

Non-financial Contributions

d) Affordable Housing (40%)

f) Car Free Development for all new units

g) Employment Initiatives to use reasonable endeavours to employ local people during the construction and end user phases of the development.

h) Travel Plan to encourage sustainable travel to and from the development by residents.

i) Construction Logistics Management Plan

j) Servicing Management Plan

k) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

3.5 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. Accordance with the approved plans
3. Contaminated land survey
4. Full landscaping details including playspace details to be approved
5. Proposed disabled parking to be implemented prior to occupation of the units and retained.
6. Location and appearance of photovoltaic panels to be approved
7. Samples / pallet board of all external facing materials to be approved
8. Extraction or ventilation equipment to be approved
9. Hours of operation for the commercial use (8:00-21:00 Mons-Sun)
10. Delivery hours for commercial use (8:00-19:00 Mon-Sat, 10:00-18:00 Sun)
11. Hours of construction (08.00 until 18.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
12. Control of hammer driven piling or impact breaking development works (Only 10:00 – 16:00 Monday to Friday. No works Saturday, Sunday or bank holidays).
13. Impact piling method statement to be approved
14. All residential accommodation to be completed to lifetimes homes standards
15. At least 10% of homes wheelchair accessible or easily adaptable
16. Code for Sustainable Homes Assessment (level 3)
17. Heat Network to be operational prior to occupation
18. Photovoltaic panels to be installed prior to occupation
19. Air Quality details to be approved prior to commencement
20. Scheme of Highways improvements (S.278 agreement)
21. Surface Water Drainage details to be submitted and approved
22. Details of any fencing / boundary treatments prior to erection

Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

1. Contact Thames Water
2. Contact Building Control
3. S278 Highways Agreement and Oversailing license
4. Highways Informatives
5. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.6 That, if by 26th March 2010 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 Demolition of existing residential buildings on site and construction of buildings between three and nine storeys to provide 117 residential units, 300sqm of commercial floorspace comprising retail, restaurant, business and non-residential institution (Use Classes A1, A3, B1 and D2). Provision of open space improvements and car parking.

Site and Surroundings

- 4.2 The site is situated to the north of Chrisp Street market, in Poplar. The site is approximately rectangular in shape bounded by Chrisp Street to the east, Cordelia Street to the south, Carron Close to the west and Carmen Street to the north.
- 4.3 The site currently comprises vacant residential properties which are bedsit flats. The current buildings on the site are 2 storeys in height. Immediately surrounding the site the uses are predominantly residential. Surrounding buildings are of a varying scale from two storey residential terrace properties up to 17 storey residential blocks.
- 4.4 The site is situated within 120 metres of Langdon Park DLR station and is within close proximity of numerous bus routes. The site has a good PTAL level of 4.
- 4.5 The site is situated within 300 metres of both Bartlett Park and Langdon Park. The site is not situated within a conservation area, however the Lansbury conservation area is situated directly to the south of the site. The site does not consist of any listed buildings.

Planning History

- 4.6 N/A

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:

Government Planning Policy Guidance/Statements

- | | | |
|-----|-------|---|
| 5.2 | PPS1 | Delivering Sustainable Development |
| | PPS3 | Housing |
| | PPS22 | Renewable Energy |
| | PPS23 | Planning and Pollution Control |
| | PPG13 | Transport |
| | PPG15 | Planning and the Historic Environment |
| | PPG17 | Planning for Open Space, Sport and Recreation |
| | PPG24 | Planning and Noise |

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

- | | | |
|-----|------|---------------------------------------|
| 5.3 | 2A.1 | Sustainability Criteria |
| | 2A.2 | Spatial Strategy for Development |
| | 2A.6 | Areas for Intensification |
| | 2A.7 | Areas for Regeneration |
| | 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 New Housing Provision |
| | 3A.7 | Large Residential Developments |

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.15	Loss of Housing and Affordable Housing
3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and Enhancement of London's Infrastructure
3A.19	The Voluntary and Community Sector
3A.20	Health Objectives
3A.23	Health Impacts
3A.24	Education Facilities
3B.3	Mixed Use Development
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.14	Enhanced Bus Priority
3C.16	Road Scheme Proposals
3C.20	Improving Conditions for Busses
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3C.3	Maintaining and Improving Retail Facilities
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.11	Open Space Provision
3D.12	Open Space Strategies
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.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
4A.12	Flooding
4A.13	Flood Risk Management
4A.16	Water Supplies and Resources
4A.18	Water Sewerage and Infrastructure
4A.19	Improving Air Quality
4A.20	Reducing Noise
4B.1	Design Principles for a Compact City
4B.3	Enhancing the Quality of the Public Realm
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.8	Local context
4B.10	Large Scale Buildings
4B.12	Heritage conservation

Unitary Development Plan 1998 (as saved September 2007)

5.4	Proposals:	None
	Policies:	ST1 Deliver and Implementation of Policy
		ST12 Cultural and Leisure Facilities
		ST15 Encourage a Wide Range of Activities

ST23	Quality of Housing Provision
ST25	Provision of Social and Physical Infrastructure
ST26	Protect existing residential accommodation
ST28	Restrain Private Car
ST30	Safety and Movement of Road Users
ST34	Provision of Quality Shopping
ST37	Improve of Local Environment
ST41	Provision of Adequate Space for Local Business
ST43	Use of High Quality Art
ST49	Provision of Social and Community Facilities
ST51	Public Utilities
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Development
DEV4	Planning Obligations
DEV9	Minor Works
DEV12	Landscaping
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
S10	Shopfronts
EMP1	Employment Uses
EMP6	Employing Local People
EMP8	Small Businesses
HSG4	Loss of Housing
HSG7	Dwelling Mix
HSG13	Internal Standards for Residential Development
HSG15	Preserving Residential Character
HSG16	Amenity Space
T10	Traffic Management
T16	Impact on Traffic
T18	Pedestrians
T21	Pedestrians
OS7	Loss of Open Space
OS9	Children's Play Space
SCF11	Meeting Places

Interim Planning Guidance for the purposes of Development Control

5.5	Core Strategies:	IMP1	Planning Obligations
		CP1	Creating Sustainable Communities
		CP3	Sustainable Environment
		CP4	Good Design
		CP5	Supporting Infrastructure
		CP19	New Housing Provision
		CP20	Sustainable Residential Density
		CP21	Dwelling and Mix Type
		CP22	Affordable Housing
		CP23	Efficient Use and Retention of Existing Housing
		CP24	Special Needs and Specialist Housing
		CP25	Housing Amenity Space
		CP27	Social and Community Facilities to Support Growth
		CP29	Improving Education and Skills
		CP30	Improving the Quality and Quantity of Open Spaces
		CP31	Biodiversity
		CP38	Energy Efficiency and Production of Renewable Energy

	CP39	Waste Management Plan
	CP40	Sustainable Transport Network
	CP41	Integrating Transport with Development
	CP42	Streets for People
	CP43	Better Public Transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
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
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Quality and Air Pollution
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclable Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capability of Utility Infrastructure
	DEV22	Contaminated Land
	DEV24	Accessible Amenities and Services
	DEV25	Social Impact Assessment
	DEV27	Tall Buildings Assessment
	CON2	Conservation Areas
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions
	HSG4	Varying the Ratio of Social Rented to Intermediate Housing
	HSG5	Estate Regeneration Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating the Provision of Affordable Housing
	SCF1	Social and Community Facilities
	OSN2	Open Space
	RT6	Loss of Public Houses
	PS1	Noise
	PS2	Residential Water Refuse and Recycling Provision
	PS3	Parking
	PS4	Density Matrix
	PS5	Lifetime Homes

Core Strategy Development Plan Document (Submission version December 2009)

5.6	Policies	SP01	Town Centre Activity
		SP02	Housing and sustainable communities
		SP03	Healthy Lifestyles
		SP04	Open Space
		SP05	Waste Management

SP06	Economy and Employment
SP07	Education and Training
SP08	Transport Network
SP09	Pedestrians and Streets
SP10	Heritage and Good Design
SP11	Sustainability and Climate Change
SP12	Placemaking
SP13	Planning Obligations

Supplementary Planning Guidance/Documents

- 5.7 Residential Space
Designing Out Crime
Landscape Requirements

- 5.8 **Community Plan** The following Community Plan objectives relate to the application:
A better place for living safely
A better place for living well
A better place for creating and sharing prosperity
A better place for learning, achievement and leisure
A better place for excellent public services

6. CONSULTATION RESPONSE

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

The following were consulted regarding the application:

London Borough of Tower Hamlets - Environmental Health

- 6.2 Contaminated Land – The site and surrounding area have been subjected to former industrial uses. A contamination condition requiring contamination risk to be fully identified and appropriately mitigated prior to development should be attached to any permission granted. (OFFICER COMMENT: A contaminated land condition will be secured by condition).

Daylight and Sunlight – The Daylight/Sunlight report dated 25th November, 2009 prepared by Savills has been reviewed.

The following properties which are in close proximity of the site has been reviewed.

i) 50-74 Carmen Street: Some marginal VSC failures however NSL, ADF and APSH all compliant. Overall, generally it is BRE complaint.

ii) 35 Carmen Street: BRE complaint.

iii) 2-24 Carron Close: Some marginal VSC and ADF failures however generally BRE complaint.

iv) Norwich House: Some marginal VSC failures however NSL, ADF and APSH all compliant. Overall, generally it is BRE complaint.

v) 120-132 Chrisp Street: VSC: BRE compliant

vi) 116 Chrisp Street: Impact in respect of VSC, NSL, ADF, and APSH.

vii)118 Chrisp Street: Impact on VSC, NSL and APSH. However ADF compliant.

The impact on the development itself and the overshadowing of the open spaces are acceptable.

Conclusion:

In general the only concern for EH is the impact of the scheme on 116/118 Chrisp Street.

(OFFICER COMMENT: Daylight and sunlight are discussed within section 8 of this report).

Smell/Odour & Pollution:

It is proposed to have on the ground floor of Block "C" an A3 use, however there is no detailed design methodology of the extract system to mitigate against odour nuisance and possible fan noise nuisance. (OFFICER COMMENT: With regard to any proposed extraction system for the commercial units, a servicing duct has been provided within the building and full details of any equipment would be secured by condition).

Air Quality

- The background data used in the assessment is unsatisfactory
 - There is no indication of what meteorological data was used in the assessment
 - There is no model validation exercise
 - There is no assessment of exposure of residents to baseline and opening year levels.
- Even though the development is not generating traffic, existing air quality in Tower Hamlets is poor and this needs to be assessed to determine exposure to pollution
- We are declared an air quality management area for PM10 and therefore biomass is not allowed to be used in our borough (on the basis of this I strongly object to the application as there are sensitive receptors around this development).
 - There has been no assessment of the operation and maintenance of the biomass boiler in terms of it's impacts on PM10 (e.g. the de-ashing process).
 - I object to the development on the grounds of air quality.

(OFFICER COMMENT: The proposal no longer includes a Biomass boiler and therefore the principle objections on air quality would be removed. In response to the air quality comments, the applicant has provided further information and justification for the methodology used within the assessment. This information has been forwarded to Environmental Health however no further comments have been received to date. Full air quality details to be approved by Environmental Health would be conditioned).

London Borough of Tower Hamlets - Highways

6.3 Parking:

- The site is suitable for a car free agreement.
- LBTH policy does not support the provision of on-site visitor spaces. This visitor space could be used as a servicing/delivery space.
- If for any reason the car club spaces are not taken up, then these spaces should be used as further accessible spaces or as an additional provision of motorcycle/bicycle parking (to be linked to and assessed through the Travel Plan).

Disabled Parking:

- The provision of 2 accessible spaces for use by people with disabilities is acceptable.

Cycle Parking:

- Details of cycle parking facilities, location, maintenance and its retention should be conditioned.
- Clarification regarding the number of cycle spaces is required as the figures differ between

the Design and Access Statement and Transport Assessment.

Trip Generation:

No site specific survey information for the existing site has been presented within the submitted Transport Assessment.

- Whilst the residential survey sites selected appear to be suitable, the methodology behind the trip generation for the residential units is not considered robust.
- Given that a flexible space comprising A1, A3, B1 and D2 uses is being applied for, trip rates and total trips should be presented within the Transport Assessment for the worst case scenario and likely occupants.

Servicing Arrangements:

- It is considered that an area can be designated on-site as a loading bay.
- If a food retail use is to be retained as part of the proposal the potential for larger vehicles to access the site should be demonstrated.
- The swept path analysis that has been demonstrated on the submitted plans is insufficient.
- The Applicant was advised at the pre-application stage that all swept path drawings should show the location of the existing parking bays on the surrounding estate roads and assume that these bays are occupied for the purposes of the analysis.
- Existing parking spaces in the turning head at the southern end of Carron Close (estate road) are to be relocated. However, no information has been provided which states where these spaces are to be relocated or demonstrates how vehicles are to be prevented from parking in the turning head. (OFFICER COMMENT: The relocation will be included within the service management plan required via S.106 agreement).
- There are concerns surrounding how a proposed 'loading only' lay-by would be managed to ensure that it is not used for ad-hoc/illegal parking when deliveries are not occurring. (OFFICER COMMENT: This is a parking enforcement issue not a planning issue).

Refuse Arrangements:

- The non-central site refuse stores are located further than 10metres from the proposed location point; however Section 2.30 of the Delivery and Service Plan states that the management company will ensure that all residential bins are moved to the central bin store prior to refuse collection.
- A full swept path analysis for a refuse vehicle should also be undertaken.

Travel Plan:

- A Community Travel Plan is to be produced and secured via planning condition.

(OFFICER COMMENT: Following initial comments the applicant has submitted additional information and plans addressing the issues raised).

Further Highways comments received 16/02/10

Parking: The Applicant has confirmed that the previous on-site visitor space is to be removed and this space will now be designated as a service/contractor bay.

Cycle Parking: The Applicant has clarified the numbers of cycle parking spaces to be provided and the allocation of these spaces. There is now adequate manoeuvring space around the cycle stands.

Trip Generation:

- The Applicant has stated that the site is currently unoccupied and it has therefore not been possible to obtain site specific surveys for the existing site and its usage.
- It is noted that there is to be a reduction of 15 spaces from the existing situation associated with the proposed development.

- Trip generation information demonstrates that A1 retail represents the worst case scenario. Highways still have concerns over the trips associated with the non-residential land uses, particularly if food retail is provided.

- Should the Case Officer be minded to recommend approval, a review and re-enforcement of the existing parking controls in the vicinity of the site will be required to ensure that no loading/servicing or parking associated with non-residential land uses occurs on the surrounding roads. (OFFICER COMMENT: This is a parking enforcement management issue not a planning issue).

Servicing Arrangements:

- The Applicant has now provided a dedicated loading bay on the privately owned/maintained Carron Close.
- Revised swept path analysis drawings have been provided which address the comments previously made by Highways and the Applicant has confirmed that no servicing will take place from Carmen Street or Chrisp Street.
- The Applicant has confirmed that if the proposals are not feasible then Biomass will not be pursued on this scheme.

Refuse Arrangements: From the drawings that have been submitted, the ability of a refuse vehicle to enter the site from Carron Close looks to be tight and may cause some conflict if a delivery/servicing of the site is taking place at the same time. Measures to address this should be included in the Delivery and Servicing Plan and this may involve the future removal of the two parking bays that are currently located within the turning head on Carron Close, to be reallocated elsewhere.

Other

There are number of Section 106 financial contributions that are to be secured if Planning Permission is granted. These include:

- £50,000 in order to improve/upgrade the pedestrian crossing facility on Chrisp Street;
- £100,000 towards carriageway resurfacing, streetscene improvements and pedestrian wayfinding signage/strategy along Chrisp Street;
- £125,000 towards cycle scheme implementation/improvements in line with the cycle route implementation plan for this area as detailed within the CRISP report.

Should the Case Officer be minded to grant Planning Permission, a condition requiring a Construction Management Plan and a servicing management plan should be submitted for approval.

The Applicant is to enter into a Section 106 car free agreement.

(OFFICER COMMENT: Following the highways comments, the applicant has submitted additional information in response to the issues and queries raised. Further information has been provided and is discussed within section 8 of the report. Some issues raised are management issues for Poplar Harca on their estate roads and some issues are covered by S.278 agreement. A Travel Plan and Servicing Management Plan would be secured within the S.106 agreement in conjunction with highway comments. The highways recommended conditions, informatives and S.278 agreement would be applied to any planning permission granted.

Contributions have been secured towards health care, education, open space and leisure. It is not considered the proposals would have a significant impact on the highway network and it is not considered that the requested highways contributions can be prioritised or justified given the financial restraints of the scheme. However following negotiation with officers, the

applicant has agreed to a **£100,000** contribution (£25,000 for pedestrian crossing improvements, £25,000 for cycle improvements within the area and £50,000 for carriageway and public realm improvements). This is considered as acceptable mitigation for the increase in population as a result of a scheme of this scale).

London Borough of Tower Hamlets – Waste Management

- 6.4 No comments received to date.

London Borough of Tower Hamlets - Energy

- 6.5 Principally, the Sustainable Energy Strategy is considered appropriate for the development. The London Plan hierarchy has been followed appropriately.

The development has been designed to achieve Code for Sustainable Homes Level 3. A Code for Sustainable Homes pre-assessment should be provided to demonstrate the development has targeted code level 4.

Conditions to secure the energy and sustainability measures should be attached to any permission granted.

Additional comments received 16/02/10 following amended energy strategy

Principally the 'Alternative Energy Strategy' is considered appropriate for the development. The London Plan energy hierarchy has been followed appropriately.

The Sustainability Statement contains details of the sustainability features and states that the development has been designed to achieve a Code for Sustainable Homes Level 3.

London Borough of Tower Hamlets – Crime Prevention

- 6.6 No comments received to date.

London Borough of Tower Hamlets – Landscaping and Trees

- 6.7 No objections to works proceeding on the grounds of good arboricultural practice.

London Borough of Tower Hamlets – Access Officer

- 6.8 No comments received to date.

London Borough of Tower Hamlets – Communities Leisure and Culture

- 6.9 Cultural Services note that the increased permanent population generated by the development will increase demand on community, cultural and leisure facilities.

In priority order;

1. Leisure Facilities

The proposed development will increase demand on leisure. The model generates a total leisure contribution of **£63,239**.

2. Open Space

Required contribution is **£121,940**.

3. Library/Idea Store Facilities
Required contribution is **£15,912**.

(OFFICER COMMENT: The requested open space contribution was originally miscalculated however has now been recalculated using a methodology based on required open space requirements per capita and taking into account the additional open space provided at the site. The revised figure comes out at £59,998. Given the scheme would provide an increase in open space on the site, in conjunction with the financial constraints of the scheme, the revised open space contribution is considered acceptable.

It is considered that given the Tower Hamlets 'Planning for Population Growth' Capacity Assessment Report 2009 shows that there is an overprovision of library space within the area, this contribution cannot be justified and will not be sought. Contributions have also been secured towards healthcare and education. This can be considered as mitigation for the increase in population and is acceptable).

London Borough of Tower Hamlets – Education

- 6.10 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 18 additional primary school places @ £12,342 = **£221,156**. This funding will be pooled with other resources to support the LA's programme for the borough of providing additional places to meet need.

(OFFICER COMMENT: This contribution would be secured as part of the S.106 obligation).

Tower Hamlets Primary Care Trust

- 6.11 Based on the calculated additional population, a contribution of **£130,973** is sought.

(OFFICER COMMENT: This contribution would be secured as part of the S.106 obligation).

Transport for London (TfL)

- 6.12
- The application site is situated on the local borough highway network.
 - TfL welcomes the proposed low level of car park provision.
 - TfL considers that the proposed level of cycle parking provision is adequate.
 - TfL welcomes the proposed provision of car-club spaces.
 - TfL recommends that a S106 agreement should be entered into to restrict future residents' eligibility for local parking permits.
 - TfL considers that the estimated overall trip generation is acceptable.
 - TfL is disappointed that the Transport Assessment (TA) has not provided a detailed modal split assessment. TfL requests that a detailed modal split assessment be undertaken fully in accordance with the TfL Transport Assessment Best Practice Guidance.
 - TfL supports the intention to produce a Travel Plan. It is recommended that the finalised Travel Plan should be submitted for local authority's approval prior to the occupation of the site.
 - It is requested that management of the proposed development shall adhere to measures and methodologies described in the finalised Delivery & Servicing Plan (DSP) upon occupation of the site.
 - It is recommended that a Construction Management Plan (CMP) and Construction Logistics Plan (CLP) shall be submitted for local authority's approval prior to work commence on site. The CLP should provide details on measures to minimise

highway and traffic impact to the local highway network as well as the TLRN in the local area.

- **Subject to the above conditions being met, TfL would not object to the proposed development.**

TfL Cycle, Walking & Accessibility (CWA) department in relation to walking and cycling aspects of the proposal.

Walking

Generally the TA provided a good level of detail on the surrounding pedestrian environment. However, we would therefore request funding towards the provision of dropped kerbs in this location if they are not already provided. We request that the upgrade of the refuge island to a zebra crossing be investigated to further improve pedestrian safety and connectivity.

In addition, although footway widths appear adequate, there was no reference to the condition of the footways. We therefore request funding towards the resurfacing and de-cluttering of footways adjacent to the site wherever necessary.

The proposal to provide additional footway width along the Crisp Street frontage and adjacent to the junction with Cordelia Street is welcomed. Furthermore, we welcome the provision of the east/west pedestrian route running through the site, as well as the landscaped area and children's play space.

The proposed bollards within the site should be provided in line with "Inclusive Mobility" guidance with the correct height, spacing, colour etc.

Cycling

Cycle accessibility to the site seems adequate and we note that the Development may benefit from proposed improvements to the Tower Hamlets cycle network which would provide direct access to an additional cycle route accessible from the southern site boundary along Cordelia Street.

The provision of 138 cycle parking spaces is welcomed as this is in line with TfL's Cycle Parking Standards. However, it appears that the number of spaces is not evenly spread out, with some blocks having no cycle parking and other blocks having additional spaces. We therefore request that the cycle parking provision is allocated to each block based on the number of residential units and amount of commercial floor space within that block. We also encourage the developer to provide CCTV in the cycle parking areas as an extra security measure. Showering and changing facilities should also be provided for employees of the commercial floor space.

(OFFICER COMMENT: With regard to the contribution request, no figure was given. However, contributions towards the requested highways aspects, are included within the Highways contribution detailed within section 3 of this report. Given the limited impact of the proposal on the highway and financial constraints, further contributions over and above what have already been secured have not been sought. A travel plan would be secured via a S.106 agreement).

Environment Agency

6.13 No objection in principle subject to a planning condition regarding surface water drainage.

London City Airport

6.14 No comments received to date.

National Air Traffic Services

6.15 No comments received to date.

Thames Water

6.16 No objection in principle, however recommend standard informatives and a condition regarding impact piling.

(OFFICER COMMENT: The suggested condition and informatives have been included within section 3 of the report).

BBC reception advice

6.17 No comments received to date.

Olympic Delivery Authority

6.18 No objection to the proposals.

English Heritage (Archaeology)

6.19 No comments received to date.

7. LOCAL REPRESENTATION

7.1 A total of 282 neighbouring properties within the area shown on the map appended to this report were notified about the application. The application has also been publicised within the local press and on site via site notices.

The total number of representations received in response to notification and publicity of the application were as follows:

No of individual responses:	17	Objecting:	5	Supporting:	11
No of petitions received:	0 objecting containing 0 signatories				
	1 supporting containing 293 signatories				

7.2 The following **objections** were raised in representations that **are material** to the determination of the application, and they are addressed in the next section of this report:

- Demolition of existing homes
- Proposed height
- Strain on local services and infrastructure
- Commercial uses would attract anti-social behaviour
- No need for more shopping areas
- Diversion of bus routes (OFFICER COMMENT: There is no evidence that this would occur unless for only a short period during construction).
- Access to the alleyway to the north of the site
- Security measures required for alleyway
- Noise and disturbance from construction
- Disturbance from deliveries
- Pavements need upgrading

7.3 The following **objections** were raised in representations that are **not material** to the

determination of the application.

- Poplar Harca management issues

7.4 The following points were raised **in support** to the application:

- Would meet need for more housing
- Would help ease pressure on the housing waiting list
- Would help alleviate overcrowding for families

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Land Use

Acceptability of the proposed uses in this location.

2. Density

The acceptability of the proposed density

3. Housing

The acceptability of the proposed housing mix and tenure

4. Design and scale

Impact on the amenity of the surrounding area including amenity space.

5. Amenity

Impact on the amenity of the surrounding area.

6. Highways and parking

Transport and highways implications.

7. Sustainability

Sustainability principles

Land Use

8.2 The existing land use of the site is residential. There are no specific land use designations in the adopted UDP 1998 or Interim Planning Guidance (October 2007). The application proposes housing and some commercial space on the ground floor Chrisp Street frontage which, in principle, is acceptable in land use terms.

8.3 The application proposes 117 new build residential units in total. Taking into account the demolition, a net gain of 85 units would be achieved. The demolition of 32 small bed-sit units which are in a poor state of repair, would allow the redevelopment of site. The site is not within a conservation area and the housing units lost are replaced with an additional number of better quality units and as such, there is no conflict with the objectives of London Plan policy 3A.15, UDP policy HSG4 and Interim Planning Guidance (October 2007) policy CP23, which seeks to prevent the loss of housing.

8.4 The application proposes 300sqm of commercial floorspace for retail, restaurant, business or non-residential institution (Use Classes A1, A3, B1 and D2). The proposed commercial uses would provide active frontages within Chrisp Street and natural surveillance over the street. In accordance with the Town Centre Spatial Strategy, the proposed provision of (A1, A2, B1 or D2) is acceptable in line with the aspirations for the Chrisp Street District Centre. The

commercial uses in principle are considered acceptable within this location.

- 8.5 In conclusion, the proposed land uses in this location are supported by the London Plan and local policy objectives.

Density

- 8.6 London Plan density matrix within policy 3A.3 suggests that densities within urban sites with good transport links should be within the range 450-700 habitable rooms per hectare. This is reinforced by Policy SP02 (2) of the Core Strategy (Submission Version 2009) which seek to correspond housing density to public transport accessibility and proximity town centres.
- 8.7 The proposed density of the scheme is 830 habitable rooms per hectare. The site is situated within close proximity of numerous bus routes and the DLR station at Langdon Park. The Town Centre at Chrisp Street is also a short walk away. Problems typically associated with excessive density include poor design, parking and lack of open space. Whilst the proposed development exceeds the density guidance, given its sustainable location, appropriate design, car-free development and provision of open space, it is considered the density of the scheme is acceptable.

Housing

- 8.8 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 provision from all sources across the Borough, and specify that individual developments should provide a minimum of 35% affordable housing. This is further supported by policy SP02 in the Core Strategy (Submission Version 2009) which seeks between 35%-50% affordable home on sites providing 10 units or more.
- 8.9 The scheme provides a total of 39 affordable units which equates to 40% affordable housing by habitable room overall. Taking into account the demolition of the existing 32 units, the provision would be 35%. The scheme is therefore acceptable in accordance with the minimum 35% as required by policy CP22 and HSG3 in the Interim Planning Guidance (October 2007) and policy SP02 in the Core Strategy (Submission Version 2009).
- 8.10 Policy SP02 (4) in the Core Strategy (Submission Version 2009) seeks a tenure split of 70% social rented and 30% intermediate within affordable housing provision. Overall, the scheme delivers 77% social rented and 23% intermediate which is considered acceptable and closely in line with policy SP02 in the Core Strategy (Submission Version 2009).
- 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. To reflect the local need for family sized accommodation within the borough, policies CP21 and HSG2 in Interim Planning Guidance (October 2007) specify that a mix of unit sizes should be provided with 45% family sized (3 or more beds) accommodation within the social rented sector and 25% within the intermediate and market housing. Policy SP02 in the Core Strategy (Submission Version 2009) reinforces that 30% of new housing should be family sized, including 45% of new social rented homes.
- 8.12 The application proposes the following mix of unit sizes for the new build. The target percentages given reflect those specified by policy HSG2 in the Interim Planning Guidance (October 2007):

		Affordable social rent			Intermediate			Market		
Unit	Total units	Units	%	Target	Units	%	Target	Units	%	target
Studio	0	0	0	0	0	0	25	0	0	25
1 bed	39	4	15	20	4	33	25	31	40	25
2 bed	45	4	15	35	6	50	25	35	45	25
3 bed	26	12	44	30	2	17	25	12	15	25
4 bed	0	0	0	10	0	0		0	0	
5 bed	7	7	26	5	0	0		0	0	
Totals	117	27	100%	100%	12	100%	100%	78	100%	100%

- 8.13 Overall, the scheme provides 28% family sized units (3 beds or more) across the entire scheme. The proposal would provide 70% family sized social rented units and 17% of the proposed dwellings would be family sized within the intermediate sector. Given the quality of the family sized accommodation, particularly the seven 5 bedroom houses with private gardens, that would be provided in the social rented sector, the overall housing mix is considered acceptable and responds to local need in accordance with policy HSG2 in Interim Planning Guidance (October 2007) and policy SP02 in the Core Strategy (Submission Version 2009).
- 8.14 Policy HSG13 in the UDP 1998 requires all new development to provide adequate internal space. Supplementary planning guidance note 1: residential space sets minimum internal flat and room sizes. The proposed residential units within this application have acceptable internal space standards in line with policy HSG13 in the UDP 1998 which is further supported by policy SP02 in the Core Strategy (Submission Version 2009).
- 8.15 Policy HSG7 in the Interim Planning Guidance (October 2007) and policy SP02 (6) in the Core Strategy (Submission Version 2009) seeks adequate external amenity space for new dwellings.
- 8.16 All units would have private amenity space in the form of gardens or balconies. Balconies range from 4sqm to 30sqm. The seven 5 bedroom houses all have a private garden which is at least 27sqm and in addition they would all have a 16sqm south facing roof terrace at 2nd floor level. Given that the units have private amenity space and the provision of new communal amenity space within the site totalling 1306sqm, amenity space provision is acceptable in line with planning policy.
- 8.17 In reference to Child Play Space, in accordance with London Borough of Tower Hamlets child yield calculation and playspace standard, the development should provide 144sqm. The proposal provides 63sqm dedicated child playspace and 1306sqm of accessible communal landscaped area (excluding public realm hard landscaped areas) overall. The communal open space exceeds the required 160sqm required by policy HSG7 in the Interim Planning Guidance (October 2007). Given the amount of open space provided within the development and the close proximity of Langdon Park, it is considered the communal open space and dedicated child playspace provision is acceptable.
- 8.18 Overall, taking into account the provision of communal amenity space and private amenity space provision, the proposal meets and exceeds in terms of communal amenity space, the requirements of policy HSG13 in the UDP 1998, policy HSG7 in the Interim Planning Guidance (October 2007) which is further supported by policy SP02 in the Core Strategy (Submission Version 2009) and amenity space provision for the proposed units is acceptable.
- 8.19 London Plan policy 3A.5 and Interim Planning Guidance policy HSG9 require housing to be

designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible. This is reinforced by policy SP02 (6) in the Core Strategy (Submission Version 2009).

- 8.20 In line with policy, a 10% of the units (12 in total) have been designed to be wheelchair accessible. All of the units have been designed to Lifetime Homes standards. This is considered acceptable in line with policy and would be secured by planning condition.

Design

- 8.21 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained in Chapter 4B of the London plan. Saved policy DEV1 in the UDP 1998 and Policy CP4 and DEV2 of the Interim Planning Guidance (October 2007) states that developments are required to be of the highest quality design, incorporating the principles of good design. These principles are further supported by policy SP10 in the Core Strategy (Submission Version 2009).
- 8.22 London Plan policy 4B.12 and policy CON2 in the Interim Planning Guidance (October 2007) seek to preserve the character of conservation areas and heritage assets. These policies are reinforced by the aims of policy SP10 in the Core Strategy (Submission Version 2009).
- 8.23 The application proposes a building up to 9 storeys in height within the eastern part of the site on the Chrisp Street frontage. The height is not considered out of character given the emerging context and height of buildings within this part of Chrisp Street. Recent planning approvals and recently constructed buildings on Chrisp Street at Langdon Park station, 118 and 116 Chrisp street all within the immediate context, range from 6 to 15 storeys in height.
- 8.24 The proposed block to the north of the site would be 3/4 storeys and the proposed block on the south western corner of the site would be 4 storeys in height. The provision of publicly accessible open space throughout the site, including a new pedestrian 'street' through the site total 1367sqm.
- 8.25 The building has been designed to strike a balance between maximising the potential of the site and responding to the surrounding area. The blocks are positioned around a central public open space and are orientated to provide natural surveillance over this space.
- 8.26 The built environment surrounding the site varies considerably in terms of height from the recently consented 10 storey building at 116 Chrisp Street and the recently constructed 15 storey building adjacent to Langdon Park DLR station, to lower rise blocks to the north. The scheme has evolved following the advice of urban design officers and the height has been designed to step down adjacent to lower scale surrounding buildings. The proposals mediate between providing a strong edge to Chrisp Street complementing the massing to the other side of Chrisp Street, whilst being sympathetic to the context of the two storey dwellings to the north of the site.
- 8.27 The scheme has been designed to be outward facing and provide active frontages that engage with the street. Active uses at ground floor level would be created by the commercial uses and residential entrances, thus enhancing the streetscene. The proposal has been designed to minimise the number of single aspect units and ensure the single aspect units are not north facing. The proposed site layout is considered acceptable.
- 8.28 In terms of façade treatment, the design rationale is to create a contemporary, attractive visual presence on the site using a simple, high quality palette of materials. The elevation treatment will articulate each of the blocks to break up the elevations and add visual interest. Full details and samples of materials will be secured by condition and approved in

accordance with design officer advice.

- 8.29 The proposed publicly accessible open space throughout the site would provide a setting for the development in visual terms but would also provide much needed open space within the area. The existing vacant development on the site provided a semi-private green space (approximately 800sqm) centrally within the development that was not visible within the streetscene. The proposed open space would be clearly visible within the streetscene and the proposed pedestrian route through from east to west across the site would aid permeability within the area. The space provided would have dedicated child playspace and overall creates a larger, high quality, more useable public open space. Full landscaping details would be secured by condition. The approach is considered acceptable and accords with policy OSN2 in the Interim Planning Guidance (October 2007) and policy SP04 in the Core Strategy (Submission Version 2009) which seek to protect and enhance open space within the borough.
- 8.30 The proposed design, layout, scale and bulk is considered acceptable and would relate to, and respect the surrounding context in accordance with policy DEV1 in the UDP 1998, policy DEV2 in the Interim Planning Guidance (October 2007) and policy SP10 in the Core Strategy (Submission Version 2009) which seek to ensure developments incorporate good design principles and respect their context. The proposed design is considered acceptable and the proposal would preserve the character of the adjacent conservation area to the south of the site in accordance with design policies DEV1 in the UDP 1998, policy DEV2 and CON2 in the Interim Planning Guidance (October 2007) and policy SP10 in the Core Strategy (Submission Version 2009).

Conclusion

- 8.31 Overall, the proposal is acceptable in design terms. The proposal provides a high quality development that is an appropriate design and would contribute to housing need. A large number of family sized units would be created within the proposals and whilst a large proportion of units would be for general market need, this helps to create a balanced community.

Amenity

- 8.32 Saved Policy DEV2 in the UDP 1998 and Policy DEV1 of the Interim Planning Guidance seek to ensure that development where possible protects and enhances the amenity of existing and future residents as well as the amenity of the public realm.

Overlooking

- 8.33 The scheme has been designed to retain an acceptable distance in excess of 20m to the north of the site, where the development directly faces neighbouring properties. To the east of the site, the proposal is 18 metres from Norwich House and the properties within Carron Close are separated by at least 12 metres across the road. To the south of the site, there is no direct overlooking to residential properties and the road separates the proposal. As such, given the location, distance and orientation of windows, it is not considered that there would be any unacceptable overlooking or loss of privacy to neighbouring occupiers to the north, south and west of the site.
- 8.34 With regard to potential overlooking towards the consented schemes at 116 and 118 Chrisp street, given the distance of at least 16 metres and the separation by the road, it is not considered that there would be unacceptable overlooking to the future neighbouring occupiers.

Daylight and Sunlight

- 8.35 Daylight is normally calculated by two methods - the Vertical Sky Component (VSC) and the Average Daylight Factor (ADF). No Sky Contour (NSC) measures at a point, at desktop level, where sky is no longer visible through a window. Sunlight is assessed through the calculation method known as the Annual Probable Sunlight Hours (APSH).
- 8.36 A daylight and sunlight report carried out by Savills dated 25th November 2009 has been submitted in support of the application. Environmental Health have reviewed the contents of this report. The report demonstrates that generally the impact on neighbouring properties is acceptable in line with Building Research Establishment (BRE) guidance. The only area of question is the impact of the scheme on the consented schemes (not built) at 116 Chrisp Street and 118 Chrisp Street. Whilst there are failures in some areas, 100% of the rooms tested at 116 and 118 Chrisp Street comply with BRE guidelines in terms of Average Daylight Factor (ADF).
- 8.37 The design of the consented schemes at 116 and 118 Chrisp Street in terms of window and balcony design, limits the amount of daylight and sunlight received into the rooms. Only selected windows and rooms facing the proposed development were tested. The consented schemes on Chrisp St are across a street which is not uncommon within an urban context. ADF levels within the rooms would be compliant and therefore the properties will receive good daylight in terms of ADF. In addition, the units in the consented schemes at 116 and 118 Chrisp Street are dual aspect and overall it is not considered that the proposal would have an overbearing impact or an unacceptable loss of light within the urban context. Given that the BRE guidance should be interpreted with some flexibility and the urban context of the site, it is considered that the impact is acceptable and a refusal could not be substantiated on daylight and sunlight grounds.
- 8.38 Overall, acceptable levels of daylight and sunlight would remain as a result of the development to surrounding occupiers. The occupiers of the consented scheme would have acceptable light in the urban context and a refusal could not be sustained on daylight and sunlight grounds.

Overshadowing

- 8.39 A report carried out by Savills dated 25th November 2009 has been submitted in support of the application. This shows that whilst overshadowing to the gardens of 50-74 Carmen Street to the north of the site would be slightly increased as a result of the proposed development, the result remains fully BRE compliant and is therefore acceptable.
- 8.40 The report shows that the gardens to the proposed 5 bedroom houses would be overshadowed and would receive limited direct sunlight during the day, given their northern orientation. However, given these units benefit from a large private amenity area and a south facing roof terrace at 2nd floor level, this impact is considered acceptable.
- 8.41 The proposed main central area of open space within the development would only have a very small percentage (0.9%) of the area that experiences permanent shading and there is fully compliant with BRE guidelines and is therefore acceptable.

Sense of enclosure

- 8.42 Given the location and orientation of the proposed buildings, it is not considered that the proposals would result in an unacceptable sense of enclosure within itself or to neighbouring residential occupiers.

Noise

- 8.43 Given the scale of the development, the applicant would be required to adhere to an approved construction management plan to minimise noise and disturbance to nearby residents caused by construction noise, debris and traffic. A comprehensive construction management plan secured by S.106 agreement, would ensure that the level of disturbance and disruption within the locality during construction is minimised and kept to an acceptable level. Construction hours would be controlled by planning condition.
- 8.44 Given the scale, it is not considered that the proposed uses would cause unacceptable noise and disturbance. A planning condition would restrict the delivery and operation hours of the commercial uses to protect the residential amenity of residential occupiers. A full service management plan would also be secured within the S.106 agreement.
- 8.45 Overall, the proposal is considered acceptable and would not cause unacceptable harm to residential amenity in terms of overlooking, overshadowing, loss of light and noise in accordance with policy DEV2 and DEV50 in the UDP 1998 and policy DEV1 and DEV10 in the Interim Planning Guidance (October 2007).

Transport & Highways

- 8.46 Both the Unitary Development Plan and the Interim Planning Guidance contain a number of policies which encourage the creation of a sustainable transport network which minimises the need for car travel, and supports movements by walking, cycling and public transport.
- 8.47 Following initial highway comments the applicant has submitted additional information regarding visitor spaces, number of cycle parking spaces, trip rates and servicing. The proposed cycle parking figures and details have been clarified and the provision of 150 resident spaces and 20 visitor / commercial spaces are considered acceptable in line with policy requirements and is therefore acceptable.
- 8.48 Communal bin stores will be provided within each of the building cores. A central bin store is provided at the northern end of Block D which will enable refuse vehicles to reach within 10m of the store. On designated refuse collection days, it is proposed that the refuse bins will be moved from the storage areas to the central refuse collection point located in Block D by the appointed management company. A managed system is also proposed for the commercial refuse bins, whereby the bins will be moved by the management company to adjacent to the central bin store on collection day. The service and refuse management plan would be secured via S.106 agreement. The refuse provision is considered acceptable in line with policy DEV15 in the Interim Planning Guidance (October 2007) and SP05 in the Core Strategy (Submission Version 2009).
- 8.49 Whilst LBTH highways sought an on-site servicing bay, it is considered that this would conflict with the provision of high quality amenity space within the site. Therefore, an agreement has been reached that the servicing bay can be accommodated on Carron Close and revised plans have been submitted.
- 8.50 Taking into account the additional information received following initial highways comments, parking arrangements, trip generation and servicing and refuse are considered acceptable. Subject to a service management plan and travel plan, highways officers do not raise a principle objection to the scheme on highways grounds.
- 8.51 The proposed car-free agreement for the new units is considered acceptable given the accessible location and provision of a Travel Plan within the S.106 agreement. The provision

of disabled parking throughout the development has been confirmed by the applicant following initial highways comments and is considered acceptable in line with planning policy.

- 8.52 The proposals are considered acceptable in highways terms in accordance with policies DEV1 and T16 in the UDP 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007 and policy SP08 in the Core Strategy (Submission Version 2009). A Travel Plan, Servicing Management Strategy, Construction Logistics Plan and the car free agreement are to be secure by planning conditions and via the S.106 agreement.

Sustainability

- 8.53 During the course of the application a revised energy strategy was submitted due to being unable to agree a servicing strategy for the biomass boiler with Highways officers. This revised energy strategy outlined the replacement of the biomass boiler with a combined heat and power plant (CHP) and the provision of solar photovoltaic (PV) panels. This is considered acceptable by the LBTH Energy team.
- 8.54 The approach to energy and sustainability is considered to be generally acceptable in principle. The applicant has broadly followed the energy hierarchy in policy 4A.1 in the London Plan. Energy and sustainability conditions will be attached to any permission granted to ensure compliance with policy.

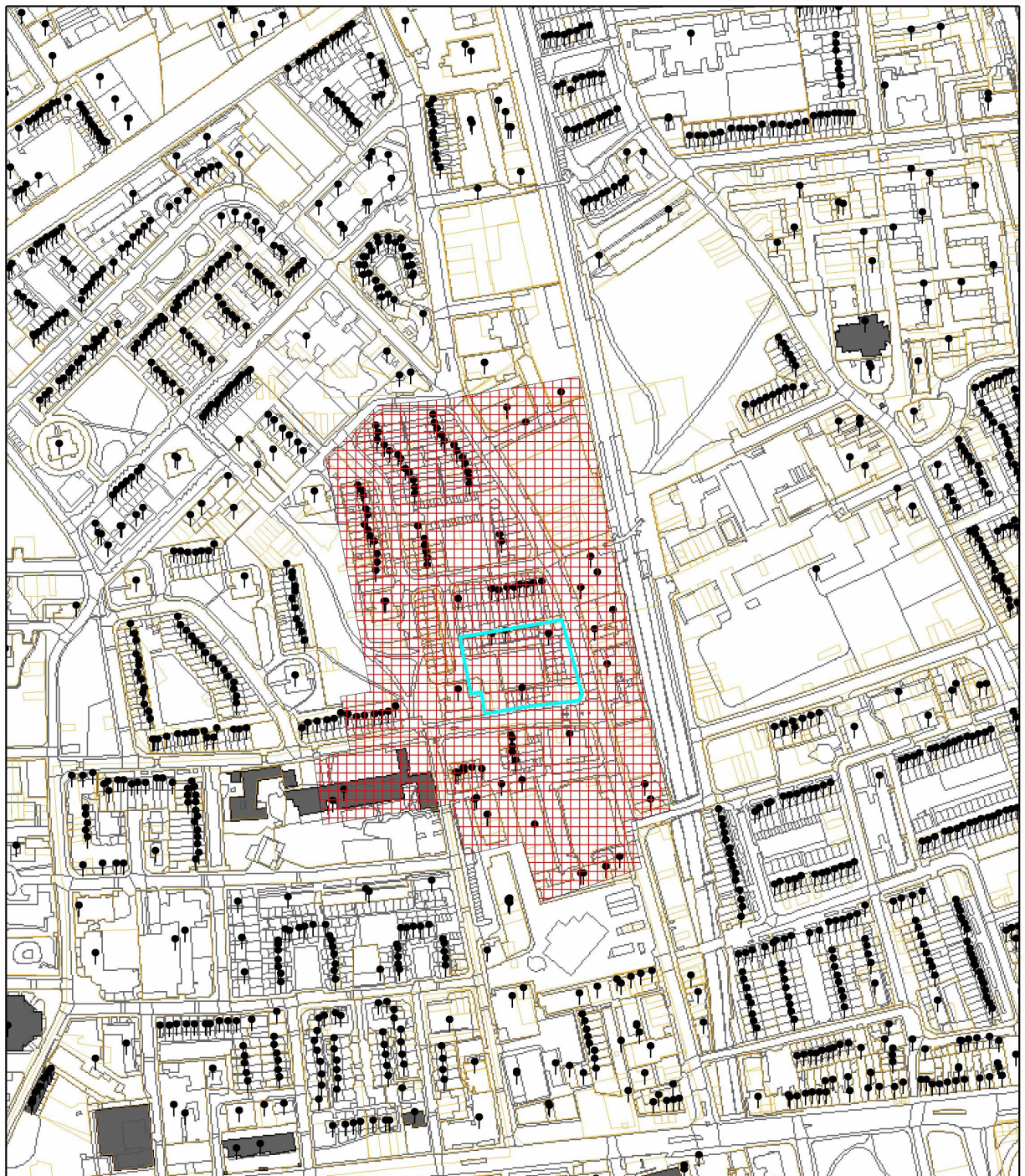
Other


- 8.55 As a result of the proposed development, the existing thoroughfare to the north of the site adjacent to the rear gardens of 50-74 Carmen Street would be lost. A small 1 metre alleyway would be retained for residents to gain rear access to their rear gardens. This alleyway is outside the application boundary and whilst it is therefore a management issue for Poplar Harca and cannot be controlled by this application, the applicant has informed the council that this alleyway would be gated and only accessible to residents of these properties. The application proposal creates a new access through the site from east to west, and therefore the alley to the north of the site would not become a well used route by the public.
- 8.56 Given that the biomass boiler is no longer proposed, this removes the fundamental air quality objection from Environmental Health. Following addition information received from the applicant, further air quality comments have been sought from Environmental Health. No comments have been received to date, however further comments or an appropriately worded planning condition will require air quality details to be submitted and approved.
- 8.57 It is recognised that there may be an increase in activity in the area as a result of the proposed development, but is not considered this would result in an increase in anti-social behaviour. The scheme has been designed to encourage natural surveillance over the public realm.

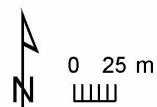
9.0 CONCLUSIONS

- 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



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



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 LA086568