

Committee: Strategic Development	Date: 17 th June 2010	Classification: Unrestricted	Agenda Item No: 9.3
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Simon Ryan		Ref No: PA/10/00161	
		Ward(s): Limehouse	

1. APPLICATION DETAILS

Location: Former Blessed John Roche Secondary School, Upper North Street, London E14 6ER

Existing Use: Vacant school

Proposal: Demolition of existing buildings and redevelopment of the site to provide: 490 residential units (Use Class C3) in six separate blocks ranging from 3-storey mews to buildings with maximum heights of 5, 6, 7, 9 and 14 storeys; a community centre (Use Class D1) retail floorspace (Use Class A1), restaurant and cafe floorspace (Use Class A3), crèche (Use Class D1) and leisure facilities (Use Class D2). The application also proposes 169 car parking spaces at a partially subterranean lower ground floor level, the formation of vehicular crossovers and entrances into the site together with associated hard and soft landscaping.

Drawing Nos:

- Drawing nos. PL/005A, PL/006A, PL/009K, PL/010K, PL/012K, PL/013L, PL/014L, PL/015K, PL/016K, PL/117K, PL/018J, PL/019J, PL/020J, PL/021J, PL/022J, PL/023J, PL/026H, PL/030B, PL/031B, PL/032B, PL/033B, PL/034C, PL/035B, PL/039D, PL/040C, PL/041D, PL/042D, PL/043D, PL/044D, PL/045C, PL/046C, PL/047C, PL/048B, PL/049B, PL/050B, PL/051B, PL/052B, PL/059B, PL/060B, PL/061B, PL/062B, PL/063B, PL/069B, PL/070C, PL/071C, PL/072C, PL/073C, PL/074C, PL/075B, PL/076B, PL/077B, PL/100G, PL/101G, PL/102G, PL/103H, PL/104G, PL/105E, PL/110H, PL/111G, PL/112F, PL/113G, PL/114G, PL/115H, PL/116E, PL/117F, PL120, PL/121B, PL/122, PL/123
- Design and Access Statement
- Planning Statement
- Environment Statement (volumes 1 to 5)
- Transport Assessment
- (Draft) Travel Plan
- Transport Accessibility Report
- Landscape Proposals and Play Strategy
- Statement of Community Involvement
- Energy Strategy
- Code for Sustainable Homes Preliminary Assessment Report
- Sustainability Statement
- PPG15 Assessment and Historic Building Recording Report
- Housing Provision Statement
- Toolkit Viability Report

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

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Simon Ryan 020 7364 5009

Applicant: Bellway Homes Ltd and Family Mosaic Developments Ltd
Owner: Bellway Homes Ltd and EDF Energy Networks Ltd
Historic Building: N/A
Conservation Area: Lansbury Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1
- Following the closure of the former Blessed John Roche Secondary School in 2005, the school has been deemed surplus to education requirements. As such, the principle of a residentially-led mixed use scheme is considered to be appropriate and in accordance with saved policy DEV3 of the Unitary Development Plan (1998), policies CP1, CP15 and CP19 of the Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2009) which seek to deliver new housing and the creation of sustainable places
 - 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. As such, the development complies with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policy HSG1 of the Council's Interim Planning Guidance (2007) and also policy SP02 of the Core Strategy Development Plan Document (2009) which seeks to ensure the use of land is appropriately optimised
 - The retail (Class A1), restaurant and café (Use Class A3), community centre (Use Class D1), and leisure facilities (Class D2) are acceptable as they will provide for the needs of the development and surrounding residents and would result in job opportunities for local residents. As such, it is in line with policies 3D.1, 3D.3 and 5C.1 of the London Plan (Consolidated with Alterations since 2004), saved policies DEV1, DEV3, EMP1, EMP 6 and EMP8 of the Council's Unitary Development Plan 1998 and policies CP1, CP15, DEV1 and RT4 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to promote a diverse range of employment, retail and leisure uses and promote employment including opportunities for local people
 - The building height, scale, bulk and design is acceptable and in line with the Council's design policies and regional and local criteria for tall buildings. As such, the scheme is in line with policies 4B.8, 4B.9 and 4B.10 of the London Plan 2008, saved policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2 and DEV3 of the Council's Interim Planning Guidance (October 2007), which seek to ensure buildings are of a high quality design and suitably located
 - The 14-storey building within the development would form a positive addition to London's skyline, without causing detriment to local or long distance views, in accordance policies CP48 and CP50 of the Council's Interim Planning Guidance (2007) and policies 4B.1, 4B., 4B.8 and 4B.9 of the London Plan (2008) which seek to ensure tall buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views
 - Subject to conditions requiring the submission of full details and samples materials and elevational treatments, the scheme is considered to enhance the street scene and local context, posing no significant adverse impact on the character, appearance and setting of the nearby Grade II listed building nor the character and appearance of the Lansbury Conservation Area, in accordance with PPS5, Policy 4B.1 and 4B.8 of the Mayor's London Plan (Consolidated 2008) as well as Policy DEV1 of the LBTH UDP (1998), policies CP4, CP48, CP49, DEV2, CON1 and CON2 of the Interim Planning Guidance (2007) and policy which seek to protect the appearance and setting of listed buildings and conservation areas

- The proposal provides an acceptable amount of affordable housing and mix of units. As such, the proposal is in line with policies 3A.5, 3A.8, 3A.9 and 3A.10 of the London Plan (Consolidated with Alterations since 2004), saved 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 of the Core Strategy Development Plan Document (2009) which seek to ensure that new developments offer a range of housing choices
- The scheme provides acceptable space standards and layout. As such, the scheme is in line with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2009) which seek to provide an acceptable standard of accommodation
- The public amenity space within the scheme is considered to be fully accessible and also improves the permeability of the immediate area. As such, it complies with saved policy DEV1 of the UDP (1998) and policies CP30, DEV3 and DEV4 of the Interim Planning Guidance (2007) which seek to maximise safety and security for those using the development and ensure public open spaces incorporate inclusive design principles
- It is not considered that the proposal would give rise to any undue impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding residents. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998) and policy DEV1 of the Interim Planning Guidance (2007) which seek to protect residential amenity
- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policies 3C.1 and 3C.23 of the London Plan, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007), which seek to ensure developments minimise parking and promote sustainable transport options
- Sustainability matters, including energy, are acceptable and in line with policies 4A.4, 4A.6, 4A.7, 4A.14 and 4B.2 of the London Plan and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007), which seek to promote sustainable development practices
- Financial contributions have been secured towards the provision of open space, sports and recreation, highways and transportation, tree replacements, education, health and cycle route improvements, in line with Community Infrastructure Levy Regulations (2010), Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (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. Any **direction** by **The Mayor**

B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:

Financial Contributions

- a) Open Space: Provide **£665,691** towards improvements to Bartlett Park
- b) Sports and Recreation: Provide **£467,245** towards the provision of and upgrade of sports and recreation facilities within Barlett Park
- c) Highways and Transportation: Provide **£255,000** towards local traffic calming measures, street lighting and footway improvement works
- d) Tree Replacements: Provide a sum of **£43,500** to reprovide felled matures trees within the vicinity of the application site
- e) Education: Provide **£765,204** towards the provision of additional primary school places in the Borough
- f) Health: Provide **£707,115** towards improving health within the Borough
- g) Travel Plan monitoring: Provide **£3,000** towards the monitoring of a sustainable travel plan
- h) Cycle Route improvements: Provide **£50,000** towards cycle route and infrastructure provision as identified within Tower Hamlets' Cycle Route Implementation and Stakeholder Plan
- i) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Total - **£2,956,755**

Non-financial contributions

- j) Affordable housing contribution – 35%
- k) Car-free agreement
- l) Delivery of Church Green landscaped area as approved under planning permission reference PA/09/01354
- m) Unrestricted access to open space and through routes within application site, including Church Green
- n) Code of Construction Practice - To mitigate against environmental impacts of construction
- o) Access to employment - To promote employment of local people during and post construction, including an employment and training strategy
- p) TV reception monitoring
- q) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

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

3.3 That the Head of Development Decisions is delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Permission valid for 3 years
- 2) Hours of Construction (8.00am to 6.00pm Monday to Friday 9.00am to 5.00pm on Saturdays and not at all on Sunday or Bank holidays)
- 3) Power/hammer driven piling/breaking (10am – 4pm Monday – Friday)
- 4) Submission of samples / details / full particulars of materials, glazing, landscaping & external lighting
- 5) Full details of plant, machinery, air conditioning and ventilation required, together with noise attenuation measures for both residential and commercial elements
- 6) Submission of a Delivery and Service Plan (DSP)/Service Management Plan
- 7) Submission of a Construction Management and Logistics Plan
- 8) Submission of full Travel Plan

- 9) Development to be carried out in accordance with Flood Risk Assessment
- 10) Submission of a contamination risk assessment
- 11) Submission of a contamination verification report
- 12) Submission of remediation strategy if contamination not previously identified is found
- 13) Commercial units not to be combined and used as a single retail (A1) unit
- 14) Car park access ramps and car park layouts to be constructed in accordance with approved plan MBSK100603-1
- 15) Details of secure cycle and bin storage
- 16) Cycle parking provision to be provided and retained as detailed on submitted plans
- 17) No infiltration of surface water drainage into the ground is permitted
- 18) Piling or any other foundation designs using penetrative methods not permitted unless consent obtained from LPA
- 19) Submission of a drainage strategy
- 20) Submission of impact studies of the existing water supply infrastructure
- 21) Submission of details of sound/noise insulation and mitigation measures
- 22) Provision of ecological enhancement measures as detailed in Environmental Statement
- 23) Lifetimes Homes standards and 10% should be wheelchair accessible
- 24) Energy efficiency and renewable energy – heat network installed in accordance with submitted Energy Strategy
- 25) All houses to have space heating supplied by air source heat pump, also including solar thermal collectors
- 26) Sustainable design and construction measures shall be implemented in accordance with the submitted Sustainability Statement
- 27) Schedule of highway works to be submitted and approved. Works to be completed prior to occupation
- 28) Nineteen disabled parking spaces to be provided
- 29) Wayfinding signage strategy to be submitted
- 30) Full details of child play space
- 31) 20% of vehicle parking spaces to incorporate electric car charging points
- 32) Reinstatement of sculpture, foundation stone, coat of arms and cross
- 33) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 agreement required
- 2) Section 278 highways agreement required
- 3) Contact Thames Water regarding installation of a non-return valve, petrol/oil-interceptors, water efficiency measures and storm flows
- 4) Changes to the current licensing exemption on dewatering
- 5) Contact LBTH Building Control
- 6) Contact LBTH Environmental Health
- 7) Contact Environment Agency
- 8) Contact TfL regarding requirements of Traffic Management Act 2004
- 9) Section 61 Agreement (Control of Pollution Act 1974) required
- 10) Contact London Fire & Emergency Planning Authority
- 11) Advert consent required for all signage
- 12) Contact Natural England regarding specifications for ecological enhancements
- 13) Notify HSE of any work on asbestos
- 14) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.4 That, if within 3 months of the date of this committee meeting the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes the demolition of the existing former school buildings and the erection of six buildings, which range in height from a three-storey mews houses on the east/south east edges of the site, to 5, 6 and 7 storey residential blocks on the north and eastern perimeters of the site. Two buildings at the centre of the site extend up to 9 and 14 storeys. The proposed buildings are arranged around a network of public open spaces, with routes through the site linking Canton Street to the south to Lindfield Street and Bartlett Park to the north, and Hind Grove to the west with Upper North Street to the east.
- 4.2 The proposed development, known as New Festival Quarter, comprises of 490 residential units, together with 684sq.m of flexible floorspace comprising of a mix of retail (Use Class A1), restaurant and café (Use Class A3), crèche (Use Class D1) and leisure facilities (Use Class D2) and a 214sq.m community centre (Use Class D1). The community centre is located on the west of the application site and is accessed via Hind Grove, whilst the commercial units are located around the approved 'Church Green' landscaped area in the south eastern corner of the site.
- 4.3 The proposal includes 169 vehicular parking spaces, 19 of which are for disabled purposes and 2 are allocated for an on site car club. Also proposed are 756 cycle parking spaces and 36 motorcycle spaces.
- 4.4 The applicant's submitted housing provision statement details that the proposed development will be delivered in four phases over the course of approximately 5 years.

Site and Surroundings

- 4.5 The site, which measures 1.77 hectares, currently comprises the former Blessed John Roche Catholic Secondary School, which was gradually closed from 2001 until the summer of 2005, following the redevelopment of the Bishop Challoner Boys School in Whitechapel. The site has since been declared surplus to educational requirements. The former school buildings vary in height from 2 to 5 storeys and are in a dilapidated condition.
- 4.6 The site is bound to the north by Lindfield Street and Bartlett Park beyond; to the east by Upper North Street; and to the south by Canton Street. The western boundary is formed by three storey housing, which fronts onto Saracen Street. The neighbouring buildings to the south and west typically range from 2-3 storeys terraces, with 4 storey residential blocks to the east on Upper North Street.
- 4.7 The site is located within the Lansbury Conservation Area. The Grade II listed St Mary and St Joseph Roman Catholic Church is located directly opposite the application site to the south.
- 4.8 The site is relatively well served by public transport, with the southern half of the site having a Public Transport Accessibility Level (PTAL) of '4' and northern half that of '3'. Langdon Park and All Saints DLR stations are located approximately 675m from the site to the north east and south east respectively. The nearest Underground Station is Canary Wharf, which lies approximately 1.2km to the south. A major bus route runs along East India Dock Road (A13) to the south and additional services are available from Cordelia Street to the east of the site and from Burdett Road to the west.

Relevant Planning History

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

PA/09/01351 Application for full planning permission, proposing the demolition of the

existing school buildings and redevelopment of the site to provide: 535 residential units (Use Class C3) in six separate blocks ranging from 3-storey mews to buildings with maximum heights of 5, 6, 7, 12 and 16 storeys respectively; retail floorspace (Use Classes A1), restaurant and cafe floorspace (Use Class A3), community centre (Use Class D1) and leisure facilities (Use Class D2). The application also proposes 174 car parking spaces at a partially subterranean lower ground floor level, the formation of vehicular crossovers and entrances into the site together with associated hard and soft landscaping. This application was withdrawn on 20th October 2009

PA/09/01352 Application for Conservation Area Consent for the demolition of existing school buildings to enable to enable redevelopment of site by erection of buildings from 3 to 16 storeys in height to provide 535 residential units with retail, restaurant/cafe, community centre and leisure floorspace. This application was withdrawn by the applicant on 22nd September 2009

PA/09/01353 This application was for Tree Works within a Conservation Area and proposed the removal of 37 trees across the school site including the removal of one Swedish Whitebeam, two Cherry 'Kanzan', one Laburnum, one Wild Cherry, two Rowans, one Apple, ten London Planes, one Cockspur Thorn, six Birches, one Elder Sycamore, one Fig, two Japanese Cherries, four Black Locusts, two Hybrid Black Poplars and two Hollies and the pruning of five London Planes. The applicant withdrew this application on 3rd September 2009

PA/09/01354 The application sought planning permission for soft and hard landscaping works to the "existing Church Green" area at the junction of Upper North Street and Canton Street. This application was approved on 22nd September 2009

PA/09/02612 Conservation Area Consent for the demolition of the existing former school buildings was granted on 27th January 2010 subject to conditions

PA/10/00261 This application was for tree works within a Conservation Area including removal of 37 trees, comprising one Swedish Whitebeam, two Cherry 'Kanzan', one Laburnum, one Wild Cherry, two Rowans, one Apple, ten London Planes, one Cockspur Thorn, six Birches, one Elder Sycamore, one Fig, two Japanese Cherries, four Black Locusts, two Hybrid Black Poplars and two Hollies and pruning of five London Planes (in association with planning application ref. PA/10/00261). The applicant withdrew this application on 18th March 2010

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, 2007)

Proposals:

Flood Protection Area
Within 200m of East West Crossrail

Policies:

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Developments
DEV4	Planning Obligations

DEV8	Protection of Local Views
DEV9	Control of Minor Works
DEV12	Provision Of Landscaping in Development
DEV43	Protection of Archaeological Heritage
DEV44	Preservation of Archaeological Remains
DEV50	Noise
DEV51	Contaminated Soil
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV69	Efficient Use of Water
EMP1	Promoting economic growth and employment opportunities
EMP5	Compatibility with Existing Industrial Uses
EMP6	Employing local People
EMP8	Encouraging Small Business Growth
HSG7	Dwelling Mix and Type
HSG13	Internal Space Standards
HSG 14	Provision for Special Needs
HSG15	Development Affecting Residential Amenity
HSG16	Housing Amenity Space
T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrians Needs in New Development
S10	Requirements for New Shop front Proposals
OS9	Children's Playspace
U2	Development in Areas at Risk from Flooding
U3	Flood Protection Measures
ART7	Hotel Developments

Interim Planning Guidance for the purposes of Development Control (October 2007)

Proposals:

	Flood Risk Zone 2 and 3
Core Strategies:	CP1 Creating Sustainable Communities
	CP2 Equality of Opportunity
	CP3 Sustainable Environment
	CP4 Good Design
	CP5 Supporting Infrastructure
	CP9 Employment Space for Small Businesses
	CP11 Sites in Employment Use
	CP15 Provision of a Range of Shops and Services
	CP19 New Housing Provision
	CP20 Sustainable Residential Density
	CP21 Dwelling Mix and Type
	CP22 Affordable Housing
	CP24 Special Needs and Specialist Housing
	CP25 Housing and Amenity Space
	CP28 Healthy Living
	CP29 Improving Education Skills
	CP31 Biodiversity
	CP37 Flood Alleviation
	CP38 Energy Efficiency and Production of Renewable Energy
	CP39 Sustainable Waste Management
	CP41 Integrating Development with Transport
	CP43 Better Public Transport
	CP46 Accessible and Inclusive Environments
	CP47 Community Safety

Policies:	CP48	Tall Buildings
	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	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	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV25	Social Impact Assessment
	DEV27	Tall Buildings Assessment
	EE2	Redevelopment/Change of Use of Employment Sites
	RT3	Shopping Provision Outside of Town Centres
	RT4	Shopping Provision Outside of Town Centres
	HSG1	Determining Housing Density
	HSG2	Housing Mix
	HSG3	Affordable Housing
	HSG4	Ratio of Social Rent to Intermediate Housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing

Spatial Development Strategy for Greater London Consolidated with Alterations Since 2004 (London Plan February 2008)

2A.1	Sustainability Criteria
3A.18	Protection and enhancement of social infrastructure and community facilities
3B.1	Developing London's economy
3B.11	Improving Employment Opportunities
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable Transport
3C.23	Parking strategy
3D.1	Supporting town centres
3D.3	Improving retail facilities
3D.7	Visitor Accommodation and Facilities
3D.14	Biodiversity and nature conservation
4A.2	Mitigating climate change
4A.3	Sustainable Design and Construction
4A.4	Energy assessment
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.14	Sustainable drainage
4A.16	Water supply and resources
4A.17	Water quality
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.8	Respect local context and communities
4B.9	Tall buildings - location
4B.10	Large-scale buildings – design & impact
4B.11	London’s built heritage
4B.12	Heritage conservation
4B.15	Archaeology
4B.16	London view management framework
4B.17	View management plans
5C.1	The strategic priorities for North East London
5C.3	Opportunity areas in North East London
6A.4	Planning Obligation Priorities

Supplementary Planning Guidance/Documents

Residential Space Standards
 Designing out Crime

Core Strategy Development Plan Document (Submission Version December 2009)

Policies:	SP01	Refocusing on our town centres
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP05	Dealing with waste
	SP06	Delivering successful employment hubs
	SP07	Improving education and skills
	SP08	Making connected places
	SP09	Creating attractive and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP12	Delivering placemaking – Poplar Vision, Priorities and Principles

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning and the Historic Environment
PPG9	Biodiversity and Nature Conservation
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPS25	Flood Risk

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

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 Access to Employment

- 6.2 Access to Employment have requested that the following commitments are secured through the s106 legal agreement:
- The developer to provide a written statement to its prospective contractors, sub-contractors, tenants and/or freeholders recommending the Skillsmatch service;
 - That all entry-level job vacancies throughout the construction and end-user phases of the development are shared with Skillsmatch by the developer and contractors/sub-contractors;
 - That the managing contractor during construction works meets with Skillsmatch prior to works commencing to disseminate skills and employment requirements for the site;
 - That consideration is given to the possibility of hosting apprenticeships during the construction phase;
 - That Skillsmatch is given the earliest possible opportunity to manage a recruitment campaign for the retail and leisure elements of the scheme.

Officer Comment: The requested commitments to the Skillsmatch service have been included within the Heads of Terms of the s106 agreement, as detailed above at paragraph 3.1

LBTH Biodiversity

- 6.3 No comments received.

LBTH Crime Prevention Officer

- 6.4 The amended scheme has taken into account my previous concerns.

LBTH Communities, Localities and Culture (CLC)

- 6.5 The following financial contributions are sought to mitigate the impacts of the proposal:
- Provide **£665,691** towards Open Space; and
 - Provide **£467,245** towards Sport and Recreation

Officer comment: The above financial contributions have been agreed with the applicant, as detailed above at paragraph 3.1

LBTH Education Development

- 6.6 The residential unit mix is assessed as requiring a contribution towards the provision of 62 additional primary school places @ £12,342 = £765,204. 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 above financial contributions have been agreed with the applicant, as detailed above at paragraph 3.1

LBTH Energy Efficiency

- 6.7 Energy comments
The applicant has principally followed the energy hierarchy set out in policy 4A.1 of the consolidated London Plan and the proposals aim to reduce overall carbon emissions by

approximately 30.3%. Decentralised energy is proposed through the provision of a community heating system. The system will be fed by a gas fired CHP unit in the communal energy centre located in the basement plant area of Block B. The proposals also include the installation of air source heatpumps to meet the space heating requirements and a solar thermal array (60m²) to provide a proportion of the hot water requirements of the 15 affordable houses in block B.

Sustainability comments

The applicant has provided a commitment to achieving a Code for Sustainable Homes Level 3 rating for the whole development, in accordance with Policy 4A.3 of the London Plan, which seeks development to meet the highest standards of sustainable design and construction.

Conditions are recommended to secure the proposed energy efficiency and CHP technologies and sustainable design and construction measures.

Officer Comment: The requested conditions have been attached, as detailed above at paragraph 3.3

LBTH Environmental Health

Contaminated Land

- 6.8 A condition requiring further contamination investigation and mitigation works should be attached.

Officer Comment: As detailed above within paragraph 3.3, a condition requiring a site investigation has been added.

Daylight, Sunlight and Microclimate

- 6.9 Daylight and Sunlight: In terms of the impact of the development upon existing nearby properties, whilst there are significant impacts on Flora Close and lesser impacts upon Griffin House in terms of Vertical Sky Component losses, the Average Daylight Factor is of marginal impact. The impact of the development upon itself (i.e. between blocks) is acceptable. Whilst there would be some transient shadowing between 2pm and 5pm, the overall level is acceptable. In terms of microclimate, the submitted wind tunnel assessment details that with suitable mitigation methods, the proposal would adequately meet Lawson criteria for its intended use. As such, Environmental Health can recommend planning permission in terms of daylight, sunlight, and microclimate.

Health and Safety

- 6.10 Informatives should be attached to any planning permission advising the applicant to contact the Environmental Health department prior to commencement of development, with regard to health and safety during and after construction.

Officer Comment: Informatives have been attached accordingly, as detailed above at paragraph 3.3

Noise and Vibration

- 6.11 No objections raised, subject to conditions requiring the submission of a noise survey, details of sound insulation between the commercial and residential units, noise attenuation measures for any plant and details of any extraction and ventilation equipment to be submitted and agreed.

Officer Comment: Conditions have been attached accordingly, as detailed at paragraph 3.3

LBTH Highways

6.12 No objections are raised to the principle of the scheme, including the proposed parking provision, access and servicing arrangements:

Parking

- The level of parking is a reasonably sustainable level of provision and below the maximum standards;
- It is essential that any planning approval should include a section 106 car free agreement to promote sustainable modes of transport and prevent future occupiers from applying for on-street parking permit;
- 20% of parking spaces should be supplied with electric car charging points;
- The proposed level of cycle and motorcycle parking exceeds standards and is therefore welcomed;

Pedestrians and Cyclists

- I welcome the improved permeability through the site proposed and the intention to improve links with Bartlett Park and visitor parking is provided next to the proposed community centre;
- I also welcome the commitment to include cycle information and training as part of the Travel 'welcome pack' for residents;
- I recommend the s106 agreement covers funding for improved signposting as well as the proposals for cycle scheme improvements

Servicing

- The applicant is proposing servicing and deliveries off the highway for all uses through a private route within the site, which was previously negotiated. For the servicing to be effective and prevent deliveries on the highway the applicant will be required to submit for approval a service management plan

Financial Contributions and Legal Requirements

- The following contributions are deemed necessary to mitigate the impact of the development:
- £105,000 towards footway improvements
- £135,000 towards traffic calming measures
- £15,000 towards street lighting and street furniture improvements in the area
- £3,000 towards Travel Plan monitoring
- S106 Car-Free Agreement to prevent future residents from applying for the Council's on-street parking scheme

Conditions and Informatives

- Submission of a Service Management Plan
- Submission of a Construction Management Plan
- S106 Car-Free Agreement
- Submission of Travel Plan
- 20% of all vehicular parking spaces to be fitted with electric charging points
- Cycle parking to be permanently retained
- Scheme of highway works to be agreed
- S278 Highways Agreement required

Officer Comment: The above requested financial contributions, s106 commitments, conditions and informatives have been agreed and attached, as detailed above within paragraphs 3.1 and 3.3

LBTH Housing Strategy Group

- 6.13
- The provision of affordable housing is an acceptable 35% in total (measured by habitable rooms)
 - The scheme provides a 69:31 split between social rent and intermediate tenures, which falls short of the 80:20 mix required by IPG policy HSG5, however is broadly in accordance with the London Plan target of 70:30
 - The provision of 15 affordable social rent family 4 and 5-bed houses is welcomed
 - The scheme brings a slight under provision of family units within the intermediate and private sales tenure
 - The social rented affordable housing is nearly all provided in block B1a, B3, B4, B5. The layouts of the units in block B5 are of good design and provide a separate kitchen and living room which are popular with large families. The family units provide private gardens and roof terraces. This area will have a high child density which may cause future management problems due to the units being concentrated all in one area of the development
 - All units appear to have private amenity space but a number appear to be below the council's minimum space requirements as contained within IPG policy HSG7
 - I have concerns over the usability of some of the communal roof amenity space within the scheme as to whether they can be used as good quality open space in a high density scheme
 - Design issues with block B3 flat number 31 & 32 have issues with design of the entrance door to flat. Flat 31 access forms part of the communal access to the open roof space. This could cause future management problems with anti social behaviour. A similar problem also arises within Block D4 with the communal balcony access and bedroom windows facing out onto this area
 - It is unclear whether residents have access to all open space roof areas or will this be restricted to each block. This could affect the open space provision for all residents within the scheme
 - There are forty nine wheelchair units (9x1 bed, 14x2 bed 26x3 bed units), which equates to 10% of all units and therefore meets the policy requirement

Officer Comment: Further to the above comments, the applicant has revised numerous elements of the scheme to address any outstanding concerns. These are discussed below within section 8 of the report

LBTH Landscape Section

No comments received.

LBTH Parks & Open Spaces (Arboricultural Officer)

- 6.14 In principal I have no objections to the proposal, as many of the existing trees on site are defective and in decline. However, there will need to be a robust agreement in place with the developer to allow for compensatory tree planting surrounding the proposed development to compensate for the heat island effect and loss of amenity. This will need to be in place before tree removal works commence. A Helliwell evaluation has revealed an amenity value of £43,500 for the 10 affected mature London Planes. Therefore this sum should be secured within S106 agreement and should fund replacement trees to be planted near to and around the external boundary of the site. A robust planting scheme will improve the heat island effect, increase amenity value and generally offer a landscape benefit.

Officer Comment: The requested sum has been secured within the s106 agreement. The development would result in the removal of 37 trees in total, for which a Tree Works within a Conservation Area application would need to be submitted. An extensive tree planting scheme is proposed within the development which will include 76 trees within the proposed public realm and semi-private communal gardens.

LBTH Waste Policy and Development

6.15 No comments received.

Tower Hamlets Primary Care Trust (PCT)

6.16 The TH PCT requested a total planning contribution as calculated by the HUDU model, of £3,657,690 (Capital element £707,115 and Revenue element £2,950,574)

Officer Comment: In line with established practice, the developer has agreed the Capital Planning Contribution of £707,115. See section 8 of this report for discussion of s106 contributions

English Heritage (Statutory Consultee)

6.17 English Heritage state that the Lansbury Estate has significant historical, aesthetic and communal value. The Blessed John Roche School is an important part of the historic fabric of the Conservation Area. The school, which was built in 1950-2, is included on the map of the Lansbury Estate which appears in the book entitled 'A Tonic for the Nation – The Festival of Britain 1951'. English Heritage also make the following comments:

- The Historic Building Recording Report contained within the Conservation Area Consent notification states that (paragraph S8) *'the school includes a Portland stone coat of arms, foundation stone and a statue of 'Our Lady, Star of the Sea' by the Catholic Sculptor Peter Watts, a mosaic of the holy family by Philip R Suffolk and a fibre-glass cross, by Bernard and Ann Davis, which marked the position of the altar of the Church of SS Mary and Joseph which was destroyed during the second world war.'* It is important that these are preserved.
- The Lansbury Estate Conservation Area is characterised by modestly scaled flats and houses punctuated by larger public buildings such as the school, church and clock tower. The architecture is crisply detailed and is characterised by a particular lightness of touch. The proposed blocks, the subject of the current notification, appear in contrast to be heavy and ungainly. The upper parts of the taller blocks, in particular are visually uncomfortable.
- The distinctive form of the Grade II listed, St Mary and St Joseph Roman Catholic Church, immediately to the south of the former school building is a landmark in this part of the East End; like the school it formed part of the 'Live' architecture exhibition of the Festival of Britain. The existing school is pulled back from the corner of Canton Street and Upper North Street (adjacent to the church), and the proposal to create an open space at the junction of Canton Street and Upper North Street, adjacent to the church, appears sensible. We would suggest that this area could well form a location for the statue of 'Our Lady, Star of the Sea', the coat of arms and the foundation stone.

Officer Comment: Design and conservation aspects of the proposal are discussed within section 8 of the report, below. With regard to the sculpture, foundation stone, coat of arms and cross, the applicant has agreed in writing (letter dated 23rd April 2010) that these will both be preserved and reinstated within the development, namely within the 'Church Green' which links the application site to the neighbouring St Mary and St Joseph church. A condition has been attached to this effect. The applicant has declined to incorporate the mosaic as it is not deemed to be of historic value.

Environment Agency (Statutory Consultee)

6.18 No objections in principle, subject to conditions securing the following:

1. Development to be carried out in accordance with submitted Flood Risk Assessment;
2. Piling not permitted unless express written consent obtained from the Local Planning Authority

The Environment Agency also recommend the attachment of informatives with regard to land contamination and controlled waters.

Officer Comment: The requested conditions and informatives have been attached accordingly, as detailed at paragraph 3.3 above.

Greater London Authority (GLA - Statutory Consultee)

6.19 The GLA's stage I report states:

- The principle of residential-led mixed-use development complies with the London Plan
- The proposed residential density is acceptable and compliant with the London Plan
- The provision of 35% affordable housing is more than reasonable
- With regard to urban design, further information relating to elevational treatment, single-aspect units, space standards, open space design and landscaping is required
- The proposal has been designed to be accessible to all. 10% of units will be built as accessible from the outset and all units will comply with the Lifetime Homes criteria
- Further confirmation of child play space provision is required
- Further information is required to assess whether the proposal complies with the London Plan energy policies
- The proposal includes green roofs, sustainable urban drainage, a rainwater harvest system and water efficient and low flow appliances. As such the proposal complies with climate change adaptation policies
- Further information is required with regard to the transport policies of the London Plan

6.20 Further to the receipt of the Stage I report, the applicant has provided additional information in order to address the outstanding matters regarding urban design, child play space, climate change mitigation and transport. The GLA case officer has responded as follows:

- The revised elevations should be discussed with the Council before the application is referred back to the Mayor;
- All but two of the units will have private amenity space. The Council should ensure it is satisfied the proposed level of private amenity space complies with its residential standards;
- A comparison of the proposed units against the space standards of the draft Housing Design Guide and the draft replacement London Plan. Overall 56% of the units and 86% of the affordable housing units meet or exceed the space standards. Given the status of the draft standards and the overall quality of the proposal this is acceptable;
- The applicant states that it is not possible to reduce the level of single aspect units as this would require significant changes to the design and internal layout of the scheme which would reduce the number of units provided and affect viability. This is disappointing. However, it is noted that the residential quality of the 5 north facing single aspect studio units will benefit from views across the new landscaped square and full size windows and doors;
- The applicant has confirmed that the proposal will provide 1,229 sq.m of designated child play space. A plan detailing the location and boundaries of this space should be submitted before the application is referred back to the Mayor. The condition attached to any planning permission should include the submission of the detailed design of these areas including the equipment to be provided;
- There has been on going discussion with the applicant and the GLA energy team. The additional information requested in the report has been submitted and is on the

whole consistent with London Plan policy. However, the applicant is not proposing to provide any on site renewable technology. The applicant has identified that the only compatible option for providing renewable energy on site would be through photovoltaic panels but has discounted providing them because of the poor economic viability of photovoltaic panels. As such the proposal falls short of the 20% carbon dioxide target in the London Plan and the 44% target in the draft replacement London Plan. Whilst this is disappointing the proposal does comply with the Mayor's energy hierarchy detailed in policy 4A.1 which seeks energy efficient buildings, decentralised energy generation and the maximisation of combined heat and power before renewable energy provision.

Officer Comment: The revised elevations, which include the insertion of windows and privacy screening to a small number of units is considered to be acceptable. Design matters are discussed in further detail within section 8, below. With regard to two units not having private amenity space, these units are a studio flat in block B and a one-bedroom unit in Block D. This equates to 99.6% of units having private amenity space at an average of 10 sq.m per dwelling. In light of the proximity of Bartlett Park and level of communal amenity space provided within the development, it is not considered that an objection could be substantiated on these grounds. A condition has been attached to secure the submission of detailed play space plans as requested.

London Development Agency (Statutory Consultee)

6.21 No comments received.

London City Airport (Statutory Consultee)

6.22 No objections raised.

London Fire and Emergency Planning Authority (LFEPA - Statutory Consultee)

6.23 No objections raised.

National Air Traffic Services (NATS - Statutory Consultee)

6.24 No objections raised.

Natural England (Statutory Consultee)

6.25 We note that the proposals would result in the loss of a number of trees which have been categorised as 'A' or 'B'. If possible, the retention of these trees should be sought. However, if this is not feasible then you should be satisfied that the proposed additional planting will mitigate this loss and contribute to habitat connectivity through the site. Additionally, you should ensure that the proposed ecological enhancement measures set out in the Environmental Statement are delivered through the use of a planning condition.

Officer Comment: Further to the comments of the Council's Parks and Open Spaces department, as detailed above, no objection is raised with regard to the loss of the trees on site, subject to the implementation of the proposed landscaping and planting scheme and the securing of £43,500 to mitigate the loss of the mature London Planes on site

Olympic Delivery Authority (Statutory Consultee)

6.26 No objections raised.

Transport for London (Statutory Consultee)

6.27 The site is bounded by Lindfield Street, Upper North Street and Canton Street which are all borough roads. The nearest part of the Transport for London Road Network is the A13 East India Dock Road around 200m to the south. The nearest DLR stations are Westferry and Langdon Park, at a distance of some 500 to 700 metres. The closest bus stops to the site are on Cordelia Street and East India Dock Road, serving routes 15, 115, D6 and D8. The site has a good level of accessibility with a PTAL ranging from 3 in the north to 4 in the south (in a range of 1 to 6 where 6 is excellent). With regard the proposal itself:

- The development would not adversely impact upon public transport
- The low level of car parking is welcomed, as are the car club spaces, which should be located in an appropriate location
- On-street parking permits should be restricted by way of a car-free agreement
- The proposed level of cycle parking is in line with London Plan standards
- Cycle routes should be provided in and around the development, directly linking to the surrounding cycle network
- A Construction Logistics Plan (CLP), Travel Plan and a Delivery and Service Plan (DSP) should be secured by way of condition

Officer Comment: Conditions have been attached which require the submission of a Construction Logistics Plan, Travel Plan and a Delivery and Service Plan, as detailed at paragraph 3.3 of this report. A car free agreement has also been included within the s106 agreement, whilst a contribution of £50,000 towards cycle route improvements in the area has been agreed with the applicant, as detailed at paragraph 3.1.

Commission for Architecture and the Built Environment (CABE)

6.28 No comments received.

EDF Energy Networks Ltd

6.29 No comments received.

Officer Comment: EDF raised no objections to the previously withdrawn application and as such, it is considered that these comments remain applicable

London Wildlife Trust

6.30 No comments received.

National Grid

6.32 No comments received.

Thames Water

6.33 No comments received.

Officer Comment: Whilst no comments have been received from Thames Water, conditions have been attached requiring the submission of impact study, and a drainage strategy is to be submitted and approved prior to the commencement of any development.

7. LOCAL REPRESENTATION

7.1 A total of 3,473 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 also been publicised in East End Life 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: 15 Objecting: 13 Supporting: 2
No of petitions received: 1 objecting containing 33 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:

Land Use

- The proposal would overcrowd the area
- The proposal would put pressure on local schools and medical facilities
- The proposed commercial uses are not required given the proximity of Canary Wharf and Chrisp Street market
- No Council houses are proposed to be built
- The existing school should be retained

Design

- The proposed development does not take into account the architectural character of the surrounding Lansbury Conservation Area
- The proposed tall buildings are out of keeping with the surrounding low level terrace housing that characterises the Conservation Area
- A partially subterranean car park could encourage vandalism

Amenity

- The proposal would result in the loss of 37 trees, including mature London Plane trees which are of significant townscape and amenity value
- The proposal would create noise, dust and air pollution during demolition and construction
- The proposal could exacerbate existing anti-social problems in the area

Transport

- The proposal would exacerbate existing on-street parking problems in the area
- The development would increase local traffic
- The increase in traffic would be dangerous for local residents who walk to nearby schools and other such facilities

7.3 The following comments were made within the 2 letters of support received from Homes For Families:

- I am pleased to see that the proposals include fifteen 4 and 5 bedroom houses among the 146 affordable new homes which will address housing shortages in the Borough
- Living in overcrowded or unsuitable homes has a bad impact upon growing children's development and, as such, the proposal would be in the interests of the many thousands in need of better housing registered on the Council's waiting list
- The proposals include homes designed to meet the needs of wheelchair users
- The public areas have been designed to meet disability standards

7.4 The following issues were raised in representations, but they are not material to the determination of the application:

- The proposed restaurant/café floorspace would compete with existing similar premises in Chrisp Street market (*Officer Comment: matters relating to economic competition are not a material planning consideration*)

7.5 The following procedural issues were raised in representations, and are addressed below:

- The consultation process has been unclear and not all residents received notification of the events held by Bellway Homes or Family Mosaic, the most recent of which took place after the submission of the application (*Officer Comment: As detailed above within*

paragraph 7.1, the Council exceeded its statutory consultation requirements through wide ranging notification. The events held by Bellway Homes and Family Mosaic were not endorsed by the Council)

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Design and Conservation
3. Housing
4. Amenity
5. Transport
6. Energy Efficiency and Sustainability
7. Section 106 Agreement

Land Use

- 8.2 National, regional and local policy promote a mixed use development approach on this site, subject to the following considerations.
- 8.3 In respect of national policy, PPS 1 'Creating Sustainable Development', it promotes the more efficient use of land with higher density, mixed-use schemes. It suggests using previously developed, vacant and underutilised sites to achieve national targets. The effective use of land and the range of incentives/interventions to facilitate this are also encouraged in PPS3 'Housing'.
- 8.4 In respect of regional policy, The London Plan (Consolidated 2008), 2A.1 'Sustainability Criteria' also promotes the optimal use of land. Policy 2A.9 'The Suburbs: Supporting Sustainable Communities' refers to promoting change and enhancing of quality of life with higher-density, mixed-use development and by considering means of improving sustainability of land use. Policy 3B.3 'Mixed Use Development' mentions that mixed uses are also encouraged within the sub-regional development frameworks. Identifying capacity to accommodate new job and housing opportunities, through mixed-use development, is encouraged in Policy 5C.1 'The Strategic Priorities for North East London' of the London Plan.
- 8.5 Further in respect of Policy 5C.1, the priorities for the sub-region include, amongst other things, to ensure substantial expansion of population growth is accommodated in a sustainable way. The Mayor's North East London sub-region is a priority for development, regeneration and infrastructure improvement. It has many of the capitals largest development sites as well as a large number of areas suffering multiple deprivation. Nationally important change and regeneration is anticipated in this region.
- 8.6 The Core Strategy Submission Document December 2009 (Core Strategy) policy SP02 of the Core Strategy sets Tower Hamlets a target to deliver 43, 275 new homes (2, 885 a year) from 2010 to 2025. An important mechanism for the achievement of this target is reflected in London Plan Consolidated with Alterations February 2008 (London Plan) policy 3A.2 and 3A.3 which seek to maximise the development of sites and thereby the provision of family housing to ensure targets are achieved.
- 8.7 Policy SP12 of the Core Strategy Submission Document December 2009 details the vision for Poplar. With specific regard to Bartlett Park, Principle 2 seeks to provide for low to medium density family housing around the park, whilst Priority 2 seeks to expand and improve the size, usability and quality of Bartlett Park to reinforce its role as a large neighbourhood park, alongside providing new green spaces to support housing growth.

- 8.8 The existing site is a former secondary school, which was gradually closed between 2001 and 2005 following the development of alternative new secondary boys' Roman Catholic provision at the Bishop Challoner Boys' School. The Blessed John Roche School was deemed surplus to educational requirements by the Council in 2006.
- 8.9 There are no specific land use designations in the adopted Unitary Development Plan 1998 (UDP) or Interim Planning Guidance October 2007 (IPG). The application proposes housing, which, in principle, is acceptable in land use terms as this is the existing land use on the site.
- 8.10 The proposal, which would deliver 490 homes within a residentially-led mixed use development, is therefore considered to be appropriate and in accordance with the aims of the abovementioned London Plan policies and IPG policies CP19 and CP20, which seek to maximise the supply of housing. This is further reinforced by policies SP02 and SP12 of the Core Strategy. As such the proposed development is considered acceptable in principle and is supported by the London Plan and local policy objectives.
- 8.11 With specific regard to the proposed non-residential floorspace, the community centre and residents' gym would cater for the needs of the surrounding population and future occupiers respectively. The application also proposes three flexible commercial units, which are proposed to be used for crèche, retail or restaurant/café purposes. Whilst it is not the purpose of the planning system to prevent economic competition, it is recognised that policies ST34 and ST35 of the adopted UDP (1998) and CP15, CP16 and RT5 of the Interim Planning Guidance (2007) seek to protect the vitality of town centres such as Chrisp Street. Given that the application site is approximately 400m from Chrisp Street market and given the proposed units are relatively small (all three are under 180sq.m in area), it is not considered that the proposal would harm its vitality and would provide active ground floor uses around the landscaped 'Church Green' area. Nevertheless, a condition has been attached which prevents the three units being converted into a single large retail unit.

Density

- 8.12 The London Plan density matrix within policy 3A.3 suggests that densities within urban sites with good transport links should be within the range of 450-700 habitable rooms per hectare. This is reinforced by policy HSG1 of the Interim Planning Guidance and policy SP02 (2) of the Core Strategy (Submission Version 2009) which seek to correspond housing density to public transport accessibility and proximity town centres.
- 8.13 Policy HSG1 of the IPG specifies that the highest development densities, consistent with other Plan policies, will be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and type of housing proposed. Consideration is also given to standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.
- 8.14 The proposed density of the scheme is 794 habitable rooms per hectare, however this falls to 728 habitable rooms per hectare when taking into account the adjoining 'Church Green' landscaped area (as approved under planning permission reference PA/09/01354) which is to be delivered alongside the proposed development (the delivery will be secured through the s106 agreement). Whilst this is marginally over the density range for an urban site, It should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Loss of outlook;
 - Increased traffic generation; and

- Impacts on social and physical infrastructure.

8.15 As discussed further below, it is not considered that the proposed scheme gives rise to any of the abovementioned symptoms of overdevelopment. As such, the density is considered acceptable given that the proposal poses no significant adverse impacts and is appropriate to the area context.

Design and Conservation

8.16 Good design is central to all objective 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).

8.17 London Plan policies 4B.9 and 4B.10 seek to ensure tall buildings are of an appropriate design and located to help create attractive landmarks and a catalyst for regeneration. In particular, London Plan policy 4B.10 sets out design criteria for tall buildings. These aims are further supported by policy CP48 and DEV27 in Interim Planning Guidance (October 2007) and policy SP10 in the Core Strategy (Submission Version 2009).

8.18 Planning Policy Statement 5, London Plan policy 4B.12 and policies CON1 and CON2 in the Interim Planning Guidance (October 2007) seek to preserve the character and appearance of conservation areas and the setting of heritage assets. These policies are reinforced by the aims of policy SP10 in the Core Strategy (Submission Version 2009).

The Proposed Scheme

8.19 The application proposes the erection of six buildings, which range in height from a three-storey mews houses on the east/south east edges of the site, to 5, 6 and 7 storey residential blocks on the north and eastern perimeters of the site. Two buildings at the centre of the site extend up to 9 and 14 storeys. The proposed buildings are arranged around a network of private communal amenity areas and public open spaces, with routes through the site linking Canton Street to the south to Lindfield Street and Bartlett Park to the north, and Hind Grove to the west with Upper North Street to the east. The proposed site layout is shown below is Diagram 1, which also details the storey heights of the buildings and the tenure distribution. The site is also divided into four areas labelled A,B,C and D, which is indicative of the phases in which the development is proposed to be built.

8.20 The proposed scheme has been designed to respect the context of the surrounding area, which comprises a wide variety of housing typologies, such as the three-storey terraced housing on Saracen Street, 2-3 storeys terraced housing on Canton Street, the 14-storey Anglesea House residential block on Lindfield Street and 4 storey residential blocks to the east on Upper North Street. The site's relationship with the adjacent Bartlett Park, is an important consideration. The setting of the park is characterised by low to mid-rise housing immediately adjacent to it, with a number of taller buildings further a field.

8.21 Following the withdrawal of the previous application, the applicant has responded to design concerns raised by both the Council and GLA officers. The height of the two tall elements of the proposal have been reduced from 16 and 12 storeys to 14 and 9 storeys respectively, whilst their scale and width have also been significantly reduced. The upper floors are proposed to have a predominantly glazed finish, which creates a more lightweight appearance, particularly when viewed from Bartlett Park. The design and height of block A has also been amended following concerns from the GLA with regard to the relationship of the building with the adjacent Grade II listed church.

8.22 The proposed site layout contributes generously to the existing public open space in the area and establishes routes through the site to improve permeability in all directions. The proposed areas described as Festival Avenue and Central Square, would be publicly accessible open spaces well overlooked by new residential accommodation. In addition, there will be series of semi private open spaces forming residential amenity. The building entrances are well positioned and the proposed ground floor units have defensible space. The level of amenity space provision is discussed in greater detail below.

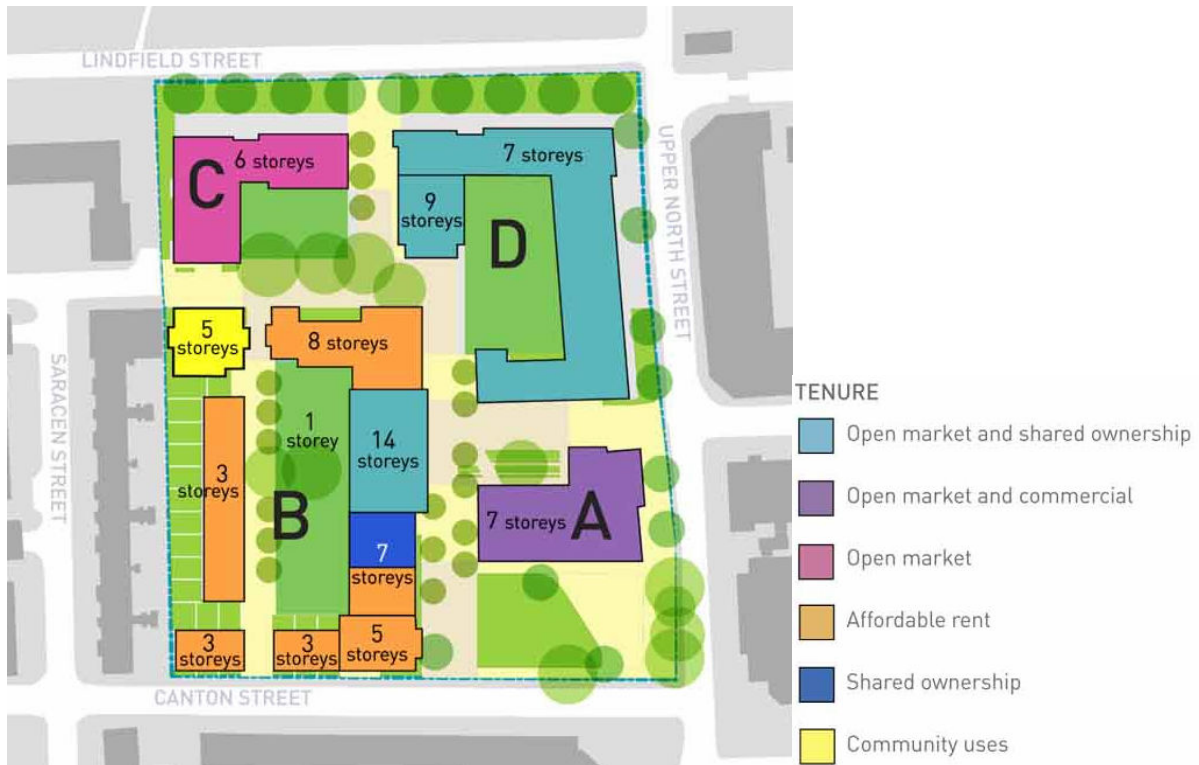


Diagram 1: Proposed site layout with building heights and tenure distribution

8.23 In terms of built form, the siting, mass and bulk of the development is considered to be an appropriate response to the park setting and the scale of the adjoining development. The proposed 3-storey family mews housing to the east/south-east of the application site respects the low-rise terraced context within Saracen Street and Canton Street, whilst the 6-7 storey heights on the west and north perimeters of the site are more akin to the residential blocks to the west of the site, with inset upper storeys reducing the visual mass of the buildings. The buildings have been set back from Upper North Street with a landscaped buffer zone, which creates a comfortable separation distance of 20 metres between the proposal and the existing properties to the east beyond Upper North Street. With regard to the setting of Bartlett Park, the building line has also been set back by between 13 and 18 metres from the site's boundary with Lindfield Street. This provides a green buffer zone between the site and the park whilst also continuing the building line created by the adjacent residential blocks to the east.

8.24 In terms of the impact of the development upon the character and setting of Bartlett Park, the perimeter buildings within blocks C and D are proposed to be of a red brick construction with a uniform parapet line and consistent frontage, in keeping with adjacent block in Hind Grove. The upper storey is proposed to be set back, whilst the parapet line on the corner of block D rises by one storey to provide architectural detailing and assist in marking this corner as the location of the main thoroughfare through the site. The proposed park frontage can be seen in diagram 2, above, and is considered to be in keeping with the setting of Bartlett Park.

8.25 As detailed above, the setting of Bartlett Park is characterised by mid rise buildings of uniform height immediately adjacent, with tall buildings sporadically situated in the distance, such as

Anglesea House to the west and Abbots Wharf to the north. In light of the proposed 9-storey and 14-storey elements being set back from the park in the centre of the development and being visually separate and distinct by virtue of their contrasting, lightweight appearance, it is considered that they respect the setting of Bartlett Park. The 14-storey element is discussed in the context of tall building policy further below.



Diagram 2: CGI view of proposed scheme from Bartlett Park

Conservation

- 8.26 The application site is located within the Lansbury Conservation Area. In 1948, Lansbury was chosen as the site of the 'Live Architecture' Exhibition of the 1951 Festival of Britain. The idea was to create a 'live' exhibition that used real building projects as exhibits of the latest ideas in architecture, town planning and building science. Lansbury was the first comprehensive post-war housing redevelopment in the east-end of London. The plan was to redevelop an initial 30 acres of war damaged and derelict property in order to regenerate the area and to create opportunities for new public housing "fit for heroes". Lansbury was very much a planning-led project. The plan included a cross section of different types of development, comprising of housing, a shopping centre, a market place, schools, churches, church hall and a small amenity park.
- 8.27 The Lansbury Estate remains a notable showcase of the ideas of early post-war development which resulted in the orderly arrangement of community buildings and dwellings. It demonstrates a different trend in post-war council house design and lay out, from that which existed pre-war. The Lansbury Conservation Area Character Appraisal and Management Guidelines document (LBTH, 2007), notes the character of the conservation area as "*The houses and flats are grouped into closes and squares of different sizes in Lansbury and are linked with open and landscaped land. This adds to the visual interest and distinct uniform character of Lansbury*".
- 8.28 With regard to heights and massing, the Character Appraisal and Management Guidelines document states: "*The residential buildings are predominantly low-rise in scale and range between 2 to 4 storeys throughout the Lansbury Conservation Area. The occasional higher flats exist to the west of the Conservation Area, but generally do not rise above 6 storeys, as restricted by the LCC at the initial stages of planning Lansbury. Yet, the first post-Festival developments at Lansbury, built in the mid-late 1950s are high-rise mixed developments, with a prevalence of 11 storey blocks and 4 storey maisonettes*".
- 8.29 With particular regard to the former Blessed John Roche School site, the Character Appraisal

and Management Guidelines document states: *“There is potential for redevelopment to the north-western part of the Lansbury Conservation Area, namely The Blessed John Roche Catholic School site and its immediate surrounds. A high quality, sensitive new building could restore a sense of pride to the junction at Canton Street, Upper North Street and Grundy Street, opposite to the St Mary and St Joseph Roman Catholic Church. The site’s current unkempt condition is unsatisfactory. An appropriate development which is consistent and respectful to the historic character of the area is desirable”.*

- 8.30 As discussed above, the proposal is considered to be an appropriate response to the park setting and the scale of the adjoining development. The scheme adds to the variety of building typologies and massing found in the conservation area, whilst respecting the immediate context. It is considered that the taller 9 and 14 storey elements of the proposed scheme would have limited visual impact upon the surrounding area by virtue of their location in the centre of the site, whilst they also are set back from Bartlett Park, therefore maintaining the parks setting of uniform building heights on its perimeter. The scheme also continues the use of open and landscaped areas, by providing significant public realm improvements, such as Church Green, set-back building lines and extensive landscaping and tree planting in and around the site.
- 8.31 It is therefore considered that the proposal preserves the character of the Lansbury Conservation Area and provides an appropriate high-quality, sensitive new development as required within the Council’s Lansbury Conservation Area Character Appraisal and Management Guidelines document (LBTH, 2007). Conditions have been attached requiring full details of all external materials, landscaping treatments and elevational details of each building to ensure the highest possible and the most appropriate level of design quality.

Setting of adjacent listed building

- 8.32 The application site is also located directly to the north of the Grade II listed Church of St Mary and St Joseph. The proposed development’s relationship to the church is shown in diagram 3, above.



Diagram 3: CGI view of proposed scheme in relation to the adjacent Grade II Listed St Mary and St Joseph RC Church

- 8.33 As detailed above, the approved landscaping of Church Green protects the present open setting of the church and would also protect views of the church from the surrounding area. Since the previously withdrawn proposal, the applicant has reduced the height of block A by one storey at the request of the GLA, in order to create a satisfactory relationship with the church. The GLA have confirmed within their stage I report that the relationship is now considered to be acceptable.
- 8.34 It is therefore considered that the proposal preserves the setting of the Grade II listed Church of St Mary and Joseph.

Tall Buildings

- 8.35 The proposed 14 storey element, whilst taller than the existing surrounding built form, would be located at the centre of the development and is proposed to be of a high quality glazing and ceramic terracotta finish. It is considered that the proposed building would add to the varied character of the area and complement the mixed built form that characterises the Lansbury Conservation Area. Furthermore, it is considered that the proposed 14-storey building, would act as a visual marker, particularly when viewed from Ricardo Street to the east, however, given their location at the centre of the site, would have a limited visual impact upon the surrounding streetscape.
- 8.36 It is not considered that the proposal would appear an overly dominant addition to the area. The GLA, within their stage I report, commented that *“the taller elements are positioned in locations that are considered appropriate and would function well as landmarks”*.
- 8.37 The proposed tall building within this location is considered acceptable and the scheme addresses the range of tall building policy criteria, particularly the detailed criteria of London Plan policy 4B.10 and policy DEV27 of the Interim Planning Guidance (October 2007), in the following key ways:
- The height, bulk, scale and external appearance is sensitive to the immediate and wider context;
 - The scheme is considered to be high quality;
 - There is no adverse impact upon strategic views and the scheme is an acceptable addition to the skyline;
 - There is no adverse impact to the character of listed buildings or conservation areas;
 - At ground floor level, the proposal would relate at a human scale, and integrate with the street;
 - The proposal provides and increased amount of public open space;
 - The proposed tall buildings, as part of the wider proposal, will contribute positively to vitality in the area with an active ground floor frontages;
 - There are no significant amenity impacts posed;
 - The proposal poses no adverse traffic and parking impacts;
 - The s106 agreement will include a TV mitigation requirement to ensure that any potential impact to reception is addressed; and
 - It is not considered to conflict with aviation requirements having been referred to the relevant authorities for consideration.

Design Conclusion

- 8.38 Overall, the proposal is acceptable in design terms. The proposal provides a high quality development that would contribute to housing need. A large number of family sized units would be created within the proposal. The design approach is considered to be an appropriate response to the park setting and the character of the surrounding area and the quality of the area and the proposed open space and access routes through the development are considered to be a positive feature. The varied built form within the proposal, together

with the extensive communal open spaces and landscaping would preserve the character and appearance of the surrounding Lansbury Conservation Area, whilst the retained Church Green and sensitive design of the perimeter buildings would preserve the setting of the adjacent Grade II listed church. The GLA also support the design approach.

Housing

Affordable Housing

- 8.39 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.
- 8.40 The scheme provides a total of 148 affordable units, which equates to 35% by habitable room. The scheme is therefore acceptable and complies 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).

Housing Mix

- 8.41 Pursuant to policy 3A.5 of the London Plan, the development should "...offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation."
- 8.42 Policy CP21, CP22 and HSG2 of the IPG and policy SP02 of the Core Strategy Development Plan Document (2009) seek to create mixed communities. A mix of tenures and unit sizes assists in achieving these aims.

Unit size	Total units in scheme	affordable housing						market housing			
		social rented			intermediate			private sale			
		units	%	target %	units	%	target %	units	%	target %	
Studio	20	0	55.3	0	0	81.4	0	20	87.4	0	
1 bed	159	19		20	25		37.5	115		37.5	
2 bed	216	33		35	19		37.5	164		37.5	
3 bed	80	27	44.7	30	10	18.6	25	43	12.6	25	
4 bed	6	6		10	0			0			0
5 bed	9	9		5	0			0			0
TOTAL	490	94			54			342			

Table 1: Unit Mix

- 8.43 Pursuant to Policy HSG7 of the LBTH UDP 1998, new housing development should provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of

between 3 and 6 bedrooms. On developments of 30 dwellings or more, family dwellings should normally be in the form of family houses with private gardens.

- 8.44 According to policy HSG2 of the IPG, the family housing provision in the social rented, intermediate and private sale components should be 45%, 25% and 25% respectively. As detailed above within Table 1, the scheme is proposing 44.7%, 18.6% and 12.6% family housing in the social rented, intermediate and private sale units respectively (see also table 2, below)
- 8.45 The amount of family housing for private sale and intermediate does not meet the target of 25%. However, given the policy-compliant provision overall within the social rented tenure and in light of the level of family housing that was delivered last year across the Borough (see table 2 below), it is considered that the proposed mix makes a significant contribution towards the provision of family housing in the Borough and is therefore acceptable.

Table 2: Family Housing Provision

Tenure	% Policy req't	% As proposed	% Annual Monitoring 2008-9
Social-rented	45	44.7	35
Intermediate	25	18.6	7
Market	25	12.6	3
Total	30	19.4	11

Social Rented/ Intermediate Shared Ownership and Housing Mix

- 8.46 The following table summarises the affordable housing social rented/intermediate split proposed against the London Plan and IPG:

Tenure	The Proposal	London Plan	IPG
Social Rent	70%	70%	80%
Shared Ownership	30%	30%	20%
Total	100%	100%	100%

Table 3: Social Rent/Intermediate Split

- 8.47 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. The proposed tenure split therefore complies with both the London Plan and the Core Strategy and is considered to be acceptable.

Wheelchair Housing and Lifetime Homes

- 8.48 Policy HSG9 'Accessible and Adaptable Homes' of the Interim Planning Guidance requires housing to be designed to Lifetime Homes Standards including 10% of all housing to be designed to a wheelchair accessible or "easily adaptable" standard. A total of 10% (49 units)

is provided, in compliance with this policy.

Floorspace Standards

8.49 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).

Amenity Space

8.50 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.

8.51 Table 4, below, indicates the amenity space required in accordance with policy HSG7 of the Interim Planning Guidance:

Units	Total	Minimum Standard (sqm)	Required Provision (sqm)
Studio	20	6	120
1 Bed	159	6	954
2 Bed	216	10	2160
3 Bed	80	10	800
4 Bed	6	10	60
5 Bed	9	10	90
TOTAL	490		4,184
Communal amenity		50sqm for the first 10 units, plus a further 5sqm for every additional 5 units	530
Total Housing Amenity Space Requirement			4,714sq.m.

Table 4: Interim Planning Guidance (Policy HSG7)

8.52 The proposed development provides private amenity space for all but two units - a studio flat in block B and a one-bedroom unit in Block D. This equates to 99.6% of units having private amenity space at an average of 10 sq.m per dwelling. The private amenity space is provided in the form of balconies and decks, with gardens for the larger family mews housing. Private communal amenity space is provided in the form of landscaped podiums and roof gardens to 4 of the buildings. As detailed below in table 5, the private and communal amenity space provision exceeds policy requirements. The layout of the proposed communal amenity space can be seen in diagram 1, below.

	LBTH Policy Requirement	London Plan Policy Req't	Proposed within scheme
Private Amenity Space	4,184 sq.m	N/A	4,903sq.m
Communal Open Space	530 sq.m	N/A	3,908sq.m of private communal podiums and roof terraces including 1,229sq.m of designated child play space. The proposal also includes 6,470sq.m of landscaped public realm
Child Play Space	624sq.m	2,000sq.m	

Table 5: Proposed Amenity Space

8.53 Policy HSG7 of the IPG also requires 624sq.m of child play space for this development. The

London Plan requires a child play space quantum of 2,000sq.m based on approximately 200 children living within the proposed development. As detailed above in table 5, the application proposes 1,229sq.m of designated child play space, the location and size of which can be seen in diagram 4, below. Whilst this falls below the London Plan requirement, the GLA have raised no objections to the proposed quantum, subject to a condition being attached requiring the submission of details of the design and specification of the play space/equipment.



Diagram 4: Amenity space strategy with child play space areas highlighted

8.54 It should also be noted that the proposed scheme also includes 6,470sq.m of landscaped public realm, such as the central square, the large green buffer zone to the north between the building edge and Lindfield Street and pedestrianised spaces between buildings. Furthermore, as detailed above within the relevant planning history, planning permission has been granted for the landscaping of 'Church Green' in the south-east corner of the site which was previously located within the school grounds and inaccessible to the public. The delivery of this area alongside the proposed development will be secured within the s106 agreement and will provide a further 1,603sq.m of public amenity space. It is therefore considered that the proposal satisfies the requirements of both the Interim Planning Guidance and the London Plan.

Transport

8.55 Pursuant to regional policy, The London Plan (Consolidated 2008), 2A.1 'Sustainability Criteria', 3A.7 'Large Residential Developments', state that developments should be located in areas of high public transport accessibility. In addition to this criteria Policy 3C.1 'Integrating Transport and Development' also seeks to promote patterns and forms of development that reduce the need for travel by car. Policy 3C.2 advises that, in addition to considering proposals for development having regard to existing transport capacity, boroughs should "...take a strategic lead in exploiting opportunities for development in areas where appropriate transport accessibility and capacity exists or is being introduced". Policy 3C.19 'Local Transport and Public Realm Enhancements' indicates that boroughs (as well as TFL) should make better use of streets and secure transport, environmental and regeneration

benefits, through a comprehensive approach of tackling adverse transport impacts in an area. In respect of Policy 3C.20 'Improving Conditions for Buses', the Mayor, TFL and boroughs will work together to improve the quality of bus services, including consideration of the walkways *en route* to bus stops from homes and workplaces, to ensure they are direct, secure, pleasant and safe.

- 8.56 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. Having regard for the IPG, DEV17 'Transport Assessment' states that all developments, except minor schemes, should be supported by a transport assessment. This should identify potential impacts, detail the schemes features, justify parking provision and identify measures to promote sustainable transport options. DEV18 'Travel Plans' requires a travel plan for all major development. DEV19 'Parking for Motor Vehicles' sets maximum parking levels pursuant to Planning Standard 3. Policies SP08 and SP09 of the Core Strategy DPD (2009) broadly seek to deliver an accessible, efficient and sustainable transport network.
- 8.57 The site is relatively well served by public transport, with the southern half of the site having a Public Transport Accessibility Level (PTAL) of '4' and northern half that of '3' (1 being the lowest and 6 being the highest). Langdon Park and All Saints DLR stations are located approximately 675m from the site to the north east and south east respectively. The nearest Underground Station is Canary Wharf, which lies approximately 1.2km to the south. A major bus route runs along East India Dock Road (A13) to the south and additional services are available from Cordelia Street to the east of the site and from Burdett Road to the west.

Vehicular Parking

- 8.58 The proposal includes a total of 169 car parking spaces, two of which are allocated for car club usage and 19 allocated for disabled vehicle users. Also proposed are 36 motorcycle spaces. The car parking is located within basement and surface level car parks underneath the proposed buildings. Access to the car parks will be gained from Upper North Street, Canton Street and Hind Grove, with access through the site from Hind Grove to Upper North Street being restricted to refuse vehicles and emergency service vehicles controlled through the use of collapsible bollards.
- 8.59 The proposed quantum of parking is within the maximum standards of policy DEV19 (Parking for Motor Vehicles) of the IPG and London Plan 2008 policies 3C.17 (Tackling congestion and Reducing Traffic) and 3C.23 (Parking Strategy). Neither TfL nor the Council's Highways department have objected to this provision. The disabled parking provision exceeds the IPG standard of 10% of all spaces.
- 8.60 With regard to the objections concerning potential exacerbation of on-street parking in the area as a result of the proposal, a car-free agreement would prevent future residents from applying for on-street parking permits. There are also parking restrictions in place on the surrounding highway network. As such, it is not considered that an objection on these grounds could be substantiated.

Cycle Parking

- 8.61 Also proposed are 756 cycle parking spaces, 36 of which are allocated for public use. This represents a provision in excess of 1 space per residential unit, and is therefore in excess and in accordance with Planning Standard 3: Parking and policy DEV16 of the IPG.
- 8.62 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.

Servicing and Refuse Collection

- 8.63 The applicant has submitted a detailed refuse strategy, which proposes that general and recycling refuse collection will take place on site, with the exception of block D, which will be serviced on-street from Upper North Street. Refuse vehicle entry to the site from public highway is limited to the existing cross-over on Hind Grove, the relocated cross-over on Upper North Street and the southern entrance the 'Mews' off Canton Street. The Council's Highways department have raised no objections to this arrangement.

S106 Contributions

- 8.64 The Council's Highways department have determined that the following contributions for transport infrastructure and public realm improvements are required via the s106 agreement to ensure that the development can be accommodated within the existing transport network. This is discussed further within the Section 106 Agreement section of this report, below.
- £105,000 towards footway improvements
 - £135,000 towards traffic calming measures
 - £15,000 towards street lighting and street furniture improvements in the area
 - £3,000 towards Travel Plan monitoring

Trip Generation

- 8.65 The submitted Environmental Statement includes a transport and access section, which details the trip generation of the proposed development. TfL and the Council's Highways department have analysed the methods of assessment and deemed them acceptable. Furthermore, the proposed traffic generation would not have a detrimental effect on the existing highway network, public transport networks or traffic movements within the area.

Conclusions

- 8.66 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, Delivery and Service Plan, Construction Logistics Plan and the car free agreement are to be secure by planning conditions and via the S.106 agreement.

Amenity

Daylight and Sunlight

- 8.67 DEV2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.68 Policy DEV1 of the IPG states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. This policy is supported by policy SP10 of the Core Strategy DPD (2009).
- 8.69 Policy 4B.10 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.

8.70 The submitted Environmental Statement details that there are nine residential properties that are within range of the proposed development, so as to be considered 'sensitive receptors', which contain habitable rooms*.

- The Chimes Public House
- 30/70 Saracent Street
- Stanley House
- 80/60 Stanley Street
- Lansbury Lodge
- Griffin House
- 53/75 Hind Grove
- Church of St Mary and St Joseph
- Flora Close

* The UDP (1998) advises that habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sq.m.).

8.71 Daylight is normally calculated by two methods – the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the room's use.

8.72 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:

- 2% for kitchens;
- 1.5% for living rooms; and
- 1% for bedrooms

8.73 The report details that all habitable rooms in The Chimes Public House, 30/70 Saracent Street, Stanley House, 80/60 Stanley Street, Lansbury Lodge, Griffin House, 53/75 Hind Grove and the Church of St Mary and St Joseph would meet the required ADF standard.

8.74 The assessment of the effect on Flora Close identifies that 11 of the 73 rooms assessed fail the ADF test. These rooms comprise of 6 kitchens, 4 bedrooms and 1 living room. However, of those rooms that fail, the failures are primarily caused by the design of Flora Close which incorporates small recessed windows and overhanging balconies which provide additional amenity space for the occupants but obstruct daylight from reaching the habitable rooms. To illustrate this, the applicant has carried out the same calculations with the balconies omitted which results in only 6 of the 73 rooms tested being left with an ADF below the minimum recommended, and 4 of those already fail the ADF test at present.

8.75 In light of the urban context of the site and the regenerative benefits that the proposal would bring to the area and the Borough as a whole in terms of affordable housing and numerous financial contributions, on balance, it is considered that a refusal on the grounds of a loss of light to 11 habitable rooms, 4 of which fail daylight tests at present, could not be substantiated in this instance.

8.76 It is therefore concluded that the proposed development would not have a significant effect on the sunlight or daylight received by the surrounding residential developments and the proposal would not impact significantly on the living conditions of any residents.

Overshadowing

8.77 BRE guidance recommends that no more than 40% of any amenity areas should be prevented by buildings from receiving any sunlight at all on the 21st March. Sunlight at an altitude of 10 degrees or less does not count (i.e. outside the hours of 07:11am and 17:04 pm).

- 8.78 The submitted shadow study of the communal amenity areas shows that whilst there would be some transient overshadowing between 2pm and 5pm, a total of 19.8% of the communal amenity areas will be within permanent shadow on the 21st March, which is within the preferred limit of 25% as set out in BRE guidance. This impact is considered to be acceptable by the Council's Environmental Health department. As such, the proposal would not result in any undue loss of amenity to surrounding residents by way of overshadowing and, furthermore, the proposal would provide usable and comfortable outdoor amenity space.

Air Quality

- 8.79 Environmental Health have raised no objections, subject to the attachment of a condition requiring the submission and approval of a Construction Management Plan, which should detail measures to reduce dust escape from the site during construction. A similar condition was attached to the recent Conservation Area Consent (reference PA/09/02612) regarding the demolition of the existing buildings. Such matters are also covered by separate Environmental Health legislation.

Noise and Vibration

- 8.80 The Council's Environmental Health department have raised no objections to the proposal in terms of noise and vibration. The submitted Environmental Statement demonstrates that noise impact has been given comprehensive consideration to the satisfaction of the Council's Environmental Health Team. Appropriate and reasonable mitigation measures have been identified to safeguard internal living areas from unacceptable levels of noise, also agreed by the Environmental Health Team.
- 8.81 In terms of noise emitted by the proposed development and its impact upon nearby and future residents, conditions have been attached to ensure any plant, machinery or extraction systems to be installed incorporates adequate noise attenuation measures. A condition limiting the maximum amount of noise during construction has also been attached.

Overlooking

- 8.82 Whilst it is acknowledged that the taller elements of the proposal are a number of storeys higher than both existing properties in the area and other buildings within the proposed development, the separation distances are significant and therefore would not result in a loss of amenity for existing or future occupiers by way of overlooking..

Micro-Climate

- 8.83 Planning guidance contained within the London Plan 2008 places great importance on the creation and maintenance of a high quality environment for London. Policy 4B.10 (Large-scale buildings – design and impact) of the London Plan 2008, requires that *“All large-scale buildings including tall buildings, should be of the highest quality design and in particular: ... be sensitive to their impacts on micro- climates in terms of wind, sun, reflection and overshadowing”*. Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 (Amenity) of the IPG also identifies microclimate as an important issue stating that:

“Development is required to protect, and where possible seek to improve, the amenity of surrounding and existing and future residents and building occupants as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should: ...not adversely affect the surrounding microclimate.”

- 8.84 Within the submitted Environmental Statement, the applicant has assessed the likely impact of the proposed development on the wind climate, by placing an accurate model of the proposed building in a wind tunnel. The assessment has focused on the suitability of the site

for desired pedestrian users on the roof gardens, major entrances, walkways, public amenity areas and other wind sensitive locations. The conclusion of the wind tunnel assessment is that all locations within the site will experience wind conditions appropriate to their proposed use and that no mitigation is required. There will also be negligible impact on wind conditions surrounding the site. The Council's Environmental Health department have raised no objections on the grounds of microclimate.

8.85 It is therefore considered that the proposed development would be acceptable in terms of the impact on microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 (Large-scale buildings – design and impact), policy DEV1 (Amenity) of the IPG and policy SP10 (Creating distinct and durable places) of the Core Strategy DPD (2009).

Energy Efficiency and Sustainability

8.86 The London Plan 2008 has a number of policies aimed at tackling the increasingly threatening issue of climate change. London is particularly vulnerable to matters of climate change due to its location, population, former development patterns and access to resources. IPG and the policies of the UDP also seek to reduce the impact of development on the environment, promoting sustainable development objectives.

8.87 Policy 4A.3 (Sustainable Design and Construction) of The London Plan 2008 states that boroughs should ensure future developments meet the highest standards of sustainable design and construction, seeking measures that will among other matters will:

- Reduce the carbon dioxide and other omissions that contribute to climate change;
- Minimise energy use by including passive solar design, natural ventilation and vegetation on buildings;
- Supply energy efficiently and incorporate decentralised energy systems and renewable energy; and
- Promote sustainable waste behaviour in new and existing developments, including support for local integrated recycling schemes, CHP and CCHP schemes and other treatment options.

8.88 Policies 4A.4 (Energy Assessment), 4A.5 (Provision of heating and cooling networks) and 4A.6 (Decentralised Energy: Heating, Cooling and Power) of the London Plan 2008 further the requirements for sustainable design and construction, setting out the requirement for an Energy Strategy with principles of using less energy, supplying energy efficiently and using renewable energy; providing for the maximising of opportunities for decentralised energy networks; and requiring applications to demonstrate that the heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Policy 4A.7 (Renewable Energy) of the London Plan goes further on this theme, setting a target for carbon dioxide emissions as a result of onsite renewable energy generation at 20%. Policy 4A.9 promotes effective adaptation to climate change.

Approaches		Reduction in Carbon Dioxide Emissions
"Be Lean" - Energy Efficiency Measures		11%
"Be Clean"	CHP	21.5%
"Be Green"	Solar collectors and air source heat pumps	0.3%
TOTAL		32.8%

Table 6: Energy Efficiency

Be lean

- 8.89 As detailed above in table 6, the scheme has been designed in accordance with Policy 4A.3 in seeking to minimise energy use through passive design measures to achieve approximately 11% CO₂ savings.

Be Clean

- 8.90 Decentralised energy is proposed through the provision of a community heating system. The system will be fed by a gas fired CHP unit in the communal energy centre located in the basement plant area of Block B. The unit is proposed with a 200kW electrical power output and 233 kW heat output. The CHP community system is anticipated to reduce CO₂ emissions by approximately 21.5% over the enhanced baseline scheme. A single energy centre proposed in Block B is sized at 220sq.m to supply the communal heat network. Drawings have been provided indicating that sufficient space has been allocated. The communal heat network is proposed to supply the apartments in the development.

Be Green

- 8.91 The proposals include the installation of air source heatpumps to meet the space heating requirements and a solar thermal array (60m²) to provide a proportion of the hot water requirements of the 15 affordable houses in block B.

Sustainability

- 8.92 Policy 4A.3 of the London Plan seeks development to meet the highest standards of sustainable design and construction. A Code for Sustainable Homes Level 3 rating is proposed for all of the units, both private and affordable.

Climate Change adaptation

- 8.93 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribute to heat island effects; minimise solar gain in summer; contribute to flood risk reduction, including applying sustainable drainage; minimising water use; and protect and enhance green infrastructure.
- 8.94 The proposal includes green roofs, a rainwater harvesting system, sustainable urban drainage and water efficient and low flow fittings.

Conclusion

- 8.95 The Council's Energy Efficiency team have reviewed the proposed energy strategy and are satisfied, subject to the attachment of conditions to secure its implementation. The GLA have commented as follows: *"The additional information requested in the report has been submitted and is on the whole consistent with London Plan policy. However, the applicant is not proposing to provide any on site renewable technology. The applicant has identified that the only compatible option for providing renewable energy on site would be through photovoltaic panels but has discounted providing them because of the poor economic viability of photovoltaic panels. As such the proposal falls short of the 20% carbon dioxide target in the London Plan and the 44% target in the draft replacement London Plan. Whilst this is disappointing the proposal does comply with the Mayor's energy hierarchy detailed in policy 4A.1 which seeks energy efficient buildings, decentralised energy generation and the maximisation of combined heat and power before renewable energy provision"*.

8.96 In light of the above, it is considered that the proposed energy strategy is acceptable.

S106 Agreement

8.97 Policy DEV4 of the adopted UDP and Policy IMP1 of the Tower Hamlets Core Strategy and Development Control Plan September 2007 say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.98 The Community Infrastructure Levy Regulations 2010 state that any s106 planning obligations must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

8.99 The following financial obligations have been agreed in principle with the applicant and have been approved by the Council's Planning Contributions Overview Panel:

Open Space

8.100 A contribution of £665,691 towards the provision of and improvement of open space has been requested by the Cultural Services team to mitigate for the impact on existing open space. The calculation is based on the cost of laying out open space as identified in the Council's Infrastructure Delivery Plan for providing new open space in the form of a Local Park, which Bartlett Park is identified as.

Sports and Recreation

8.101 The Cultural Services team have requested a contribution of £467,245. The proposed development will increase demand on leisure facilities and our emerging leisure centre strategy identifies the need to develop further leisure opportunities to align with population growth. Sport England as the Department for Culture, Media and Sport (DCMS) agency tasked with implementing sports policy have developed a sports facility calculator for s106 purposes. This calculates (based on population figures and research based demand data) the amount of water space and sports hall required by new developments. It then uses building cost index figures to calculate the cost associated. The model generates a total leisure contribution of £467,245. This will be spent towards the provision of and upgrade of sports and recreation facilities within Barlett Park.

Highways and Transportation

8.102 Provide £255,000 towards traffic calming measures, street lighting and footway improvement works, for the following:

- £105,000 towards footway improvements
- £135,000 towards traffic calming measures
- £15,000 towards street lighting and street furniture improvements in the area

8.103 The Council's Highways department have also requested £3,000 towards Travel Plan monitoring.

Tree Replacements

8.104 The Council's Parks and Open Spaces team have requested a sum of £43,500 to reprovide the 10 felled mature London Planes within the vicinity of the application site. This was calculated using the Helliwell method, which is an accepted method of valuing the cost of replacing mature trees

Education

- 8.105 Provide £765,204 towards the provision of 26 additional primary school places in the Borough, as calculated by the Council's Education department

Health

- 8.106 The Tower Hamlets Primary Care Trust have requested a contribution of £707,115 towards the development of a new network service hub which is planned at Newby Place. The requested sum would go toward the long lease or fit out costs for this development..

Cycle Route improvements

- 8.107 The Council's Sustainable Transport team have requested £50,000 towards cycle route and infrastructure provision as identified within Tower Hamlets' Cycle Route Implementation and Stakeholder Plan. The sum will facilitate cycle route / cycle infrastructure improvements which have been identified as part of Tower Hamlet's Cycle Route Implementation and Stakeholder Plan (CRISP). A number of schemes have been highlighted as immediate areas for which to allocate the funding towards. The schemes are:
- East-West section along Lindfield Street east-west between Limehouse Cut and River Lea
 - North- South section along Upper North Street to improve cycle lane infrastructure and linkage between Mile End Road and Poplar High Street
- 8.108 It is considered that the above obligations, which have been agreed in principle with the applicant, satisfy the three tests set out in the Community Infrastructure Regulations 2010.

Other Planning Issues

Biodiversity

- 8.109 The applicant has submitted a Habitat Survey, together with a Bat Survey of the site, undertaken by ecologists. No bat roosts were found, however the trees did provide some commuting and foraging opportunities on site for common pipistrelle bats. An active fox earth shrub was found.
- 8.110 The proposal retains 8 London Plane trees on site, which is considered to maintain the commuting and foraging opportunities on site for bats. Furthermore, the proposed extensive landscaping and planting scheme would further contribute to these opportunities. With regard to the fox earth, the applicant details that only when the foxes' earth is determined to be unoccupied, will it be excavated.
- 8.112 The scheme incorporates a number of biodiversity enhancement measures. A total of 4,118sq.m of green roofs are proposed which will incorporate planting of species that attract insects which provide a food source for bats. Bat bricks and boxes are also proposed. A condition is attached which will ensure that biodiversity measures are maximised.

Environmental Statement

- 8.113 The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Land Use Consultants and Council Officers. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.

9.0 Conclusions

- 9 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.