

Committee: Development	Date: 8 th February 2012	Classification: Unrestricted	Agenda Item Number: 7.9
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Beth Eite	Ref No: PA/11/03382
	Ward: Limehouse (February 2002 onwards)

1. APPLICATION DETAILS

Location:	25 - 28 , Dalgleish Street, London
Existing Use:	
Proposal:	Outline application for the construction of a part four storey, part seven storey building to provide 60 flats (22 x 1 bedroom, 19 x 2 bedroom, 8 x 3 bedroom and 11 x 4 bedroom) with refuse and recycling facilities together with laying out of a 'homezone' in Dalgleish Street.
Drawing Nos/	Area schedule by floor area, schedule of accommodation, D116357/1, 2901.OS, 2901.P.300, 2901.P.301, 2901.P.302, 2901.P.328, 2901.P.320 rev A, 2901.P.321 rev A, 2901.P.322 rev A, 2901.P.323 rev A, 2901.P.324 rev A, 2901.P.325 rev A, 2901.P.326 rev A, 2901.P.327, 2901.P.330, 2901.P.331, 2901.P.332, 2901.P.333, 2901.P.300, 2901.P.334, 2901.P.335, 2901.P.336, 2901.P.337, 2901.P.338, 2901.P.340.
Documents:	Energy Statement by Sustainia ref S00541, Code for sustainable homes 2010 pre-assessment, Noise Assessment by Stilwell Partnership Oct 2010, Residential Travel Plan by Royal Haskoning rev A Oct 2011, Transport Statement by Royal Haskoning rev A Oct 2011, Planning Statement by CgMs consulting Oct 2011, Design and Access Statement by mgl architects Oct 2011 and Daylight and Sunlight report by Malcolm Hollis ref 19297/IM.
Applicant:	Atlantis Development (London) Ltd
Ownership:	Applicant
Historic Building:	N/A
Conservation Area:	N/A

2. **SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (2011), the Council's Core Strategy (2010), the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), Managing Development - Development Plan Document (Proposed Submission Version January 2012) relevant supplementary planning guidance and

Government Planning Policy Guidance and has found that:

- 2.1 The provision of residential accommodation on this site is considered to be acceptable and accords with policies 3.5 and 3.8 of the London Plan 2011, policy SP02 of the Core Strategy and policy DM3 of the Managing Development DPD (Proposed Submission Version 2012)
- 2.2 The loss of the employment use on this site is considered acceptable as the site is located within a predominantly residential area and no commercial use has operated from this site for several years, as such it is considered that the development accords with policy SP06 of the Core Strategy and DM15 of the Managing Development DPD (Proposed Submission Version 2012) which seeks to ensure that developments do not result in the loss of active and viable employment uses unless the site is unsuitable for continued employment uses.
- 2.3 The building height, scale, bulk is acceptable and enhance the character and appearance of the existing streetscene, in accordance with Policies: DEV1 and DEV2 of the Council's Unitary Development Plan 1998; DM24 and DM25 of the Managing Development DPD (Proposed Submission Version 2012); and SP10 and SP12 of Core Strategy 2010 which seek to ensure buildings and places are of a high quality of design and suitably located.
- 2.4 The proposal provides an acceptable amount of affordable housing and mix of units, in light of the viability of the scheme. As such, the proposal is in line with policies 3.8, 8.10, 3.11, 3.12, 3.13 of the London Plan 2011, saved policy HSG7 of the Council's Unitary Development Plan 1998, policy DM4 of the Managing Development DPD (Proposed Submission Version 2012) and policy SP02 of the Core Strategy 2010 which seek to ensure that new developments offer a range of housing choices.
- 2.5 The scheme provides acceptable space standards and layout. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, DM4 of the Managing Development DPD (Proposed Submission Version 2012) and policy SP02 of the Core Strategy 2010 and policy 3.5 of the London Plan 2011 which seek to provide an acceptable standard of accommodation.
- 2.6 The proposed amount of amenity space is acceptable and in line with saved policy HSG16 of the Council's Unitary Development Plan 1998, policy DM4 of the Managing Development DPD (Proposed Submission Version 2012) and policy SP02 of the Core Strategy 2010, which seek to improve amenity and liveability for residents.
- 2.7 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. Also, the scheme proposes appropriate mitigation measures to ensure satisfactory level of residential amenity for the future occupiers. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998), policy DM25 of the Managing Development DPD (Proposed Submission Version 2012) and policy SP10 of the of the Core Strategy 2010 which seek to protect residential amenity.

- 2.8 Transport matters, including parking, access and servicing, are acceptable and in line with policies T16 and T19 of the Council's Unitary Development Plan 1998, policy DM22 of the Managing Development DPD (Proposed Submission Version 2012) and policy SP08 and SP09 of the Core Strategy 2010 which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.9 The development, through a series of methods including a CHP plans communal gas fired boiler and photovoltaic panels would result in a satisfactory reduction in carbon emissions and also seeks to secure the code for sustainable homes level 4 which is in accordance with policy SP11 of the Core Strategy and the energy hierarchy within the London Plan which seeks to reduce carbon emissions from developments by using sustainable construction techniques and renewable energy measures.
- 2.10 Contributions and obligations have been secured towards the provision of affordable housing; education improvements; public realm improvements; community facilities; health care provision and access to employment for local people in line with Regulation 122 of Community Infrastructure Levy; Government Circular 05/05; saved policy DEV4 of the Council's Unitary Development Plan 1998; policy SP02 of the Core Strategy 2010, and the Planning Obligations SPD 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:
- 3.2 The prior completion of a **legal agreement** to secure the following planning obligations:

Financial contributions

- a) £15,348 towards employment initiatives or provision of 20% of the total construction jobs to be advertised through the Council's job brokerage service.
- b) £61,629 towards Leisure and/or Community Facilities.
- c) £17,388 towards Idea stores and Library facilities
- d) £269,171 towards the provision of education.
- e) £78,300 towards the provision of health and wellbeing centres within the Local Area Partnership 3 and 4.
- f) £2,070 towards sustainable transport
- g) £110,736 towards public open space.
- h) £10,785 for 2% monitoring fee.

Total £550,079 (without employment contribution.)

Non-financial contributions

- i) Minimum of 36% affordable housing, measured in habitable rooms (comprised of 13 social rented units and 4 intermediate housing Units).
- j) Car free development.

- k) Access to employment initiatives for construction.
- l) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

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

Conditions

1. Time limit for outline planning permission.
2. Outline permission - reserved matters
 - a. Appearance
 - b. Landscaping.
3. Samples of external materials to be submitted for approval.
4. Contaminated land – details to be submitted for approval.
5. Hard and soft landscaping details including children’s play facilities.
6. Submission of a detailed energy strategy.
7. Detail of measures to meet Code for Sustainable Homes Level 4.
8. Details of method of enclosure for cycle stands including provision of Sheffield stands.
9. Details of method of enclosure for outside refuse store.
10. Any windows inserted into the western flank wall of flats 2, 14, 21, 31, 43, 50 and 56 should be obscure glazed.
11. Construction Hours (8am – 6pm Monday to Friday, 8am – 1pm Saturday only).
12. Scheme of highways works.
13. Development to comply with lifetime homes standards.
14. Details of 10% wheelchair housing to be submitted.
15. Construction management plan.
16. The development shall comply with the requirement of ‘Secured by Design’.
18. Scheme for surface water drainage to be submitted for approval.
17. The car parking spaces shown on 2901.P.340 to be used for disabled parking only.
18. All private forecourt/areas to be drained within the site.
19. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.

3.5 Informatives

1. This development is to be read in conjunction with the s106 agreement.
2. Developer to enter into a s278 agreement for works to the public highway.
3. Developer to contact Council’s Building Control service.
4. Any other informatives(s) considered necessary by the Corporate Director Development & Renewal.

3.6 That if, within three months of the date of this committee the legal agreement has not been completed, the Corporate Director of Development & Renewal is delegated

power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks outline consent for a part four, part seven storey building. The matters which are to be reserved are appearance and landscaping.
- 4.2 The building would be 'L-shaped' with the main seven storey section fronting Dagleish Street, the return section would extend southwards at 90 degrees to the main block and would be four storeys in height. This would extend the full depth of the site and adjoin the flank wall of the development to the south, known as 723-737 Commercial Road.
- 4.3 The development seeks to provide 60 residential units. The proposed mix of units would be 22 x 1 beds, 19 x 2 beds, 8 x 3 beds and 11 x 4 beds. Of these 13 would be social rented units and four would be shared ownership.

Site and Surroundings

- 4.4 The site is currently vacant but was previously occupied by a single storey industrial building. To the north east of the site is Sir William Burrough Primary School which is a three storey school building with the playground to the west of this. The majority of the proposed development would face towards the playground rather than the school.
- 4.5 To the east of the site is a set of garages and beyond this a block of two storey flats which front Salmon Lane. To the south is a large development which is currently under construction, this consists of a number of separate blocks. Block A is the tallest with a section that reaches 14 storeys in height. Block G is located to the west which is predominantly eight storeys in height, lowering to seven storeys where it turns into Dagleish Street. Block F also adjoins the site, this block comprises of four storey dwellings and is located at the south west corner of the site.
- 4.6 The site is served by Dagleish Street which is a small cul-de-sac which provides access to this site only and a service access into the school to the north. The main entrance for the school is from the north.
- 4.7 The site is not located within a conservation area, nor are there any listed buildings in the immediate vicinity.
- 4.8 The site has a public transport accessibility level of 5 which is 'very good' and is in close proximity to Limehouse DLR station and several bus routes along Commercial Road.

Planning History

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

- PA/08/560 Demolition of existing building and erection of buildings ranging from 2 to 11 storeys in height to provide 1038 m² of office (B1) floorspace and 101 flats (comprising 32 x 1 bed; 38 x 2 bed; 25 x 3 bed; 6 x 4 bed) together with formation of new access to Dalgleish Street a with raised podium, provision of car parking, refuse and recycling facilities. Refused 18/6/2008
- PA/10/2461 Outline application for the construction of buildings ranging from 1 to 8 storeys to provide 861m² of B1 floorspace and 74 flats (20 x 1-bed, 30 x 2-bed, 14 x 3-bed and 10 x 4-bed) together with new access to Dalgleish Street, raised podium, car parking, refuse and recycling facilities. Withdrawn 31/1/2011

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:

Core Strategy Development Plan Document 2025 (adopted September 2010)

Policies	SP02 – Urban living for everyone
	SP03 – Creating healthy and liveable neighbourhoods
	SP04 – Creating a green and blue grid
	SP06 – Delivering successful employment hubs
	SP05 – Dealing with waste
	SP10 – Creating distinct and durable places
	SP11 – Working towards a zero-carbon borough
	SP12 – Delivering placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design requirements
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV50	Noise
	DEV51	Soil tests
	DEV56	Waste recycling
	HSG7	Dwelling mix and type
	HGS16	Housing amenity space
	EMP3	Surplus office floorspace
	T16	Traffic priorities for new development.

Managing Development DPD (Proposed Submission Version 2012)

Policies	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	DM11	Living buildings and biodiversity
	DM15	Local job creation and investment
	DM20	Supporting a sustainable transport network

DM22	Parking
DM23	Streets and public realm
DM24	Place-sensitive design
DM25	Amenity
DM29	Achieving a zero carbon borough and addressing climate change

Interim Planning Guidance for the purposes of Development Control

Policies	DEV1	Amenity
	DEV1	Character and design
	DEV3	Accessible and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy efficiency and renewable energy
	DEV10	Disturbance from noise pollution
	DEV11	Air pollution and air quality
	DEV15	Waste and recyclables storage
	DEV16	Walking and cycling routes and facilities
	DEV19	Parking for motor vehicles
	HSG3	Affordable housing provision in individual private residential and mixed use schemes
	HSG10	Calculating the provision of affordable housing.

London Plan 2011

3.3	Increasing housing supply
3.5	Quality and design of housing design
3.6	Children and young people's play and informal recreation facilities
3.8	Housing choice
3.10	Definition of affordable housing
3.11	Affordable housing targets
3.12	Negotiating affordable housing on individual private residential and mixed use schemes
3.13	Affordable housing thresholds
3.16	Protection and enhancement of social infrastructure
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.5	Decentralised energy networks
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.11	Green roofs and development site environs
5.13	Sustainable drainage
5.17	Waste capacity
5.21	Contaminated land
6.9	Cycling
6.11	Walking
6.13	Parking

7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.4	Local character
7.5	Public realm
7.15	Reducing noise and enhancing soundscapes
8.2	Planning obligations

Government Planning Policy Guidance/Statements

PPS 1	Sustainable development and climate change
PPS 3	Housing (amended June 2011)

Draft National Planning Policy Statement

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 learning, achievement and leisure
- A better place for excellent public services

6. CONSULTATION RESPONSE

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

Highways

- 6.3 In principle, Highways have no objections subject to the Applicant demonstrating/confirming that no part of the building projects into, on, under or above the public highway, providing further details over the cycle parking.

If planning permission is granted, please include the following:

A S106 car and permit free agreement.

- 6.4 Construction Management Plan condition (please contact me for wording).

A condition requiring all private forecourt/areas to be drained within the site and not into the Public Highway should be included in any future planning permission. Details to be submitted to and approved by LBTH.

(Officer response: Highways have requested that some of the cycle stands be in the form of Sheffield stands rather than the vertical stands. It is considered that this could be dealt with via condition.)

Housing

- 6.5 This application is for outline planning permission. It would appear, from the Planning Statement that the layout drawings submitted with this application are for illustrative purposes only at this stage. With that in mind we will reserve our comments on layout until a detailed application is received. However, we would like to notify the applicant that, when full permission is sought, we would want to see detailed unit layouts highlighting the different tenures and specifying where the wheelchair units are. We would also want to see detailed layouts for the wheelchair units, showing circulation within the units, so that our accessibility officer can study their suitability.
- 6.6 The applicant has specified that the development would produce 36% affordable housing by habitable rooms, this is acceptable as it is above the Council's minimum requirement of 35%.
- 6.7 Within the 36% affordable offer, the proposed tenure split between social rent and intermediate accommodation is 76:24 (by habitable rooms) in favour of social rent. The Council's current target is 70:30, this application is providing slightly more rented units. There is a need for social rented accommodation, in particular family sized units, therefore, in this instance this split would be acceptable.
- 6.8 The applicant has described the rented units as "social rent", this is what the Council requires, therefore for avoidance of doubt, we are assuming that these units will NOT be let at the new affordable rents.
- 6.9 The unit mix within the social rented proposes no one beds against a policy target of 20%, 54% two beds against a target of 35%, 15% three beds against a target of 30% and 31% four beds against a target of 10%.
- 6.10 There is no provision of one beds and an overprovision of two bed. However, on balance with a large percentage of family housing (46%), most of which is much needed four beds, we would accept this mix.
- 6.11 The unit mix within the Intermediate tenure is for the provision of 50% two beds against a policy target of 37.5% and a 50% provision of four beds against a policy target of 25% (for 3 bed and larger). This is an absence of one beds, however due to a good provision of family units we would, in this instance, accept this mix.
- 6.12 A number of larger family units are provided with separate kitchens, we would welcome family units of this type as the Council is in need of this type of accommodation.
- 6.13 When the application for full permission comes in, we would like to ensure that the applicant provides at least the minimum 10% wheelchair units. We would like to see the units across a range of sizes, particularly some of the larger units. To ensure they fully comply with the accessibility criteria, where possible, we would like to see these units located on the ground floor.
- 6.14 The applicant states that the scheme will provide 3 off-site street parking spaces.

These spaces will be dedicated for disabled residents.

Overall, no objection is raised to this application.

(Officer response: Noted)

Energy

ENERGY

- 6.15 The climate change policies as set out in Chapter 5 of the London Plan 2011 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 6.16 The 'Energy Statement' dated 27 October 2011, details the approach and commitment of the scheme to reducing the CO2 emissions of the development through the steps of the energy hierarchy and integrate energy efficiency to exceed building regulations requirements, decentralised energy systems and renewable energy technologies. The applicant has provided details of how the development will meet Code for Sustainable Homes Level 4.
- 6.17 The information provided in the Dalglish Street Energy Statement follows the Energy Hierarchy of:
- Use less energy (Be Lean)
 - Supply energy efficiently (Be Clean)
 - Use renewable energy (Be Green)
- 6.18 The baseline emissions for the development have been determined to be 166 tCO2/year not including unregulated energy use (2010 Building Regs compliant building) and the kWh consumption figure including unregulated energy has been provided.
- 6.19 The applicant should ensure that the 'GLA Energy Team Guidance on Planning Energy Assessments October 2010' is followed when provided the energy information. This should clearly set out the emissions for the site with and without unregulated energy.
- 6.20 The applicant must provide clear details of the reductions made at each stage of the hierarchy.
- 6.21 Example SAP outputs will need to be provided.
- 6.22 Be Lean: The applicant has stated that the development will exceed Building Regulations 2010, it will be built to best practice with regards to air permeability, will be fitted with energy efficient lighting and will have the following anticipated U-Values:
- I. Walls – 0.18 W/m2K
 - II. Roof – 0.15 W/m2K
 - III. Windows – 1.1 W/m2K
 - IV. Doors – 1.1 W/m2K
 - V. Ground floor – 0.15 W/m2K

- 6.23 Be Clean: The current proposals include:
- A CHP engine sized to provide 75% of total electrical demand and 64% of heat demand.
 - A high efficiency gas back-up boiler which will provide the remaining heat demand.
- 6.24 Full details must be provided of the final strategy including full details of how the CHP unit has been sized and maximised and the location of the plant room.
- 6.25 The system must be future proofed through the installation of a connection point to allow connection of the system to future district heating schemes- this should be clearly shown on a plan.
- 6.26 The London Borough of Tower Hamlets supports the principles of the 'Be Clean' strategy.
- 6.27 Be Green: The applicant has assumed that PV panels with a peak output of 41kWp would need to be installed across the development covering 143m²
- 6.28 The applicant must provide full details of the installation including sun-path diagrams to illustrate the expected effects of any shading. It should be demonstrated that any shading has been taken into account when calculating the energy savings.
The applicant must demonstrate that renewable technology has been maximised.
- 6.29 The energy saving made against the clean building should be provided.
- 6.30 The principles of the energy strategy and the anticipated CO₂ emissions are supported by the Sustainable Development Team but the applicant should clarify the calculation by following the GLA's guidance as suggested earlier.

SUSTAINABILITY

- 6.31 Under Policy 5.3 Sustainable Design and Construction of the current London Plan 2011, future developments must seek to meet the highest standards of sustainable design and construction. This should be demonstrated through undertaking an assessment using the appropriate environmental assessment methodology. The LBTH supports the commitment to achieving the Code for Sustainable Homes Level 4.
- 6.32 The Applicant will need to demonstrate through any subsequent reserved matters applications that the energy requirements of a Code Level 4 are achievable

(Officer response: A condition would be included on any permission to ensure that the applicant can demonstrate that the above requirements are achievable.)

Waste team

- 6.33 Waste storage arrangements are adequate as shown in plan 310 and 320 and meet our planning guidelines.
- 6.34 Please ensure that the location of storage areas for waste containers should not cause householders to carry refuse or recycling further than 25m (excluding vertical

distance).

- (Officer response: There are three units at the southern end of the site which are outside of the 25m carrying distance. Whilst this is not ideal, there is little opportunity for the distance to be decreased if the refuse stores are to suitably positioned to be collected from Dalgleish Street. The three units which are outside of the carrying distance are the larger family units and it is therefore considered that there would be a member of the household who would be able to carry the refuse the extra distance. The refuse store is located adjacent to the entrance to the building so there would be no extra distance to be covered than when leaving the building.)*

7. LOCAL REPRESENTATION

- 7.1 A total of 312 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: 1
No. petitions received 0

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

- 7.2 The objection raised relating to overlooking from the site which is under construction to the south and this development increasing the overlooking.

(Officer response) There is approximately 45m between the closest part of the proposed building to the residential properties on Commercial Road. There is also the four storey dwellings approved as part of the 721-737 Commercial Road development between the subject site and the houses on Commercial Road.

- 7.3 There is also a concern that the development will increase parking pressure in the local area.

(Officer response) The development is to be car free and there should therefore be no increase in parking pressure in the local area.

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. Principle of the Land Use
 2. Design and appearance

3. Impact upon the neighbouring occupants
4. Dwelling mix and affordable housing
5. Quality of accommodation provided
6. Highways
7. Energy and sustainability
9. Planning obligations

Background

- 8.2 There have been two previous applications which are relevant to the current application. In 2008 an application for mixed use (residential and B1 offices) was refused. This proposed a development which would be up to 11 storeys in height, containing 101 residential flats. The refusal reasons were:
- “ 1) The proposal, by reason of its excessive bulk, height, architectural integrity and use of materials, would appear as an incongruous feature and adversely affect the character and appearance of the surrounding area. It is considered that the overall scale and massing of the proposal would have an overbearing and overshadowing effect on the low scale school premises to the north and the immediate streetscape which would be appear insensitive to the context of the site.*
- 8.3 *2) The proposed ground floor layout would result in poor accessibility and servicing to the large commercial unit on the ground floor located to the rear of the site contrary to DEV 1 & DEV 2 of the adopted Unitary Development Plan (1998) and policy DEV 1 & DEV 4 of the Interim Planning Guidance.*
- 8.4 *3) The proposed north facing single aspect units are inappropriate and would result in poor quality amenity space, leading to an over reliance on artificial lighting and ventilation as well as exacerbating a sense of enclosure, detrimental to the amenity of future occupiers pursuant to policies CP3 Sustainable Environment, CP4 Good design, DEV2 Character & Design, DEV 5 Sustainable Design of the Interim Planning Guidance (2007), and policies A.6 Quality of new housing provision, 4A.3 Sustainable design and construction, 4B.1 Design principles for compact city of the consolidated London Plan 2008.*
- 8.5 *4) The proposal presents poor quality private and communal amenity space by way of a central courtyard which renders an excessive sense of enclosure and overshadowing. As such, the proposal fails to comply with policy HG16 of the adopted Unitary Development Plan and HSG7 in the Interim Planning Guidance Core Strategy and Development Control Plan (Oct 2007) which seeks to ensure an appropriate provision of private amenity space.”*
- 8.6 In 2010 a second application was made for a development which was reduced in scale to a building which was up to 8 storeys containing 74 flats and 861sqm of office space. This application was withdrawn.
- 8.7 The current application seeks to overcome the concerns raised as part of the previous two proposals by reducing the overall height of the building, reducing the footprint and removing the office use from the proposal.

Principle of the use

- 8.8 The proposed residential building would result in the loss of an industrial building and

associated car park. A number of current policies seek to retain employment floorspace in most circumstances unless it can be demonstrated that the site has been marketed at a reasonable rate for a certain period of time unsuccessfully, or if it is a site which is no longer considered to be suitable for employment purposes due to its location, size, accessibility and condition.

- 8.9 The building which was previously on site provided storage for the English National Opera but was vacated in November 2007. It is estimated that the building was demolished in 2008. Therefore there has been no employment use on site for over four years and since this time the character of the area has change significant with the redevelopment of the Council depot site to the south for residential purposes. The previous two applications sought to replace an employment use by way of a ground floor of B1 office space. Concerns were however raised regarding the servicing of this use as Dalgleish Street is a small road with limited ability to turn a large vehicle in.
- 8.10 The site is now surrounding by high density residential developments and there is a school to the north. Dalgleish Street it not a road which is used by passers-by and there is concern that if approved, a commercial use could remain vacant and unattractive to potential future occupiers due to the lack of footfall and the restrictions on operations which would be necessary if the residential and commercial uses were to operate compatibly. It is therefore considered that the loss of the employment use is acceptable in this instance and is in accordance with policy EMP3 of the UDP and SP06 of the Core Strategy.
- 8.11 As previously mentioned, Dalgleish Street is not a through road and as such it is considered that a suitable level of privacy would be provided to the occupants of residential units which were located at ground floor level. The lack of a commercial use at ground level also allows for a Homezone to be created to the front of the development.
- 8.12 Delivering housing is a key priority both nationally and locally and this is acknowledged within Planning Policy Statement 3, Strategic Objectives 7, 8 and 9 of the Core Strategy, policy SP02 of the Core Strategy and policy 3.1 of the London Plan which gives Boroughs targets for increasing the number of housing units. It is considered that this development would be an acceptable use of the land and would be accordance with planning policy.

Design and Appearance

- 8.13 The application is made in outline and appearance has been reserved, therefore final details regarding the finished look of the building, including position of windows and balconies, materials to be used will be determined under future applications for the reserved matters.
- 8.14 The scale of the building is not a reserved matter and needs consideration here as it would set the parameter within which the building would be designed.
- 8.15 Previous applications looked to the dense residential development to the south as a cue for future development of this site. It is however considered that this has a different context as it fronts onto Commercial Road, a main road through the Borough where you would expect to see large scale developments. Also, the largest element of the building (14 storeys) is located within the centre of the development, away from the site boundaries. It is considered that this site should complement the higher development to the south, rather than compete with it. It is considered that at four to seven storeys this development achieves this.

- 8.16 The tallest part of the development would be adjoining the development which fronts Lowell Street, it would then step down to four storeys towards the north east corner of the site to complement the scale of the school and the Salmon Lane properties.
- 8.17 The return element of the scheme which extends southwards to the Commercial Road site would adjoin the blank flank wall of block A. This was designed so as to allow development of this site directly up to the boundary and so as not to impact upon light or outlook from this development.
- 8.18 There are two entrances proposed to the development. One is located at the western end of the building, close to the Lowell Street block. A second entrance is positioned at the eastern end of the site, just before the building is set back by 2m (also where the building steps down to four storeys.) These are considered to be suitable locations for the entrance which are not recessed and allow easy way finding for the future occupants and visitors to the building.
- 8.19 Subject to a suitable design of the proposal and good quality materials being used it is considered that the scale, mass and height of the development is acceptable and in accordance with policy SP10 of the Core Strategy which seeks to ensure developments are compatible with their local townscape and context.

Impact upon the neighbouring occupants

- 8.20 Policies DEV2 of the UDP and DM26 of the Development Management DPD seek to protect residential amenity by ensuring neighbouring residents are not adversely affected by a loss of privacy or a material deterioration in their daylighting and sunlighting conditions. New developments will also be assessed in terms of their impact upon residents visual amenities and the sense of enclosure it can create.

Privacy

- 8.21 The properties which are considered to be most affected by the development would be those at the eastern edge of the site which front Salmon Lane, and the residential block which is being constructed to the south of the site. Within the wider development site this is known as block A.
- 8.22 There are habitable room windows which face towards the Salmon Lane properties but these are over 30m away. The policy requires a minimum distance of 18m between facing habitable rooms and this is well in excess of this.
- 8.23 In terms of the development to the south, the proposal, which would be located directly adjacent to it, would be positioned at 90 degrees to it and therefore would not lead to any overlooking to the neighbouring flats.
- 8.24 There would be some overlooking possible to the school and its playground, however, on average this development would be 40m from this site and therefore any overlooking would be limited.
- 8.25 To the west of the site there is potential for overlooking from the living rooms of flats 14, 21, 31, 43, 50 and 56 which are 4m from the western boundary and 9m from the rear of the

Lowell Street development. A condition could be imposed requiring any windows on this west elevation be obscure glazed as the main outlook from these rooms could be to the south where there are no significant overlooking concerns.

- 8.26 Whilst the exact position of windows on the development is yet to be established it is considered that the overall layout would not result in any significant overlooking or loss of privacy to the neighbouring occupants.

Daylight/sunlight

- 8.27 A technical study of the impacts upon daylight and sunlight has been submitted with the application which looks at the impact of the development on the surrounding properties. The impacts on the school, 140-166 Salmon Lane and blocks A, F and G within the development to the south were all tested.
- 8.28 BRE guidance states that a window facing within 90 degrees of due south receives adequate sunlight if it receives 25% of annual probable sunlight hours including at least 5% of annual probable hours during the winter months.
- 8.29 The school and the Salmon Lane properties face within 90 degrees due south of the application site and have therefore been tested. Within the guidance a loss of 20% in annual probable daylight hours is considered to be acceptable and would have no significant effect on the amenities of the existing occupants. In this case the majority of windows suffer no loss of sunlight, however the largest reduction is to a ground floor flat within block A which faces west, this reduction is 16.7% and is therefore within the acceptable range.

Daylight

- 8.30 Daylight is normally calculated by two methods - the Vertical Sky Component (VSC) and No Sky Line (NSL). BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be less than 20% of the former value, to ensure sufficient light is still reaching windows. These figures should be read in conjunction with other factors including NSL. NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.

Sir William Borough Primary School

- 8.31 In the case of the primary school the majority of the rooms have a VSC of above 27%. The largest loss in VSC is to a window on the ground floor. This is a loss of 12%. The room which this window serves is also served by three other windows, overall the average loss of VSC to this room would be 9.5%. As a reduction of up to 20% is not discernable it is considered that there would be no significant loss of light to the school.

140 – 166 Salmon Lane

- 8.32 In respect of Salmon Lane, the rear windows of these properties generally benefit from a good VSC level at around 27%, aside from some of the ground floor windows to properties to the northern end of the terrace, as one VSC figure is 22.26%. The report shows that there would be no discernable reduction in VSC to these properties with the greatest figure being 4.52%. This is considered to be acceptable and would not result in any significant loss of daylight to the occupants of these flats. Regardless of the percentage failures this room

would still be well lit in a urban context and retains a significantly higher proportion of daylight than the other surrounding residential uses including Sunlight Square. It is therefore considered that this reduction in daylight is acceptable and would not have a significant impact upon the amenities of the occupants of this unit.

723-737 Commercial Road (Block F)

8.33 Block F is a four storey row of houses located to the south west of the application site. The main outlook of these properties is north, towards block G (Lowell Street development) and the application site. The majority of the habitable accommodation for these houses is at first to third floor.

8.34 The existing VSC figure for the windows serving this development are generally around the 27% figure with the second floor having a greater percentage than the first floor. The greatest reduction would be to room R3/71 on the first floor. This room is served by two windows and would result in a loss of 19.97% and 19.41% to each of the windows. This is still less than the 20% difference which becomes noticeable and therefore the impact is considered acceptable.

723-737 Commercial Road (Block G)

8.35 This is the block to the west of the application site which fronts Lowell Street and extends round onto Lowell Street. The windows of concern within the block are those which face east towards the subject site. In this case only the ground and first floor windows were tested. In all cases each of the windows have a lower than 27% VSC figure. The reduction to the original percentage is on average very low, two of the windows would see a loss of over 18%, however in cases the failure would be less than 20% and is therefore considered acceptable.

723-737 Commercial Road (Block A)

8.36 Block A is the 14 storey building immediately to the south of the site which has a six storey section adjacent to the boundary which is a blank wall. The application seeks to build adjacent to this wall. Where it is positioned along the boundary the building does not extend either side of the blank wall, however after a distance of 5.5m the building extends westwards by 5m at ground to third storey level. This has implications for the flats on the ground and first floor which face due north towards the application site.

8.37 The greatest failure in VSC is to the ground floor units labelled R3/50 on the drawings. The percentage loss in VSC is up to 39 for this unit and the windows serve a living room. 14 rooms fail to meet the 20% BRE test for reduction in daylight. Ten of these are bedrooms which are not considered to be a sensitive or require as much light as living rooms.

8.38 When applying the further NSL test it can be seen that out of the 14 windows that fail the VSC test only one room continues to fail the NSL test which measures the way daylight is distributed within the flats. This is a 20.7% failure and the BRE guidelines suggest that a reduction of up to 20% is acceptable. The majority of flats see no loss to their daylight distribution.

8.39 It should be noted that this development is still under construction and not yet occupied, there would therefore be no reduction in amenity to the occupiers of any existing units. It should also be taken into account that this is a dense form of urban development and a full compliance with BRE guidelines is likely to be unachievable. As only one neighbouring flat

would receive a discernable difference in the level of daylight available to one room within the flat it is considered that as the reduction is only 0.7% over the BRE guidelines the impact would not be significantly detrimental to amenities of the occupiers.

8.40 Overall it is considered that all neighbouring properties would remain well lit in an urban context and this development would have no significant detrimental impact upon their daylighting and sunlighting conditions.

Visual amenity / sense of enclosure

8.41 The properties which are most likely to be affected in terms of a sense of enclosure and loss of visual amenity would be the flats in block G which look towards the site from the west and the flats in block A which look towards the site from the south. All other residential properties are considered to be sufficiently distant so as not to have any impact upon their outlook.

8.42 The residents of Block G would face towards the site at an oblique angle. It is the only element which extends deeper than the main section of the block which serves flats 2, 14, 21, 31, 43, 50 and 56 which would impact upon the outlook from block G. There is a distance of approximately 18m away. This is considered sufficient to mitigate against any loss of outlook or sense of enclosure created by the development.

8.43 To the south the residential accommodation within block A begins at first floor level. This is equivalent to 1.5 storeys in height on the subject site. Therefore when looking towards the site from this block the subject development would be 5.5m away, project 5m into their line of vision and would appear 7m in height. On balance, it is considered that there would be no significant loss of outlook to the future occupants of this development.

8.44 In conclusion, it is considered that there would be no significant detrimental impact upon the amenities of the surrounding occupants and the density and proximity of the building is appropriate for the character of an urban area such as this.

Dwelling mix and affordable housing

Affordable housing

8.45 The application proposes 60 residential units with the total number of habitable rooms being 191. Of these 13 flats would be social rented (7x 2 bed and 2 x 3 bed and 4 x 4 beds) and 4 flats would be for shared ownership (2 x 2 bed and 2 x 4 bed). By habitable room the scheme provides a total of 36% affordable accommodation comprising 76% social rent and 24% intermediate. This is explained in the table below:

	Market Sale		Shared Ownership		Social Rent		Totals	
	Units	Hab Rooms	Units	Hab Rooms	Units	Hab Rooms	Units	Hab Rooms
1 Bed	22	44	0	0	0	0	22	44
2 Bed	10	30	2	6	7	21	19	57
3 Bed	6	24	0	0	2	8	8	32
4 Bed	5	25	2	10	4	23	11	58
Totals	43	123	4	16	13	52	60	191

8.46 Policy SP02 requires developments to provide 35% affordable housing (subject to viability), and a split of 70:30 between the tenures. This application provides 36% affordable housing in total with a split of 76:24 in favour of social rented. This has been reviewed by the Council's housing section and found to be acceptable.

Dwelling mix

8.47 In total 19 family sized units are provided, this is equivalent to 32% of the overall scheme. Policy SP02 requires only 30% of development to be 3 bedroom units or larger but within the social rented tenure 45% should be for families. In this case 46% of the units within the social rented tenure would be family sized. It is considered that there is suitable mix of units within the scheme and it would provide for a wide range of occupants, therefore promoting a mixed and balanced community.

8.48 The scheme includes separate kitchens and living rooms within all of the family units and 3 x 2 bed units. This is welcomed addition to the scheme as it is often a desirable feature for families residing in the borough to have separate kitchen and living areas.

Wheelchair housing

8.49 The London Plan requires that 10% of all housing developments are suitable for wheelchair users. In this case the wheelchair units have not been detailed, it is considered that there is sufficient opportunity within the current layout to provide wheelchair units and details of this would be requested by condition.

Quality of accommodation

Internal space

8.50 Policy 3.5 of the London Plan sets out minimum internal space standards which are recommended for all residential developments. The Mayor's design guide also gives advice on the quality of the internal space. For example, storage areas should be provided, separate living rooms and kitchens are encouraged as are dual aspect flats.

8.51 The table below shows that all of the units either meet the required standard or fall short by 1sqm. This is a de minimis amount and would not be a justifiable reason to refuse the application.

Flat no.	Bed/persons	Size	Standard	Complies	Aspect	Amenity Space (sqm)
1	1/2	58	50	Y	NW & S	10
2	1/2	53	50	Y	S	6
3	1/2	50	50	Y	NW	5
4	1/2	50	50	Y	NW	15
5	4/8	112	99	Y	NW	10
6	2/3	67	61	Y	S	15

7	3/5	88	86	Y	NW & E	92
8	2/3	75	61	Y	E	72
9	4/8	123	99	Y	E & W	39
10	4/8	123	99	Y	E & W	38
11	4/8	123	99	Y	E & W	38
12	3/6	114	95	Y	E & W	30
13	3/6	94	95	N	N & S	10
14	4/8	112	99	Y	S	6
15	1/2	50	50	Y	NW	6
16	4/8	115	99	Y	NW	11
17	2/3	67	61	Y	S	6
18	4/7	98	99	N	NW & E	10
19	2/3	75	61	Y	E	10
20	3/6	94	95	Y	N & S	10
21	4/8	112	99	Y	S	12
22	1/2	50	50	Y	NW	6
23	4/8	115	99	Y	NW	11
24	2/3	67	61	Y	S	6
25	4/7	98	99	N	NW & E	10
26	2/3	75	61	Y	E	10
27	2/4	71	70	Y	E	10
28	2/4	71	70	Y	W	10
29	2/4	65	61	Y	E & W	10
30	3/6	94	95	N	NW & S	10
31	1/2	56	50	Y	S	6
32	1/2	50	50	Y	NW	6
33	1/2	55	50	Y	S	6
34	1/2	55	50	Y	NW	6
35	2/3	67	61	Y	S	6
36	1/2	58	50	Y	NW	6
37	4/8	98	99	N	NW	10
38	2/3	75	61	Y	E	10
39	2/4	71	70	Y	E	10
40	2/4	71	70	Y	W	10
41	2/4	67	61	Y	E & W	10
42	3/6	94	95	Y	NW & S	10
43	1/2	56	50	Y	S	6
44	1/2	50	50	Y	NW	6
45	1/2	55	50	Y	S	6
46	1/2	57	50	Y	NW	6
47	1/2	55	50	Y	N & E	6
48	2/3	67	61	Y	S	6
49	3/6	94	95	N	N & S	10
50	2/4	70	70	Y	S	10
51	1/2	50	50	Y	NW	6
52	1/2	57	50	Y	NW	6
53	1/2	55	50	Y	NW & E	6
54	2/4	90	70	Y	S	10
55	3/6	94	95	N	NW & S	10

56	2/4	70	70	Y	S	10
57	1/2	50	50	Y	NW	6
58	1/2	57	50	Y	NW	6
59	1/2	55	50	Y	NW & E	6
60	2/4	90	70	Y	S	10

- 8.52 The table above also shows what aspect the flats face and whether or not it is dual aspect. Due to the constraints of the site it is difficult to achieve dual aspect flats in all circumstances. The table shows that 19 flats are dual aspect. Due to the orientation of the site none of the flats face directly north. Those which face out onto Dalgleish Street would have north west facing aspect and should therefore receive sunlight towards the end of the day.
- 8.53 It should be noted that the application in 2008 was refused due to the number of single aspect north facing flats which were provided and the poor quality living environment it would create. In this case 23 units were north west facing, under the current proposal 12 flats face solely out onto Dalgleish Street. This is a lower number and a lower proportion than under the last application. The previous application also saw a large amount of balconies on the front elevation of the building which reduced the level of light into the units. This is not the case with the current application as there are significantly less balconies which overhang. The outlook from these windows is unrestricted as directly opposite is the playground to the school. The level of light which would reach these units is therefore considered to be adequate.
- 8.54 As the residential units extend to ground floor level there is potential for a loss of privacy to the ground floor units. This has been overcome by way of defensible planting to the units which front Dalgleish Street and small front gardens to the units within the development providing a buffer zone between the public and private areas.
- 8.55 There is considered to be suitable outlook from each of the flats and there is no overlooking between the units. Overall, it is considered that the development would provide a good standard of accommodation for the future occupiers of the site.

Outdoor space - private

- 8.56 Outdoor amenity space is provided in a number of forms within the development. An area of communal space is provided to the rear of the site, there are also areas of communal amenity space on the roof of the block and Dalgleish Street to the front of the site is also proposed to be converted into a homezone which is also expected to provide an area for door stop play. Each unit would also have an area of private space and the minimum is 5sqm rising to a maximum of 92sqm.
- 8.57 Private amenity space is expected to be provided at a rate of 5sqm for 1 bedroom flats with an additional 1sqm for each additional occupant. This is set out in the Mayor's housing design guide and within policy DM4. The table above shows the amount of amenity space which is provided for each unit.
- 8.58 The ground floor units along the eastern side of the site have a larger garden area, measuring between 28sqm – 92sqm. This is where the larger social rented units are to be located, therefore providing a good standard of amenity for the units which would potentially

have the highest populations.

- 8.59 There is considered to be sufficient private amenity space for the occupants of the proposed development.

Outdoor space – communal.

- 8.60 For all developments of 10 units or more, 50sqm of communal amenity space (plus an extra 5sqm for every additional 5 units) should be provided. For a scheme of 67 units the minimum communal amenity space required would be 100sqm. At the rear of the site a total of 212sqm is proposed, on the roof 334sqm is proposed and there is the additional area to the front of the site on Dalgleish Street which would also be used for amenity purposes. This is significantly above the minimum requirements in policy terms.
- 8.61 The new street would also be publicly accessible but the aim is to provide doorstep play within this area for younger children. This type of play space is welcomed within the Mayor of London's housing guide. Within this area landscaping is proposed including benches for sitting out. Within the s106 agreement a clause would be included which would maintain this street as a publicly accessible street which would not be able to be gated off.
- 8.62 Details of the landscaping for all of the proposed amenity areas is a reserved matter and would be finalised at the detailed design stage, it is however expected that all sections would have an mixture of hard and soft landscaping to ensure it is usable by the residents of the block.
- 8.63 All of these areas are considered to provide a good quality of open space for the occupants of the units. There is only limited overshadowing to these amenity spaces from the subject building and the surrounding ones, and each area is shown to be BRE compliant.

Child play space

- 8.64 In addition to general amenity space, for development which create more than 10 child bed spaces. For each child bed space created 10sqm of play space should be made available. In this case a total of 280sqm should be available for children's play space.
- 8.65 In addition to the doorstep play area in Dalgleish Street the majority of the ground floor communal area is devoted to children's play space. In total 320sqm is provided at the rear of the site. Details of how this would be landscaped would be requested by condition.

Highways

Homezone

- 8.66 The application proposes to create a homezone in front of the development on Dalgleish Street. Dalgleish Street only serves this development with occasional access needed for the primary school. The main entrance to the school is however to the north on Salmon Lane.
- 8.67 The homezone would consists of different materials to the standard street finishes and would signify to drivers that this is a shared surface. The ground level would also be raised slightly when entering Dalgleish Street which would also cause drivers to reduce their speed.

- 8.68 As the development would be a car free development there would be limited vehicle activity on the street aside from refuse collections, occasional deliveries and users of the three disabled spaces.
- 8.69 The street is sufficiently wide to allow the turning of refuse vehicles, without the need for reversing substantial distances.
- 8.70 Details of the materials for the homeszone area are to be agreed with the highways team via a s278 agreement at the applicants expense. The road would be remain adopted highway and would be maintained by the highways authority. Highways have confirmed that they raise no objection to this proposal.

Parking

- 8.71 The site has a Public Transport Accessibility Level of 5 which is very good. The development would be a car free development and this would be secured via the s106 agreement whereby future occupants of the residential units are prevented from obtaining parking permits for the surrounding roads. This is in accordance with policy SP09 which seeks to encourage car free developments in areas of high public transport accessibility.
- 8.72 The development proposals include the provision of three disabled spaces for the three dedicated wheelchair units. These would be located on Dalglish Street, in front of the development. This provision is considered acceptable and the spaces are considered to be suitably located within the site.

Cycle parking

- 8.73 A total of 120 cycle parking spaces are proposed. This is well in excess of the policy requirement for 1 space per flat and the level is welcomed.
- 8.74 These are in the form of vertical cycle stands within the rear communal area. The highwys department have recommended that some of the cycle spaces be provided as Sheffield stands so those who are not comfortable using the vertical stands would not be discouraged from parking their bicycle here. It is considered that there would be space to accommodate a number of Sheffield stands within the area shown on the drawings and as such it is considered that it is sufficient to deal with this issue via a condition.
- 8.75 Details of the enclosure would also be requested via a condition.

Waste storage and collection

- 8.76 The waste and recycling containers are located in three separate areas, two are adjacent to the entrances and a third one is situated in the north east corner of the site, adjacent to the garden entrance to flat no. 7. The size of the containers is considered to be sufficient for the size of the development and they are considered to be generally located within a suitable location for the residents of the development.
- 8.77 There is some concern over the distance the units at the southern end of the site would need to carry their waste as it is over the standard 25m distance, at approximately 39 from the

front garden of flat 12 in the southern corner of the site, to the entrance to the development. The units which are furthest away are the larger family units and as such it is considered that there is likely to be one resident who is able to carry the waste to the storage area on their way out of the building. There is little opportunity for revising this arrangement as any closer refuse store would need to be located within the communal courtyard, creating amenity issues for the residents and difficulties for collection as the bins would need to be moved through the building.

Energy and Sustainability

- 8.78 The application proposes a number of energy saving measures including energy efficient lighting. The energy strategy proposes to use a CHP plant to provide 75% of total electrical demand and 64% of heat demand. A high efficiency gas back-up boiler will provide the remaining heat demand.
- 8.79 The applicant has proposed 143m² of photo voltaic panels located on the roof. A roof plan has been provided indicating the position of the panels and access. The total carbon emission savings for this development would be 36% on the baseline figures. This is considered acceptable and is in accordance with policy SP11 of the Core Strategy and the energy hierarchy outlined in the London Plan 2011 which seeks to ensure development are 'Lean, clean and green'.
- 8.80 The applicant has also confirmed that they are working towards securing code for sustainable homes level 4.
- 8.81 As the proposals are for an outline application, a condition is recommended which requests a revised energy strategy and sustainability strategy to be submitted to demonstrate the design is in accordance with the policies at the time of any subsequent application.

Planning Obligations

- 8.82 Regulation 122 of the Community Infrastructure Levy Regulations 2010, brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:
- (a) The obligation is necessary to make the development acceptable in planning terms;
 - (b) The obligation is directly related to the development; and
 - (c) The obligation is fairly and reasonably related in scale and kind to the development.
- 8.83 Circular 05/2005 explains (paragraph B3) that planning obligations (s106 agreements or unilateral undertakings) are "*intended to make acceptable development which would otherwise be unacceptable in planning terms.*" Obligations may be used to prescribe the nature of the development, or to secure a contribution from a developer to compensate for loss or damage caused by a development or to mitigate a development's impact. The outcome of these uses of planning obligations should be that the proposed is made to accord with published local, regional, or national planning policies.
- 8.84 A planning obligation must be:

- (i) Relevant to planning;
- (ii) Necessary to make the proposed development acceptable in planning terms;
- (iii) Directly related to the proposed development
- (iv) Fairly and reasonably related in scale and kind to the proposed development; and
- (v) Reasonable in all other respects.

8.85 The Council's Saved Policy DEV4 of the adopted UDP and Policy SP13 of the adopted Core Strategy say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed. The 2012 adopted planning obligations SPD provides specific advice on figure which are expected for developments and the contributions outlined below are in accordance with the formulas set out in the SPD.

8.86 The amounts have been apportioned appropriately and heads of terms are as follows:

Libraries and Ideas Stores

A contribution of **£17,388** will be secured towards improvements to Idea Stores and Libraries. The proposed development will increase demand on these services and there is a need to development these facilities further to align with population growth.

8.87 *Leisure and community facilities*

A contribution of **£61,629** will be secured towards Leisure and/or Community Facilities. The proposed development will increase demand on leisure and community facilities and our emerging leisure centre strategy identifies the need to develop further leisure opportunities to align with population growth.

8.88 *Education*

The Council's Education department have requested contribution towards education within the Borough. A contribution towards **£269,171** education school places is sought.

8.89 *Health*

Financial contribution of **£78,300** has been identified having considered viability which can contribute towards the development of health and wellbeing centres within the Local Area Partnership 3 and 4.

8.90 *Sustainable Transport*

A financial contribution of **£2,070** towards the provision of a sustainable transport network within the Borough.

8.91 *Public Open Space*

A financial contribution of **£110,736** towards the provision of improvements to public open space in the Borough has been secured.

8.92 *Affordable Housing*

A 36% provision of affordable housing should be secured which consists of a mix of intermediate and social rented units.

8.93 *Car Free*

The development would also be secured as car free, with the exception of the three disabled car parking spaces.

8.94 *Access to employment*

Within the s106 agreement flexibility has been allowed to ensure the developer either provides 20 percent of the jobs created through the construction phase to be advertised exclusively to local residents through the job brokerage service. If the developer is unable to do this then a financial contribution to support and provide the training and skills needs of the local residents in accessing new job opportunities.

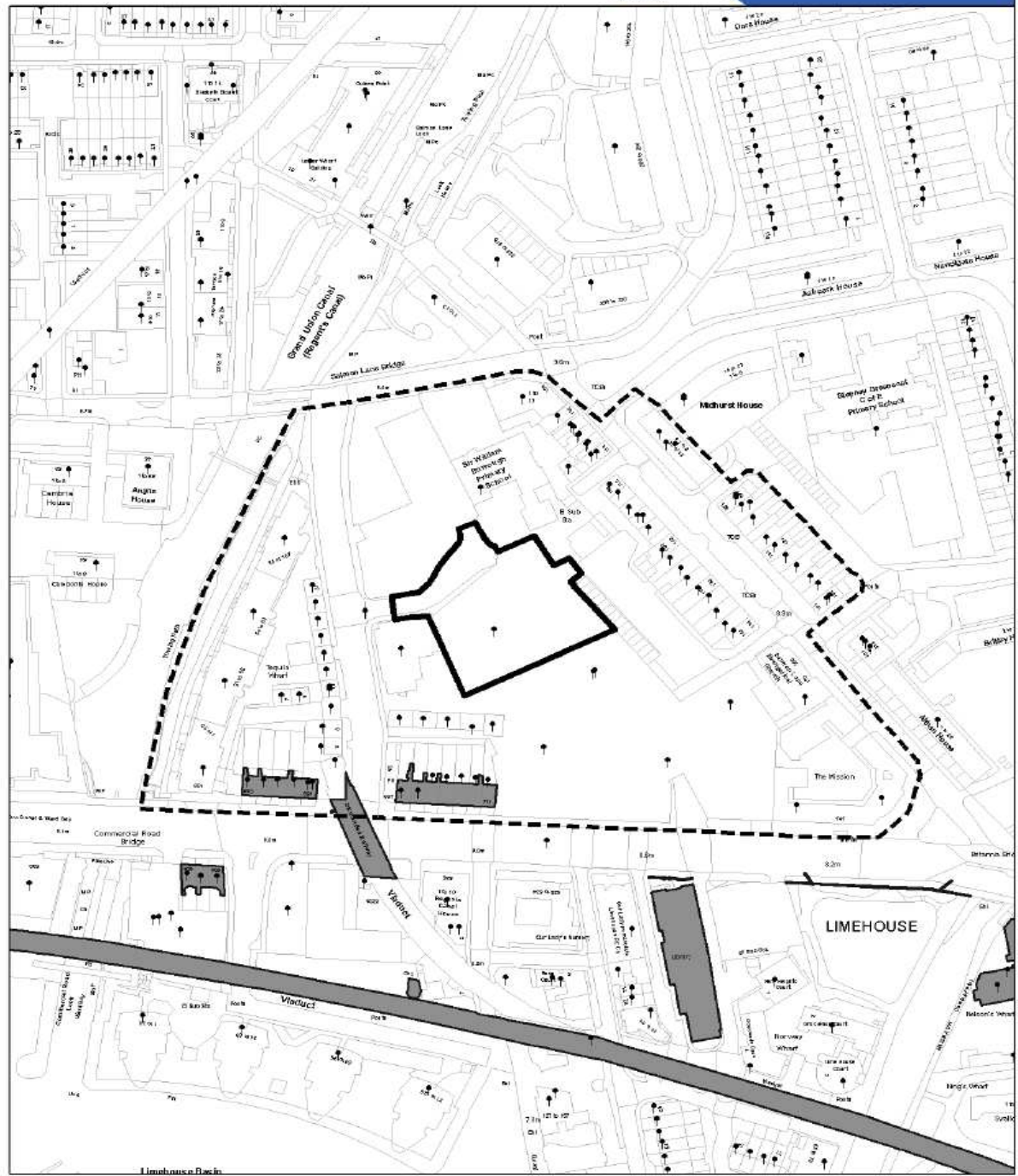
Other Planning Issues

8.95 None

9.0 **Conclusions**

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

Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address	
Consultation Area	Statutory Listed Buildings	0 30 m	

1:2,000

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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