

| | | | |
|--|------------------------------|---|-------------------------------|
| Committee: Development Committee | Date: 8 March 2012 | Classification: Unrestricted | Agenda Item No: 7.1 |
| Report of: Corporate Director of Development and Renewal | | Title: Planning Application for Decision | |
| Case Officer: Shay Bugler | | Ref No PA/10/2340 | |
| | | Ward(s): Bow East | |

1. APPLICATION DETAILS

- 1 **Location:** 64 Tredegar Road, E3 2EP
- 1.2 **Existing Use:** Light Industrial (B8)
- 1.3 **Proposal:** Demolition of existing warehouse buildings and the erection of 3 residential blocks (part 4, part 5 and part 6 storeys in height) to provide 87 new residential units (comprising 6 studios; 34 x 1 bed; 26 x 2 bed, 19 x 3 bed and 2 x 4 bed); communal & private amenity space; child playspace; 23 car parking spaces & 95 cycle parking spaces.
- 1.4 **Drawing Nos:** PL102; PL103; PL104 rev C; PL 105 rev C; PL 106 rev C; PL 107 rev B; PL 108 rev B; PL109 rev B; PL110 rev B; PL111 rev A; PL112 rev C; PL113; PL114; PL115; PL116 rev B; PL117 rev D; PL118; PL119; PL120; PL 200 rev A; PL 201 rev A; PL 202 rev A; PL203 rev A; PL206; PL207; SK28 rev C
- 1.5 **Supporting documentation**
- Planning Statement dated October 2010 by Telford Homes
 - Design and Access Statement by Telford Homes dated October 2010
 - Design response: post-planning meeting dated August 2010
 - Formal comments- additional information document from Telford Homes dated February 2011
 - Air Quality Assessment- 64 Tredegar Rd by SKM Enviros dated 10 October 2010
 - Sustainability Statement by XCO2 Energy consultants dated 8 October 2010
 - Traffic and Transport Assessment by Paul Mew Associates dated October 2010
 - Phase 1 Contamination Desk Top Study dated June 2010 (report no:9677)
 - Noise Assessment by Sharp Redmore Partnerships dated October 2010
 - Landscape Design by Standerwick landscape design dated Oct 2010
 - Daylight and sunlight assessment by Nathaniel Lichfield & Partners dated 22 February 2012

- Consultation report by Telford Homes dated October 2010
- Archaeology report by Telford Homes dated October 2010
- Heritage Statement by Telford Homes dated October 2010

- 1.6 **Applicant:** Telford Homes
 1.7 **Owner:** Telford Homes
 1.8 **Historic Building:** No
 1.9 **Conservation Area:** No but abuts Medway Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010); Unitary Development Plan (1998), Managing Development DPD (Proposed submission version 2012); the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan (2011) and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's policy, as well as government Planning Policy Statements (PPS) which seek to maximise the development potential of sites. As such, the development complies with PPS1 & PPS3; policy 3.3 of the London Plan (2011); SP02 of the Core Strategy (2010) and policy HSG1 of the Interim Planning Guidance (Oct 2007) which seeks to ensure this.
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3.8; 3.10; 3.11, 3.12 & 3.13 of the London Plan (2011); policy SP02 of the Core Strategy (2010); policy HSG7 of the Council's Unitary Development Plan (1998); policy DM3 of the Managing Development DPD (Proposed submission version 2012) and policy HSG2, HSG3 & HSG4 of the Interim Planning Guidance (Oct 2007) which seek to ensure that new developments offer a range of housing choices.
- On balance, the scheme provides acceptable space standards and layout. As such, the scheme is in line with policy SP02 of the Core Strategy (2010); DEV 2 of the Council's UDP (1998); DM4 of the Managing DPD (Proposed submission version 2012) which seek to provide an acceptable standard of accommodation.
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3.4 of the London Plan (2011), SP02 & SP10 of the Core Strategy (2010) & policies DEV1; DEV2 of the Council's Unitary Development Plan (1998) and policies DEV 1, DEV 2 & HSG1 of the Interim Planning Guidance (Oct 2007) which seek to provide an acceptable standard of accommodation.
- The provision of private, communal amenity space and child play space is considered to be acceptable. As such, the amenity space proposed is broadly in line with policies 3.6 of the London Plan (2011); SP02 of the adopted Core Strategy (2010); policies HSG16 and OS9 of the Council's Unitary Development Plan (1998); DM4 of the Managing Development DPD (Proposed submission version 2012), policy HSG7 of the Interim Planning Guidance (October 2007) which seeks to ensure that adequate amenity space is provided.

- The building height, scale, bulk and design is acceptable and in line with policies' 7.2; 7.3; 7.4; 7.6; 7.7 & 7.8 of the London Plan (2011); policies SP02 & SP10 of the adopted Core Strategy (2010); policies DEV1 of the Council's Unitary Development Plan (1998); policy DM24 of the Managing Development DPD (Proposed submission version 2012) & policy DEV 2 of the Interim Planning Guidance (Oct 2007) which seeks to ensure buildings are of a high quality design and suitably located.
- Transport matters, including parking, access and servicing, are acceptable and in line with policies 6.9 & 6.13 of the London Plan (2011); policy SP09 of the adopted Core Strategy (2010), policies T16, T18 and T19 of the Council's Unitary Development Plan (1998); policies DM20 & DM22 of the Management Development DPD (Proposed submission version 2012) & policy DEV 18 & DEV 19 of the Interim Planning Guidance (Oct 2007) which seek to ensure there are no detrimental highways impacts created by the development.
- The proposal would not give rise to any undue impacts in terms of loss of privacy, sunlight and daylight upon the surrounding properties. As such, the proposal is considered to satisfy policy 7.7 of the London Plan (2011); policy SP10 of the Core Strategy (2010); "saved" policy DEV2 of the Council's Unitary Development Plan (1998); policy DM25 of the Managing Development DPD (Proposed submission version 2012) and DEV 1 of the Interim Planning Guidance (Oct 2007) which seek to protect amenity of surrounding properties.
- Sustainability matters, including energy, are acceptable and in line with policies 5.1, 5.2, 5.3, 5.5, 5.6, 5.7 & 5.8 of the London Plan (2011); policy SP11 of the Core Strategy (2010); policy DM29 of the Management Development DPD (Submission version 2012) and policies DEV 5, DEV 6 & DEV 9 of the Interim Planning Guidance (Oct 2007) which promote sustainable development practices
- Obligations have been secured towards the provision of affordable housing, education, health and community facilities. This is in line with Regulation 122 of the Community Infrastructure Levy Regulations 2010, policy 8.2 of the London Plan (2011); policy SP13 of the adopted Core Strategy (2010); policy DEV4 of the Unitary Development Plan (1998) and policy IMP1 of the Interim Planning Guidance (Oct 2007) which seek to secure planning obligations that are necessary to make development acceptable in planning terms.

3.0 **RECOMMENDATION**

That the Committee resolve to GRANT planning permission subject to:

- 3.1 A. The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following:
1.
 - Affordable housing provision of 35 % of the proposed habitable rooms
 - £135,000 towards education facilities
 - £86,400 towards Community facilities
 - £7,800 towards employment skills and training
 - £37,800 towards health facilities
 - £3,000 towards Monitoring and implementation of the S106 Agreement

The total amount of financial contributions sought is £270,000

Non financial

2.
 - 20% local procurement of goods and services at construction phase
 - 20% of non technical jobs in the construction phase to be advertised exclusively through skillsmatch for a limited period with reasonable endeavours used to ensure that a target of 20% employment of local residents is achieved.
 - 'Car free' agreement
 - Travel Plan
- 3.2 That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above.
- 3.3 That the Corporate Director of Development and Renewal is delegated power to impose conditions on the planning permission to secure the following:

Conditions

- 1 Time Limit
- 2 Development constructed in accordance with approved plans
- 3 Sample of all external facing materials / sample board for new development
- 4 Landscaping details including child playspace details
- 5 Secure by design/CCTV
- 6 Contaminated Land Survey
- 7 Construction Management Plan
- 8 Service & Delivery Management Plan
- 9 Life times Homes
- 10 10% wheelchair accessible
- 11 Installation of a heat network system
12. A minimum of 98m² of photovoltaic panels to be installed
- 13 Sustainable Homes assessment where the development achieves a minimum of a 'Code for Sustainable Homes Assessment' Level 4
- 14 No redevelopment shall take place until the applicant has secured the implementation of a programme of archaeological works
- 15 No works shall take place until the applicant has secured the implementation of a programme of recording and historic analysis
- 16 20% vehicle charging points
- 17 Development should not commence until; a scheme for protecting the proposed residents from railway vibration has been submitted to and approved in writing by the LPA
18. Development shall not commence until a sound insulation scheme for protecting the proposed development from rail noise has been submitted to and approved in writing by the Local Planning Authority.
19. The lift motor room should be located at roof level with sound insulation that would meet NB25 of the floor directly below.
20. Details and location of the plant room shall be submitted and approved in writing by the LPA. Noise emission levels for this plant and equipment must be 10Db than lowest recorded background noise levels.

Compliance

- 21 Implementation of an energy efficiency and decentralised energy technologies
- 22 Renewable energy technologies to be implemented in accordance with the proposals made in the 'Energy Statement'
- 23 Hours of construction (8am-6pm Monday to Friday, 9am-1pm on Saturdays and not at

- all on Sunday or Bank Holidays)
- 24 Power/ Hammer piling/breaking (10am-4pm Monday- Friday)
 - 25 Highway improvement works
 - 26 Any other condition(s) considered necessary by the Head of Development Decisions

3.4 Informative

1. Section 106 agreement required
2. Section 278 (Highways) agreement required
3. Site notice specifying the details of the contractor required
4. Construction Environmental Management Plan Advice
5. Environmental Health Department Advice
8. Metropolitan Police Advice

Any other informative(s) considered necessary by the Head of Development Decisions.

- 3.5 That, if by 30 March 2012 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Planning and Building Control is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal involves the demolition of a part two and part three storey building currently used as a cash and carry and the erection of 87 residential units (comprising 6 x studios; 34 x 1 bed; 26 x 2 bed; 19 x 3 bed & 1 x 4 bed) contained with three blocks (referred to as blocks A, B & C) and a three storey building to provide a 4 bedroom house.
- 4.2 Block A comprises a four storey residential building within the north eastern element of the site and fronts onto Tredegar Rd. The proposed development also includes the construction of two connected residential blocks (buildings B & C) of between five and six storeys in height. Block B is located to the south east of the site (close to the boundary of the Royal Mail sorting office. This block comprises of a 6 storey building (5 storeys with an additional storey setback). Block C is located to the south west of the site is a 5 storey building (4 storeys with a fifth storey setback). Blocks B & C are constructed around a courtyard /communal amenity space (see fig 1).



Fig 1: sketch of the proposed development

- 4.3 A detached three storey dwelling house is proposed within the west section of the site fronting Balmer Road (see fig 2).



Fig 2: Sketch of the proposed detached dwelling fronting Balmer Road.

- 4.4 The proposal involves 23 car parking spaces located at lower ground floor level; 95 cycle spaces and the provision of private/communal and child playspace onsite.

Site and Surroundings

- 4.5 The application site is irregular in shape, approximately 0.28 ha in size and is currently

occupied by a cash and carry business in a series of single, two and three storey buildings accessed from Tredegar road and Balmer road.

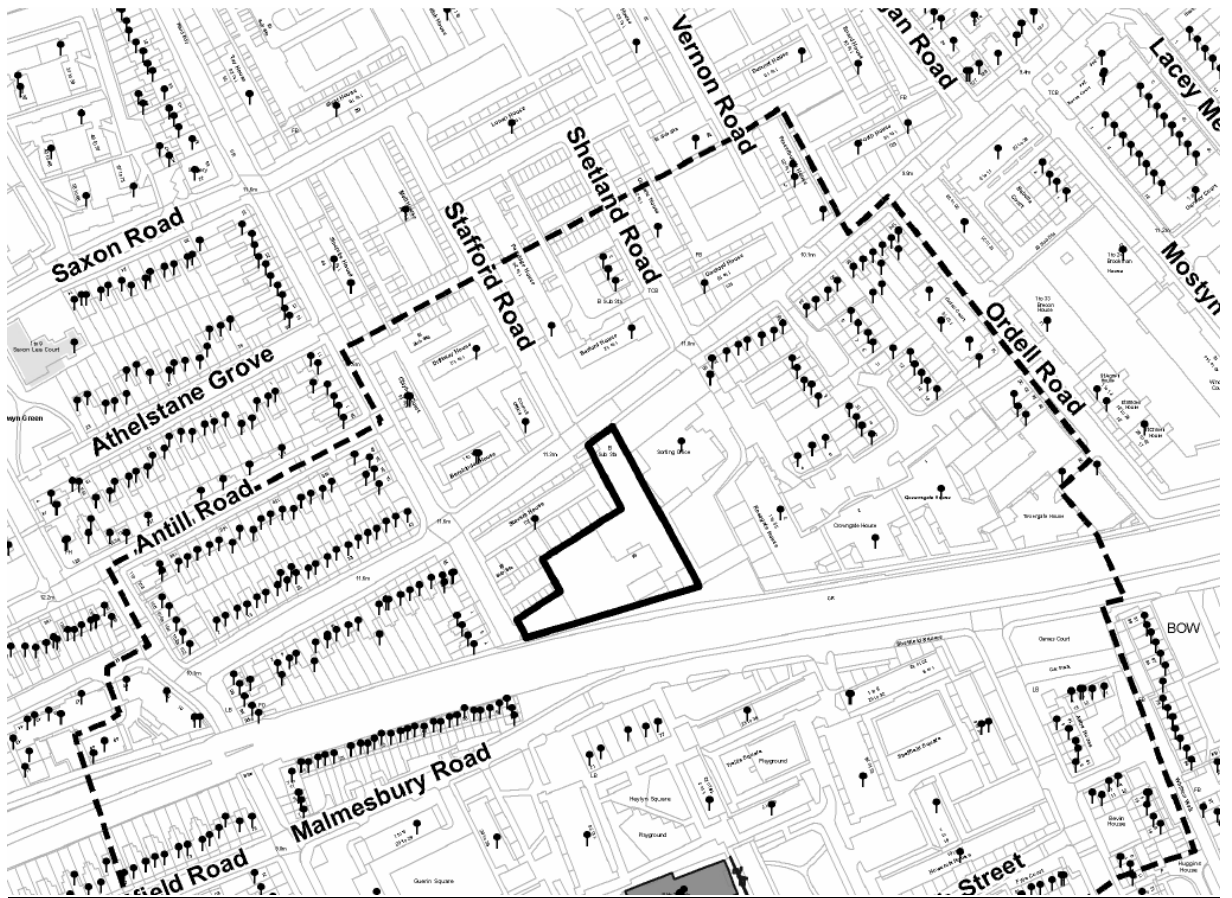


Fig 3: Location Plan of development site

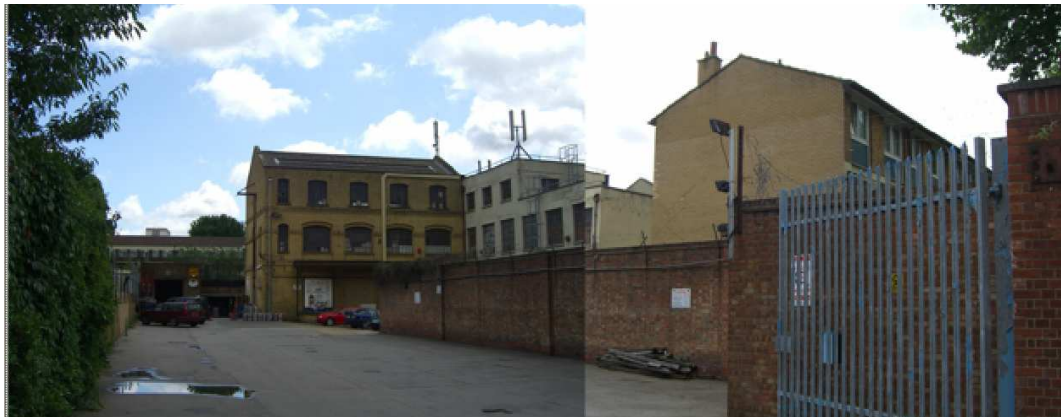


Fig 4: Picture of existing building on site.

- 4.7 The surrounding area is predominantly characterised by residential development ranging from 3 to 7 storeys in height. The properties along Tredegar Rd are 1960s/70s three storey maisonettes and flats. Immediately to the north of the site, Stavers House comprises a three storey residential building with small rear gardens which fronts the southern side of Tredegar Road. To the west, no. 36 Tredegar Road, forms a three storey end of terrace property, plus basement, while numbers 1-7 Balmers Road comprise a terrace of two storey properties which front directly onto the street. Immediately to the east is the Royal Mail sorting office. To the south is the railway line (main line to Liverpool Street). To the north east, Barford House is a three storey residential block situated opposite the existing entrance to the site.

- 4.8 The site has a Public Transport Accessibility Level (PTAL) of 5 which means it is highly accessible by public transport. Local bus services include no 339, 488, 8, N8 and 276. With reference to London Underground services, Mile End is located approximately 840m and Bow Station is located close approximately 490m from the site. Both stations provide access to District, Hammersmith & City and Central Line services. Dockland's Light Railway (DLR) services are available from Bow Church station which is located approximately 930m from the site.
- 4.9 The site is located in an Area of Archaeological Importance and is not located within a Conservation Area although it abuts Medway Conservation Area to the west of the site.

Relevant Planning History

- 4.10 No relevant planning history on site

5.0 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:

5.2 The London Plan (2011)

- 2.1 London in its global, European and United Kingdom context
- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 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
- 3.14 Existing housing
- 3.16 Protection and enhancement of social infrastructure
- 3.17 Health and social care facilities
- 3.18 Education facilities
- 4.4 Managing industrial land and premises
- 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 networks in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood Risk Management

| | |
|------|---|
| 5.13 | Sustainable drainage |
| 5.14 | Water quality and wastewater infrastructure |
| 5.16 | Waste self sufficiency |
| 5.17 | Waste capacity |
| 5.21 | Contaminated land |
| 6.1 | Strategic approach |
| 6.2 | Providing public transport capacity and safeguarding land for transport |
| 6.4 | Enhancing London's transport connectivity |
| 6.9 | Cycling |
| 6.10 | Walking |
| 6.13 | Parking |
| 7.1 | Building London's neighbourhoods and communities |
| 7.2 | An Inclusive environment |
| 7.3 | Designing out crime |
| 7.4 | Local character |
| 7.5 | Public realm |
| 7.6 | Architecture |
| 7.7 | Location and design of tall and large buildings |
| 7.8 | Heritage assets and archaeology |
| 7.14 | Improving air quality |
| 7.15 | Reducing noise and enhancing soundscapes |
| 7.18 | Protecting local open space and addressing local deficiency |
| 8.2 | Planning Obligations |
| 8.3 | Community Infrastructure Levy |

5.3 Core Strategy (adopted 2010)

| | |
|------|---|
| SP1 | Refocusing on our town centres |
| SP02 | Urban living for everyone |
| SP03 | Address the impact of noise pollution |
| SP05 | Provide appropriate refuse and recycling facilities |
| SP06 | Delivering a range and mix of employment uses, sites and types in the most appropriate location for that particular uses. |
| SP07 | Support the growth and expansion of further and higher education facilities |
| SP08 | Making connected places |
| SP10 | Protect and enhance heritage assets and their settings; protect amenity and ensure high quality design in general |
| SP11 | Energy and Sustainability |
| SP12 | Delivering Placemaking |
| SP13 | Planning Obligations |

5.4 Unitary Development Plan (1998)

| | | |
|------------|----------|---|
| Proposals: | Proposal | Opportunity Site (Mixed uses, including predominately residential). |
| Policy | DEV1 | Design Requirements |
| | DEV2 | Environmental Requirements |
| | DEV4 | Planning Obligations |
| | DEV50 | Noise |
| | DEV51 | Contaminated Land |
| | DEV55 | Development and Waste Disposal |
| | HSG7 | Dwelling Mix |
| | HSG15 | Residential Amenity |

| | |
|-------|-----------------------------------|
| HSG16 | Amenity Space |
| T16 | Impact of Traffic |
| T18 | Pedestrian Safety and Convenience |
| T21 | Existing Pedestrians Routes |
| OS7 | Loss of Open Space |
| OS9 | Child Play Space |
| S7 | Special Uses |
| ST37 | Enhancing Open Space |

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

| | | |
|-----------|--------|---|
| Policies: | DEV1 | Amenity |
| | DEV2 | Character & Design |
| | DEV3 | Accessibility & Inclusive Design |
| | DEV4 | Safety & Security |
| | DEV5 | Sustainable Design |
| | DEV6 | Energy Efficiency & Renewable Energy |
| | DEV10 | Disturbance from Noise Pollution |
| | DEV11 | Air Pollution and Air Quality |
| | DEV12 | Management of Demolition and Construction |
| | DEV13 | Landscaping |
| | DEV15 | Waste and Recyclables Storage |
| | DEV 16 | Walking and Cycling Routes and Facilities |
| | DEV17 | Transport Assessments |
| | DEV18 | Travel Plans |
| | DEV19 | Parking for Motor Vehicles |
| | DEV20 | Capacity of Utility Infrastructure |
| | DEV22 | Contaminated Land |
| | DEV24 | Accessible Amenities and Services |
| | DEV25 | Social Impact Assessment |
| | HSG1 | Determining Residential Density |
| | HSG2 | Housing Mix |
| | HSG3 | Affordable Housing |
| | HSG4 | Social and Intermediate Housing ratio |
| | HSG7 | Housing Amenity Space |
| | HSG9 | Accessible and Adaptable Homes |
| | HSG10 | Calculating Provision of Affordable Housing |
| | OSN2 | Open Space |
| | EE2 | Redevelopment/change of use of employment sites |

5.6 Managing Development - Development Plan Document (DPD) Draft Proposed Submission Version Jan 2012

| | | |
|-----------|------|--|
| Policies: | DM3 | Delivering Homes |
| | DM4 | Housing Standards and amenity space |
| | DM8 | Community Infrastructure |
| | DM9 | Improving Air Quality |
| | DM10 | Delivering Open space |
| | DM11 | Living Buildings and Biodiversity |
| | DM13 | Sustainable Drainage |
| | DM14 | Managing Waste |
| | DM15 | Local Job Creation and Investment |
| | DM17 | Local Industrial Locations |
| | DM20 | Supporting a Sustainable Transport Network |
| | DM21 | Sustainable Transport of Freight |

| | |
|------|---|
| DM22 | Parking |
| DM23 | Streets and Public Realm |
| DM24 | Place Sensitive Design |
| DM25 | Amenity |
| DM26 | Building Heights |
| DM27 | Heritage and Historic Environment |
| DM28 | Tall buildings |
| DM29 | Achieving a Zero-Carbon borough and addressing Climate Change |
| DM30 | Contaminated Land & Hazardous Installations |

5.7 Government Planning Policy Guidance/Statements

Draft National Planning Policy Framework

| | |
|--------|------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS3 | Housing |
| PPS5 | Planning and Historic Environment |
| PPG13 | Transport |
| PPS1 | Delivering Sustainable Development |
| PPS22 | Renewable Energy |
| PPSG24 | Planning & Noise |

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

A better place for excellent public services
A better place for creating and sharing prosperity
A better place for living and safety
A better place for living well.

5.9 Supplementary Planning Guidance/Documents

Planning Obligations Supplementary Planning Document (January 2012)
Designing Out Crime
Residential Space
Landscape Requirements

6. CONSULTATION RESPONSE

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

EXTERNAL CONSULTEES

English Heritage (archaeology)

6.2 English Heritage note that the proposed development site is situated in an area where archaeological remains may be anticipated, and is within a designated Area of Archaeological Importance. As such, English Heritage recommend the following conditions to be attached to the planning consent:

- No redevelopment shall take place until the applicant has secured the implementation of a programme of archaeological works, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the LPA.

- No works shall take place until the applicant has secured the implementation of a programme of recording and historic analysis, which considers building structure, architectural details and archaeological evidence.

(Officers comment: The above recommendations would be secured by way of condition as English Heritage wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development).

Environment Agency

- 6.3 Environment Agency has confirmed that they do not wish to make any formal comments.

Transport for London (TfL)

- 6.4 TfL have confirmed they do not object to the proposal. It is recommended that a Construction Logistics Plan is secured by condition on the site to ensure that the construction phase is carried out as safely and efficiently as possible.

(Officers comment: The applicant would be required to submit a Construction Management Plan. This would be secured by way of condition).

INTERNAL CONSULTEES

LBTH Environmental Health microclimate (wind)

- 6.5 The height/massing of the proposed development is not likely to cause an adverse impact of microclimate (wind) related issues.

LBTH Environmental Health (noise)

- 6.6 The following conditions should be applied to ensure that noise and vibration is not an issue for future residents:
- Development should not begin until a scheme for protecting the proposed residents from railway vibration and noise has been submitted to and approved in writing by the Local Planning Authority.
 - The lift motor room should be located at roof level with sound insulation that would meet acceptable noise standards
 - Details and location of the plant room shall be submitted and approved in writing by the LPA. Noise emission levels for this plant and equipment should be 10Db lower than lowest recorded background noise levels.

(Officers comment: The above would be secured by way of condition).

- The lift shaft in certain parts of the development is party walled with bedrooms which is not supported and living rooms above bedrooms is not supported as there may be concerns relating to noise level which would effect the amenity of future residents.

(Officers comment: Officers do not consider that the bedrooms located beside a lift shaft would cause undue nuisance to future residents as this matter would be dealt with under building control regulations).

LBTH Environment Health (contamination)

- 6.7 The applicant should be required to undertake a site investigation to identify potential

contamination on site and adopt appropriate remediation measures if required.

(Officers comment: The applicant would be required to submit a contamination assessment to be approved by the LPA prior to the commencement of works on site. This would be secured by way of condition).

LBTH Crime Prevention Officer

- 6.8 A Secure by Design Statement shall be submitted to the Local Planning Authority prior to the commencement of works on site.

(Officers comment: The applicant would be required to submit a Secure by Design Statement to be approved in writing prior to the commencement of works on site. This would be secured by way of condition).

LBTH Energy and Sustainability

- 6.9 LBTH Energy and Sustainability team do not object to the proposal subject to the following conditions:

- A heat network supplying all spaces within the development shall be installed and sized to the space heating and domestic hot water requirements of the Development
- Energy efficiency and decentralised energy technologies shall be implemented in accordance with the proposals made in the Energy Statement dated 8 October 2010
- A minimum of 98m² photovoltaic panels shall be installed with a minimum peak power of 14.7 kWp.
- Prior to occupation of the development the applicant shall submit the details to be approved in writing by the Local Planning Authority of a Code for Sustainable Homes assessment where the development achieves a minimum of a Code Level 4 rating which shall be certified by the awarding body.

(Officers comment: The above conditions would be secured in the decision notice to ensure the development minimises CO₂ emissions and mitigates against climate change).

LBTH Highways

Car parking

- 6.10
- The site has a PTAL rating of 5 which means the site is highly accessible by public transport. The applicant has not provided a suitable justification for 23 car parking spaces. As such, LBTH Highways do not support the provision of car parking spaces on site.

(Officers comment: Adopted policy on car parking provision is set out in the London Plan (2011). The standards are 1.5-2 spaces for 4 flats; 1-1.5 spaces for 3 bed flats and less than 1 space for 1-2 bed flats. Given the site is highly accessible by public transport, officers have taken the lower recommended space standards which amounts to 22 spaces, although the policy does allow for more car parking spaces onsite. As such, the proposed 23 spaces are considered acceptable).

- 6.11
- The applicant should consider providing an independently run/managed car club scheme for the development

(Officers comment: The applicant advises that car club operators have been consulted, however, the car club operators consider that the development is not of sufficient scale to

render it a viable option. Officers accept this position).

Car free Agreement

- 6.12 The applicant should enter into a “car free” agreement to prevent residents from applying for car parking permits on the estate.

(Officers comment: The applicant would be required to enter into a “car free” agreement. This would be secured in the S106 Agreement).

Servicing Arrangements

- 6.13 A Servicing and Delivery Management Plan (SDMP) should be submitted and approved in writing prior to the commencement of works on site.

(Officers comment: The applicant would be required to submit a Service and Delivery Management Plan to be approved by the Local Planning Authority to ensure that the resulting servicing arrangements are satisfactory in terms of their impact on the free flow of traffic and highway safety).

Construction Management Plan

- 6.14 The applicant should be required to submit a Construction Management Plan to the Local Planning Authority for approval prior to the commencement of works on site.

(Officers comment: This would be secured by way of condition to safeguard the amenity of adjoining properties and the area generally by preventing noise, vibration and dust nuisance and to ensure adjacent strategic roads operate safely).

Highway improvement works

- 6.15 A scheme of highway improvements necessary to serve the development should be submitted to and approved by the Local Planning Authority prior to commencement of works on site.

(Officers comment: The applicant would be required to submit details of highway and traffic improvement measures to serve the development and nearby surrounding area. This would be secured by way of condition).

Section 106 contributions

- 6.16
- Should the Council be minded to grant planning permission, contributions should be sought for the following:
 - £21,606 towards street lighting replacement/improvement works along Antil Rd
 - £50,611 towards street lighting replacement/improvement works along Grove Road between A11 and Antill Rd
 - £6,017 towards public realm improvement works.

(Officers comment: It is considered that securing the above contributions would compromise the viability of the scheme. On a finely balanced assessment of S106 matters, it was considered that securing financial contributions towards affordable housing, education, community and health facilities are of priority in accordance with the Councils adopted Supplementary Planning Document on Planning Obligations).

LBTH Department of Communities, Localities and Culture (CLC)

6.17 CLC seek to secure a total financial contribution of £242,181 towards community facilities to mitigate against the development. The breakdown would be as follows:

- £139,621 towards open space
- £18,096 towards library facilities
- £84,464 towards leisure facilities

(Officers comment: CLC did provide a substantial justification for the financial contributions they sought to secure. The justification for the contributions towards open space, leisure and library facilities was carefully considered against the evidence base for the Core Strategy. However, in this instance, it is considered that the viability of the scheme would be compromised by securing the full contributions sought by CLC.

On a finely balanced assessment of S106 matters; it is considered that securing financial contributions towards affordable housing, education, health and community facilities are also of importance. One of the key issues to consider is the overall deliverability of the scheme in this current economic climate. In light of this, it is considered that a contribution of £86,400 towards Community facilities is acceptable to satisfactory mitigate against the development whilst continuing to render the scheme viable).

LBTH Enterprise and Employment

6.18 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce would be local residents of Tower Hamlets. The council would support the developer in achieving this target through providing suitable candidates through the Skillsmatch Construction Services.

6.19 To ensure local businesses benefit from this development it is expected that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. LBTH Enterprise and Employment support the developer to achieve their target through ensuring they work closely with the Council to access businesses on the approved list (Construction Line), and the East London Business Place

6.20 (Officers comment: As identified in paragraph 3.1 of the report, 20% of local procurement at construction phase and 20% local labour in construction phase would be secured in the S106 Agreement).

6.21 A financial contribution of £18, 277 should be secured to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development.

(Officers comment: It is considered that securing the full contribution would compromise the viability of the scheme. On a finely balanced assessment of S106 matters, it was considered that securing the financial contribution of £7,800 should sufficiently mitigate against the development).

LBTH Education

6.22 Based on the Council's adopted Planning Obligations Supplementary Planning Document (SPD), the proposal would result in the need for 14 additional primary places at £14,830 per place, and 8 additional secondary school places at £22,347 per place. Accordingly, the total education financial contribution sought is £386,396.

(Officers comment: It is considered that securing the full amount would compromise the viability of the scheme. Officers consider that a contribution of £135,000 would sufficiently mitigate against the development and continue to make the scheme viable).

Primary Care Trust (PCT)

- 6.23 PCT seek a capital contribution of £107,000 to mitigate against the additional demands on health care facilities in the area.

(Officers comment: It is considered that securing the full contribution would compromise the viability of the scheme. On a finely balanced assessment of S106 matters, it was considered that securing the financial contribution of £37,800 should sufficiently mitigate against the development).

7. LOCAL REPRESENTATION

- 7.1 A total of 987 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The applicants also held a public consultation

| | | | | | |
|------------------------------|---|------------|---|-------------|---|
| No. of individual responses: | 9 | Objecting: | 9 | Supporting: | 0 |
| No of petitions | 0 | | | Supporting: | 0 |

- 7.2 The following issue was raised in the individual representation that are material to the determination of the application:

Design

- 7.3
- The overall design and appearance of the development does not fit into the prevailing character of the area.

(Officers comment: It is considered that the proposed design would enhance the character and appearance of the site and surrounding area in general. Design matters are discussed further in paragraphs 8.51-8.65 of the report).

Density

- 7.4
- The proposal would result in overdevelopment of the site.

(Officers comment: It is considered that the proposal does not present any symptoms associated with overdevelopment as the proposal does not result in:

- *Unacceptable loss of sunlight and daylight to surrounding properties;*
- *Unacceptable loss of privacy and outlook to surrounding properties;*
- *Small unit sizes;*
- *Lack of open space and amenity space;*
- *Increased sense of enclosure;*
- *Adverse Impacts on social and physical infrastructure*

The proposed density of the scheme and associated material considerations are discussed further in paragraphs 8.17-8.25 of this report).

Highways

- 7.5
- The proposal would result in an increase in traffic congestion in the area.

(Officers comment: It is not considered that an additional 23 car parking spaces would unduly contribute to further congestion in the area).

- 7.6
- The proposal would result in an increase in traffic congestion in the area and would increase the pressure on the existing transport network.

(Officers comment: It is not considered that an additional 23 car parking spaces would unduly contribute to further congestion in the area. Moreover, it is considered that the existing public transport network would be sufficiently acquitted to cater for an additional 87 units as the site is highly accessible by public transport. Local bus services include no's 339, 488, 8, N8 and 276. In the case of London underground services, Mile End and Bow Rd are located close to the site. Both stations provide access to District, Hammersmith & City and Central Line services with Mile End station being the closest to the site. Dockland's Light Railway (DLR) services are available from Bow Church Station which is located within a walking distance of approximately 930mm from the site. DLR services operate from Bow Church station to Lewisham and Stratford).

Amenity

- 7.7
- The proposal would result in the loss of daylight to surrounding properties.

(Officers comment: The proposal would not result in an unacceptable loss of daylight to surrounding properties. This is discussed further to paragraphs 8.66- 8.82 of the report).

- 7.8
- The proposed construction works would result in unnecessary noise disturbance to local residents during the construction period.

(Officers comment: Hours of construction works would be restricted to 8am-6pm Monday to Friday; 9am-1pm on Saturday and not at all on Sundays or Bank holidays. In addition, power, hammer, piling, breaking works would be restricted from 10am-4pm Monday to Friday. This would be secured by way of condition to ensure that the amenity of the surrounding residents would be sufficiently protected against undue noise disturbance.

Water

- 7.9
- The proposal would have an adverse impact on water pressure on surrounding residents.

(Officers comment: Officers consider that the proposed additional 87 residential units should not result in the loss of water pressure to surrounding residents. Thames Water should be the responsible authority in ensuring that the water pressure to surrounding and future residents is acceptable).

- 7.10 All representations received are available to view at the committee meeting upon request.

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application are as follows:

1. Land Use
2. Density
2. Design and Layout

3. Housing
4. Amenity
- 5: Highways and Transport
6. Sustainability and Renewable Energy
7. S106 Obligations

Land Use

- 8.2 The main land use issues to consider are as follows:
- The loss of employment floorspace
 - The acceptability of residential use on site

Loss of employment

- 8.3 Policy 4.4 of the London Plan (2011) stipulates that the Mayor would adopt a rigorous approach to industrial land management to ensure a sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London. Policies SP06 of the adopted Core Strategy (2010); policies EMP1 and EMP8 of the adopted UDP (1998) seek employment growth and the development of small businesses. Policy EE2 of the IPG (2007) seek to protect sites in employment use. The policies require that there should be no net loss of employment floorspace, unless it is demonstrated that the continued use of the land is no longer suitable for the site.
- 8.4 Policy DM15 of the Managing Development DPD (Proposed submission version 2012) stipulates that development should not result in the loss of active and viable employment uses, unless it can be shown, through a marketing exercise that the site is unsuitable for continued employment use due to its location, accessibility, size and general condition.
- 8.5 The existing cash and carry business is classified as B8 (industrial use) under the Town and Country Use Class Order (2010). The cash and carry currently employs 12 full time staff and 1 part time member of staff. The primary matter to consider is whether the loss of 2500 sqm of employment floorspace is acceptable for the site.
- 8.6 The applicant has submitted commercial advice from surveyors who were commissioned to consider the existing market conditions and the commerciality of retaining employment space in the new development. The report concluded that:
- It is unlikely significant investment for employment uses would be considered economically viable or would generate significant interest.
 - Access to the site could be problematic. The width of the access point off Tredegar Rd is approximately 25ft so an articulated 40 ft lorry would not be able to service the unit. Both Tredegar road and Balmer road are predominantly residential in nature and regular servicing of commercial building here may cause conflict with residential use or have adverse amenity implications.
 - In terms of location, although the premises are well located in terms of links to major roads, public transport and commercial facilities the frontage is extremely restricted. The only two points of access are from Balmer road and Tredegar road. In commercial terms the access and frontage to Balmer road is of negligible worth. Tredegar Road has more significant frontage but it would prove difficult to provide any high profile commercial presence fronting Tredegar road.
- 8.7 Officer's have carefully reviewed the commercial evidence and supports its findings and overall conclusions. It is considered that the loss of employment floorspace onsite is acceptable as the site is unsuitable for continued employment use due to its location,

accessibility and general condition.

General decline in light industrial floorspace

- 8.8 The Managing Development DPD (Proposed submission version 2012) identifies sites within the borough suitable for industrial development. The site is not located within a Local Industrial Location as identified in policy DM17 of the Managing Development DPD (Proposed submission version 2012)
- 8.9 There is a general decline in the demand for industrial floorspace in the area. The Sub Regional Development Framework for East London advises that there is more provision for economic activity than is necessary to meet future demand. The site is considered unsuitable for continued general and light industrial employment use due to its location, accessibility & size.
- 8.10 Given the general decline in demand for employment floorspace in the area and the poor quality of the accommodation being lost, there is no identifiable over riding demand to justify the re-provision of the employment floorspace. On site, the loss of employment floor space is therefore acceptable in terms of saved policies SP06 of the Core Strategy (2010); policy EMP1 and EMP8 of the UDP (1998); policy DM17 of the Managing Development DPD (Proposed submission version 2012) and EE2 of the IPG (Oct 2007) as it can be demonstrated that the employment use on site is no longer suitable for this site.

Proposed residential use on site

- 8.11 Policy 3.4 of the London Plan (2011) seeks to make the most efficient use of land and to maximise the development potential of sites which doesn't result in overdevelopment of the site. The policy seeks to achieve the highest possible intensity of use compatible with local context, design principles and public transport capacity. The policy is to secure sustainable patterns of development and regeneration through the efficient re-use of previously developed urban land, concentrating development at accessible locations and transport nodes.
- 8.12 Policy SP02 of the Core Strategy (2010) seeks to deliver 2,855 homes per year with new development focussed in identified parts of the borough, including Poplar.
- 8.13 The application site does not fall within any designation in the adopted Unitary Development Plan (1998) or the Interim Planning Guidance (Oct 2007). In the adopted Core Strategy (2010), the Vision for Bow is in part to:
- "help to create a place for families which reflects the quieter, more community based side of living.....Bow should be promoted as a place suitable for families with terrace housing that offers private gardens"*.
- 8.14 The proposal makes provision for 21 units suitable for family accommodation. In addition, the three bedroom fronting Balmer Road is suitable for family based living and is highly accessible by public transport.
- 8.15 It is considered that the residential use would reinforce the predominantly residential character of the surrounding area. Moreover, the subject proposal would make the most efficient use of the land and bring forward sustainable development which responds to its context and doesn't result in overdevelopment of the site. The proposal would also help address the great requirement for affordable housing which is a priority focus for the borough. Housing matters are discussed further in paragraph 8.25-8.54 of the report.

Conclusion on land use matters

- 8.16 The proposal would deliver sustainable regeneration of the area and make the most efficient use of this land.

Density

- 8.17 National Planning policies PPS1 & PPS3 seek to maximise the reuse of previously developed land and promotes the most efficient use of land through higher densities.
- 8.18 Density ranges in the London Plan (2011) are outlined in policy 3.4 which seek to intensify housing provision through developing at higher densities, particularly where there is good access to public transport.
- 8.19 Policy SP02 of the Core Strategy (2010) seeks to ensure new housing developments optimise the use of land by corresponding the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location.
- 8.20 Policy HSG1 of the Council's IPG (2007) specifies that the highest development densities, consistent with other Plan policies, would 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 the standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.
- 8.21 As noted in paragraph 4.8 of this report, the site has a public transport accessibility level (PTAL) rating of 5 which demonstrates that a good level of public transport service is available within the immediate vicinity of the site.
- 8.22 Table 3.2 of the London Plan (2011) suggests a density of 200-700 habitable rooms per hectare (hrph) for sites with a PTAL range of 5. The scheme is proposing 87 units or 238 habitable rooms. The proposed residential accommodation would result in a density of approximately 850 hrph and would therefore exceed the GLA guidance for sites with a PTAL rating of 5. However, the density matrix within the London Plan and Council's Core Strategy & IPG is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context, design principles, as well as public transport provision. Moreover, it should be remembered that density only serves an indication of the likely impact of development.
- 8.23 Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Loss of privacy and outlook;
 - Small unit sizes
 - Lack of appropriate amenity space;
 - Increased sense of enclosure;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure
- 8.24 On review of the above issues later in this report, the proposal does not present any of the symptoms associated with overdevelopment. The density is considered acceptable primarily for the following reasons:

- The proposal is of a high design quality and responds appropriately to its context.
- The proposal is not considered to result in adverse symptoms of overdevelopment that cannot be mitigated against through financial obligations.
- The provision of the required housing mix, including dwelling size and type and provision of affordable housing is acceptable.
- A number of obligations for affordable housing, health, community facilities, education, have been agreed to mitigate any potential impacts on local services and infrastructure within the constraints of the viability of the scheme.
- Ways to improve the use of sustainable forms of transport would be provided through a travel plan. This would be secured in the S106 Agreement.

Conclusion

- 8.25 Officers consider that scheme does not demonstrate many of the problems that a typically associated with overdevelopment.

Housing

Affordable housing

- 8.26 The draft National Planning Policy Framework notes that : *“where affordable housing is required, (local authorities should) set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities”*.
- 8.27 Policy 3.11 of the London Plan (2011) seeks the maximum reasonable amount of affordable housing, and to ensure that 60% is social housing and 40% is intermediate housing. Policy 3.9 seeks to promote mixed and balanced communities, with a mixed balance of tenures.
- 8.28 Policy 3.12 London Plan (2011) seeks to ensure the maximum provision of affordable housing is secured but does not set out a strategic target for affordable housing and notes that “ boroughs should take into account economic viability and the most effective use”.
- 8.29 Policy SP02 of the Core Strategy (2010) stipulates that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 8.30 The proposal makes provision for 35% affordable housing by habitable rooms and therefore complies with Council policy.

Tenure type of affordable housing provision

- 8.31 The definition of affordable homes has been amended following alterations to national planning policy guidance contained in PPS3, issued in June 2011. The definition now includes an additional tenure known as “Affordable Rent” in addition to Social Rent and Intermediate Affordable housing.
- 8.32 The proposal makes provision for 14 affordable rent units and 12 intermediate units. The proposal does not make provision for any social rented housing.
- 8.33 The definition of Affordable Rent is such that it can be up to 80% of local market rent levels, which are considered unaffordable to LB Tower Hamlets residents.

- 8.34 Tower Hamlets has commissioned a housing consultancy called the Pod Partnership to research market rent levels in different areas of the borough and to carry out affordability analyses.
- 8.35 The POD research established what Affordable Rents at 80% of market value would be for the E3 area which is set out in table 3 below. The affordability analyses for all areas of the boroughs led to the conclusion that rents would only be affordable to local people if they were kept at or below 65% of market rent for one beds, 55% for two beds and 50% for three beds and larger properties.
- 8.36 The proposed rents for this scheme are to be kept within the Adjusted Affordable Rents as shown in table 1.

| | 80 % Market Rent | Adjusted Affordable Rent levels (market rent %) |
|-------|-------------------------|--|
| 1 bed | £185 | £149 (65%) |
| 2 bed | £248 | £170 (55%) |
| 3 bed | £306 | £191 (50%) |
| 4 bed | £379 | £237 (50%) |

Table 1: POD research for E3 area comparing 80% rent level against what is affordable

- 8.37 The following Table 2 summaries the affordable rented / intermediate split proposed against the London Plan and IPG.

| Tenure | The Proposal | IPG 2007 | CS 2010 | London Plan |
|-----------------|---------------------|-----------------|----------------|--------------------|
| Affordable-Rent | 60 | 80% | 70% | 60% |
| Intermediate | 40 | 20% | 30% | 40% |
| Total | 100% | 100% | 100% | 100% |

Table 2: Tenure split

- 8.38 As it can be seen from the table above, there has been a change in the policy position in relation to tenure split over time. The table illustrates that the scheme would provide 60% affordable rent and 40% intermediate units in accordance with London Plan policy. Whilst it is acknowledged that it is not in accordance with the Council's target, the applicant has provided detailed financial viability assessments that show that scheme viability requires a larger number of intermediate shared ownership units.

The continued deliverability of new housing schemes during the economic downturn

- 8.39 In assessing the subject proposal, one of the key issues to consider is the overall deliverability of the scheme during the economic downturn, and therefore the deliverability of much needed affordable housing on this site.
- 8.40 PPS3 (para 11) identifies overall objectives which require that housing polices account for market conditions. The deliverability of affordable housing, particularly in the current economic climate is a priority for the Council.
- 8.41 In summary, the composition of affordable housing has to be assessed in terms of what is appropriate and deliverable on this site, within the context of the local planning guidance,

local housing priorities and available funding. It is within this specific context that this proposal is considered acceptable and therefore recommended for approval. In addition, officers consider that the applicant's proposal to provide 35% affordable housing by habitable rooms would ensure that affordable housing would be delivered in line with housing needs of the borough.

Housing Mix

- 8.42 Paragraph 20 of Planning Policy Statement 3 states that “key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people”.
- 8.43 Pursuant to policy 3.8 of the London Plan (2011), 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.
- 8.44 Policy SP02 of the Core Strategy (2010) and the draft Managing Development DPD (2011) seek to create mixed use communities. A mix of tenures and unit sizes assists in achieving these aims. It requires an overall target of 30% of all new housing to be suitable for families (3bed plus), including 45% of new affordable rented homes to be for families.
- 8.45 Policy DM3 (part 7) of the draft Managing Development DPD (2011) requires a balance of housing types including family homes and details the mix of units required in all tenures. This guidance is based on the Council's most up to date Strategic Housing Market Assessment (2009).
- 8.46 The scheme is proposing a total of 87 residential units. The dwelling and tenure mix is set out below:

| Affordable Housing | | | | | | | | | | Private Housing | | |
|--------------------|------------|-----------------|------------|-------------|----------|-------------|--------------|------------|-------------|-----------------|----|---------------|
| Unit size | Total Unit | Affordable Rent | | Social Rent | | | Intermediate | | | Market Sale | | |
| | | Unit | % | Unit | % | LBTH target | Unit | % | LBTH target | Unit | % | LBTH Target % |
| Studio | 6 | 0 | 0 | 0 | 0 | 0 | 0 | | | 6 | 10 | |
| 1bed | 34 | 2 | 14 | 0 | 0 | 30% | 5 | 42 | 25% | 27 | 44 | 50% |
| 2bed | 26 | 4 | 29 | 0 | 0 | 25% | 5 | 42 | 50% | 17 | 28 | 30% |
| 3bed | 19 | 6 | 43 | 0 | 0 | 30% | 2 | 17 | 25% | 11 | 18 | 20% |
| 4bed | 2 | 2 | 14 | 0 | 0 | 15% | 0 | 0 | | 0 | | |
| Total | 87 | 14 | 100 | 0 | 0 | 100 | 12 | 100 | 100 | 61 | | |

Table 3: Proposed dwelling and tenure mix

- 8.47 As the table illustrates above, the proposed new residential mix would comprise 61 private units, 14 affordable rent units and 12 intermediate units. Overall the scheme offers an acceptable range of unit sizes. 8 of the affordable rent units would be suitable for family accommodation, which equates to 57%. 2 intermediate units and 11 units for sale are family sized, providing 17% and 18% respectively. Overall, the scheme makes provision for 24%

family housing (21 of 87 units). The lower numbers of family units in the intermediate and sale tenures are balanced by the provision of family accommodation for affordable rent, which answers the council's priority need for family housing.

Wheelchair housing and lifetime homes

- 8.48 Policy HSG9 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. The application incorporates these principles. Within the affordable rent provision in blocks B & C, 9 units can be adapted to be fully accessible. The scheme therefore meets the requirement for the provision of 10% wheelchair homes together with 100% lifetime homes.
- 8.49 Should planning permission be approved, appropriate conditions should be attached to secure the delivery of accessible residential units and parking spaces.

Conclusion on housing matters

- 8.50 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal offers a suitable range of housing choices.

Design

- 8.51 The main design issues to be considered are as follows:
- The proposed height, scale, bulk and massing of the development
 - The impact the proposal has on the adjacent Medway Conservation Area
 - The assessment of the existing building on site in light of National Planning Policy Statement 5 ('Planning for the Historic Environment')

Height, scale, bulk and massing

- 8.52 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces on streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that compliment the local character, quality adoptable space, optimising the potential of the site.
- 8.53 Saved policies DEV 1, DEV 2 and DEV 3 of the Unitary Development Plan (1998) and policy DEV 2 of the Council's Interim Planning Guidance (2007) seeks to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and use of materials. Core Strategy (2010) policy SP10 and policy DM23 & DM24 of the Managing Development DPD (Proposed submission version 2012) seek to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.
- 8.54 There is no single style of architecture which characterises the immediate or surrounding area. The general street scene provides for a variety of design, form and massing. The height of the taller element of the proposed development is not considered out of character given the exiting and emerging context and heights in the area.
- 8.55 As noted in paragraph 4.2, blocks A & C are comprised of a 5 storey building (4 storeys with a fifth storey setback); block B comprises of a 6 storey building (5 storeys plus sixth storey setback).The surrounding area is characterised by residential developments of

varying heights. For example, the neighbouring property at Stavers House is a 3 storey residential development; a 4 storey resident block on the opposite side of Tredegar Road (Berebinder House), a 20 storey residential tower at Saxon Road, a 5/6 storey development at Ordell Road to the east of the Post Office and a 6/7 storey development directly across the railway at Malmesbury Road. As such, the height of the development responds appropriately to its surrounding context.

- 8.56 The proposed set back storeys to each block are constructed with lightweight material (glazing) which reduces the massing of the development and adds to its overall visual interest. It is considered that the proposed contemporary design responds positively to its context and would enhance the appearance of the site and general streetscene.

Impact on the setting of Medway Conservation Area

- 8.57 PPS5; policy 7.8 of the London Plan (2011) SP10 of the Core Strategy (2010) & policy DEV 2 of the Interim Planning Guidance (2007) seek to protect the character and appearance of Conservation Areas and areas of historic interest. .
- 8.58 The Councils adopted Medway Conservation Area Appraisal notes that it is "*characterised by the homogenous layout of small scale streets, containing row of terraces, presenting the horizontal emphasis of the terrace typology*".
- 8.59 In land use terms, the land use character of the Medway Conservation Area is predominantly residential, with the largest part of the Conservation Area made up of terraced houses from the 1970s. Other land uses include retail premises on the ground floor along the Roman Road frontage, with residential flats above.
- 8.60 The terrace house proposed on Balmer Road part of the site would complement the scale and character of the opposite two storey Victorian properties and contribute positively towards the setting of the conservation area, and picks up on the fenestration and detailing of the existing Balmer Road. This building also provides a transition in scale between 6 storey building at the centre of the site and the 2 storey properties on Balmer Road.
- 8.61 Whilst contemporary in design, the proposal is respectful of its context. In terms of materials, the buildings have been designed in brick to respond to the character of the surrounding buildings. The applicant notes that bricks would be reused from the original warehouse building for the new detached house which would help to integrate these buildings into their setting in accordance with PPS5; policies 7.8 of the London Plan (2011) SP10 of the Core Strategy (2010) & policy DEV 2 of the Interim Planning Guidance (2007) seeks to protect the setting of Conservation Areas and areas of historic interest.

Consideration of the existing building as a 'heritage asset'.

- 8.62 National Planning Policy Statement 5 'Planning for the historic environment' sets out planning policies on the conservation of historic environment and stipulates that Local Planning Authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal.
- 8.63 Although the existing building on site is of merit, officers consider it to be in poor condition and have limited visual impact given that it is set deep within the site. The building is neither statutory nor locally listed and its demolition would not have an adverse impact on the local historic environment.

Safety and Security

- 8.64 Policy 7.3 of the London Plan (2011); policy SP10 of the Core Strategy (2010); DEV 1 of the UDP (1998); policy DEV 4 of the IPG (2007) requires all development to consider the safety and security of development, without compromising the achievement of good design and inclusive environments. The applicant would be required to submit a Secure by Design Statement. This would be secured by way of condition.

Conclusion on design matters

- 8.65 The building height, scale, bulk and design is acceptable as proposal would create a sustainable, accessible, attractive development which is well integrated into its surroundings.

Amenity

- 8.66 Policy SP10 of the Core Strategy (2010) seeks to protect amenity, and promote well-being including preventing loss of privacy and access to daylight and sunlight. Saved policies DEV1 and DEV2 of the UDP (1998) and policies DEV 1 of the IPG (2007) and DM25 of the Managing Development DPD (Proposed submission version 2012) requires that developments should not result in a material deterioration of sunlight and daylight conditions.
- 8.67 The applicant has provided a Daylight and Sunlight assessment in support of their application outlining the daylight and sunlight received by the most affected buildings adjacent to the development site and the development itself. The Daylight and Sunlight report has assessed the impact on the daylight and sunlight levels against the guidance provided in the 'Site Layout Planning for Daylight and Sunlight A guide to good practice...second edition' (2011) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.68 Daylight is normally calculated by three methods - the vertical sky component (VSC), Daylight Distribution (NSL) and the average daylight factor (ADF). BRE guidance requires an assessment of the amount of visible sky which is achieved by calculating the VSC at the centre of the window. The assessment examined VSC & ADF tests. The VSC should exceed 27%, or not exhibit a reduction of 20% on the former value, to ensure sufficient light is still reaching windows. In the event that these figures are not achieved, consideration should be given to other factors including the NSL and ADF. The ADF calculation takes account of the size and reflectance of a rooms surfaces, the size and transmittance of its window(s) and the level of VSC received by the window(s). This is typically used to assess the quality of accommodation of new residential units, as opposed to neighbouring units.
- 8.69 The assessment was carried out to the surrounding properties which would be most affected by the development. These include Stavers House which comprises of a three storey residential building with small rear gardens; no. 36 Tredegar Road which forms a three storey end of terrace property to the west of the site; nos 1-7 Balmer Road which comprise a terrace of two storey properties which front directly onto the street and Barford House is a three storey residential block situated opposite the existing entrance to the north east of the site. Overall, 21 worst case scenario windows were assessed and achieved 100% compliance with BRE guidance.
- 8.70 The report also demonstrates that the proposal would not have an unduly adverse impact on the development itself. The daylight was undertaken at lower ground to first floor levels as these were the most affected properties. Overall 68% of the rooms assessed comply with BRE/BS guide levels. The levels of compliance for the floors above first floor level would be higher. Given the urban context of the site, officers consider that the degree of non compliance is not significant and a reason for refusal could not be sustainable on this

ground as the benefits of the scheme are considered to outweigh any minor impact on daylight levels.

Sunlighting

- 8.71 Sunlight is assessed through the calculation of the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for windows within 90 degrees of due south. The results of the sunlight analysis demonstrate that all of the windows assessed serving neighbouring residential properties would comply fully with the BRE annual and winter sunlight guide levels with the development in place.
- 8.72 With reference to the development itself, 68% of the windows assessed would comply with the BRE annual sunlight guidance and 96% of windows assessed would comply with winter sunlight guidance. The degree of non compliance is not significant as to warrant a reason for refusal onsite. Whilst there are failures, on balance, and in the context of the whole development and the dense urban environment, the overall impact on sunlight is considered acceptable.
- 8.73 It is considered that the proposed development is generally in keeping with the BRE guidance, Policy 4B.10 of the London Plan (2008), saved Policies DEV1 and DEV2 of the UDP (1998), Policies DEV1 and DEV27 of the IPG (2007), policies DM25 of the Managing Development DPD (Proposed submission version 2012) & policy SP10 of Core Strategy (2010) with regards to sunlight and daylight, and accordingly the proposals are not likely to cause any adverse impacts to the surrounding residential properties.

Overshadowing

- 8.74 The submitted Daylight and Sunlight Assessment includes an overshadowing assessment. It demonstrates the extent of permanent overshadowing that would arise from the proposed development. The proposal would not result in any material detrimental impact on existing neighbouring amenity or result in unacceptable levels of overshadowing on the proposed communal and child playspace.
- 8.75 Unlike, sunlight and daylight assessments, these impacts cannot be readily assessed in terms of a percentage. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective.
- 8.76 The levels of sunlight experienced within gardens neighbouring the site and the proposed areas of amenity space within the development have been assessed. The overshadowing assessment is based on transient overshadowing plots which provide an illustration of shadow impacts throughout the day, and permanent overshadowing levels in the context of the BRE overshadowing test.
- 8.77 The BRE report advises that for spaces to appear adequately sunlit throughout the year at least half of gardens or amenity areas should receive at least two hours of sunlight on the 21st of March. If this is not achieved, the result should not be more than 80% of it's former value.
- 8.78 The proposed development would cause the gardens serving the units within Stavers House to experience some shadow during the morning on this date; however, the development would not have any effect on the gardens at midday and throughout the afternoon. The proposed central courtyard and the amenity space between block C and the detached house would experience some overshadowing during the early morning and afternoon, but would receive good levels of direct sunlight during the late morning, at

midday and in early afternoon.

- 8.79 With reference to the development itself, the area of amenity space within the development in permanent shadow would remain below 20% of its total area on this date. The development is therefore in compliance with the BRE guidance in terms of overshadowing.

Overlooking and Privacy

- 8.80 Policies SP10 of the Core Strategy (2010); DEV2 of the UDP (1998) and DM26 of the draft Managing Development DPD (2012) 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. More specifically, DEV 2 of the UDP (1998) seeks a minimum distance of 18m between facing habitable rooms and this is well in excess of this.
- 8.81 The distance between the habitable on the northern elevation at block C and Stavers House is approximately 20 metres. The distance between windows directly facing each at blocks B & C fronting the courtyard is 18 metres. As such, the proposal would not result in the undue loss of privacy to local and future residents.

Conclusion on amenity matters

- 8.82 Officers consider that the proposal would give rise to any adverse impacts in terms of privacy, overlooking, sense of enclosure, loss of sunlight and daylight upon the surrounding properties.

Noise

- 8.83 PPG24 is the principal guidance adopted within England for assessing the impact of noise on proposed developments. The guidance uses noise categories ranging from NEC A where noise doesn't normally need to be considered, through to NEC D where planning permission should normally be refused on noise grounds.
- 8.84 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies, saved policies DEV2 and DEV50 of the UDP (1998), policies DEV1, DEV10, DEV12, DEV27 and HSG15 of the IPG (2007), and policies SP03 and SP10 of the Core Strategy (2010) and DM25 of the Managing Development DPD (Proposed submission version 2012) seek to minimise the adverse effects of noise.
- 8.85 Within the submitted Noise and Vibration assessment, noise attenuation measures have been recommended to all rooms with a view of partial view of the railway. Such measures would also adequately control any potential noise from the adjacent Royal Mail Sorting Office. Acoustic double glazing has been recommended to all rooms and acoustic air bricks or ventilators are recommended where 'acoustic' glazing is to be installed.
- 8.86 Subject to appropriate conditions as set out in paragraph 6.5 of this report, it is considered that the proposal is in keeping with Planning Policy Guidance Note 24, policies SP03 and SP10 of the Core Strategy (2010); Saved policies DEV2 and DEV50 of Tower Hamlets UDP (1998), policies DEV1, DEV10, DEV12 and DEV27 of Tower Hamlets IPG (2007) and DM25 of the Managing Development DPD (Proposed submission version 2012) which seek to protect the amenity of local properties.

Amenity Space Provision

Communal and Private amenity space

- 8.87 "Saved" policy HSG16 of Tower Hamlets UDP (1998), Policy HSG7 of Tower Hamlets IPG (2007) and policy DM4 of the draft Managing Development DPD (2012) require all new housing to include an adequate provision of amenity space, designed in a manner which is fully integrated into a development, in a safe, accessible and usable way, without detracting from the appearance of a building.

Private amenity space

- 8.88 Specific amenity space standards are guided by Policy DM4 of the Council's draft Managing Development DPD (2012) would follows the Mayor's Housing Design Guide standards and specifies a minimum of 5sqm of private outdoor amenity space for 1-2 person homes and an extra 1sqm for each additional occupant. It also requires balconies and other private external spaces to be a minimum width of 1.5m.
- 8.89 As outlined in the table below, the development would be required to provide a minimum provision of 554 sqm of private amenity space.

| Private Amenity Space | | | |
|------------------------------|--|------------------------------|-----------------|
| No of units | Required Amount (Draft MD DPD 2011) | Required Amount (sqm) | Proposed |
| 6 Studios | 6 x 5sqm | 30 | 30 |
| 34 x 1 Beds | 34 x 5sqm | 170 | 194 |
| 26 x 2 Beds | 26 x 7sqm | 182 | 130 |
| 19 x 3 beds | 19 x 8sqm | 152 | 265 |
| 2 x 4 beds | 2 x 10sqm | 20 | 59 |
| Total: | | 554 sqm | 678sqm |

Table 4: Private amenity space provision

- 8.90 The table above identifies that the policy requirement for private amenity space is 554 sqm. The proposal makes provision for 678 sqm of private amenity space and therefore exceeds policy requirement and supported by officers. Whilst many of the family units have access to their own private gardens, the vast majority of private amenity space is provided by balconies.

Communal amenity space

- 8.91 In terms of communal amenity space, policy DM4 requires 50sqm for the first 10 units, plus 1sqm for every additional unit thereafter. As such, the proposal would be required to provide 127 sqm of communal amenity space. The proposal makes provision for 550sqm and therefore exceeds policy requirement.

Child playspace

- 8.92 Planning Policy Statement 3 sets out the importance of integrating play and informal recreation in planning for mixed communities.
- 8.93 Policy 3.6 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM4 of the Managing Development DPD (Proposed submission version 2012) requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the

Mayor's SPG on 'Providing for children and young people's play and informal recreation' (which sets a benchmark of 10sqm of useable child play space per child).

- 8.94 The Council's IPG (2007) suggests that proposals should provide 3sqm of play space per child. The Mayor's SPG 'Providing for Children and Young People's Play and Informal Recreation' sets a benchmark of 10 sqm of useable child play space per child, with under 5 child play space provided on site. Accordingly, the policy requirement for child playspace onsite is 290sqm. The proposal makes provision for 333sqm amount of child playspace which exceeds the policy requirement and supported by officers. The child playspace would be located in a safe and secure area within the site. The applicant would be required to submit further details of the child playspace onsite. This would be secured by way of condition.

Conclusion on amenity space matters

- 8.95 The provision of private, communal and child playspace is acceptable in accordance with relevant policy.

Highways and Transport

Accessibility/connectivity & transport

- 8.96 PPG13 and policy 6.1 of the London Plan (2011) seek to promote sustainable modes of transport and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 8.97 Saved UDP policies T16, T18, T19 7& T21, Core Strategy policy SP08 & SP09 and policy DM20 of the draft Managing Development DPD (2012) seek to deliver accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on the safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 8.98 As noted in paragraph 4.8 of this report, the site has a PTAL rating of 5 which means it is highly accessible to public transport. Local bus services include no 339, 488, 8, N8 and 276. In the case of London Underground services, Mile End and Bow Road are located close to the site. Both stations provide access to District, Hammersmith & City and Central Line services with Mile End station being the closest to the site. Dockland's Light Railway (DLR) services are available from Bow Church station which is located within a walking distance of 930m from the site.

Car Parking

- 8.99 There are parking policies to be found in the London Plan, the Interim Planning Guidance and the Managing Development DPD (Proposed submission version 2012), these are as follows:
- London Plan 2011 the standards are 1.5- 2 spaces per 4 bed units, 1-1.5 spaces per 3 bed flats and less than one space per 1-2 bed flats
 - Interim Planning Guidance standards are up to 0.5 spaces per unit
 - The Managing Development DPD (Proposed submission version 2012) has a requirement of zero parking provision for 0-2 bedroom units and 0.1 for three bedroom units or more.
- 8.100 At the current time, the London Plan is the only adopted policy document from those listed

above and is therefore considered to be most relevant. A supplementary planning document is being produced by the GLA which will be more specific about the level of car parking to be provided which would be dependant on the PTAL of the site. This is however only in draft form and has not been adopted. According to the London Plan standards the provision of 23 parking spaces would be acceptable.

- 8.101 19 of the car parking spaces would be located at lower ground floor level 4 at ground floor level to be accessed from Tredegar road. Out of the 23 parking spaces, 8 spaces would be designated for occupants of the family units within the affordable rent tenure, which is supported by officers.

Permit/car free agreement

- 8.102 The application proposes a 'car free' agreement which would prevent residents from applying for car parking spaces onsite. However, should the future occupants be relocated from existing social housing within the borough into a three bed or larger unit, they would benefit from the Council's Permit Transfer Scheme which allows the transfer of existing parking permits to new housing within the borough boundary.

Cycle Parking

- 8.103 Policy 6.9 and table 6.3 of the London Plan (2011) stipulates that for residential development, 1 cycle space should be provided per 1 or 2 bed units and 2 cycle spaces should be provided for 3 or more bed units. As such, 108 spaces should be provided for the residents and 9 for visitors. Therefore, 117 spaces in total are required to accord with this policy.
- 8.104 The proposal makes provision for 117 cycle spaces which would be stored in covered Sheffield stands which comply with policy.

Refuse and recycling

- 8.105 Policies SP05 of the Core Strategy (2010); DEV 55 of the Unitary Development Plan (1998); policy DM14 of the draft Managing Development DPD (2012) & DEV 15 of the Interim Planning Guidance (Oct 2007) seeks to ensure that developments make adequate provision for refuse and recycling facilities in appropriate locations.
- 8.106 The proposal makes provision for 23 refuse and recycling bins (15 refuse bins & 8 recycling bins) located at lower ground floor. The application proposes onsite servicing arrangements for refuse and recycling facilities for blocks A & B. Vehicles would access from Tredegar road and would take the form of a ramp leading down to the lower ground level to collect the waste for blocks A & B. Refuse and recycling bins for blocks C and the detached dwelling would be located at ground floor level and serviced off Balmer Road, outside the site, similar to other servicing arrangements of other properties along Balmer Road.

Servicing

- 8.107 The application proposes on site servicing and vehicle access to the site would be maintained at the same location as the existing vehicle access point on Tredegar Road.
- 8.108 As above, the vehicle access from Tredegar Road would take the form of a ramp leading down to the lower ground level where the main on site parking area is to be located. Refuse vehicle would drive into the site and collect refuse from the refuse store close to Tredegar Road.

- 8.109 The applicant would be required to submit a Servicing and Delivery Management Plan. This would be secured by way of condition to ensure that servicing arrangements would not compromise pedestrian or vehicular safety.

Conclusion on transport/highway matters

- 8.110 Subject to conditions and appropriate S106 contributions, transport matters, including vehicular and cycle parking, vehicular and pedestrian access are acceptable and the proposal should not have a detrimental impact on the public highway.

Energy & Sustainability

- 8.111 At a national level, PPS22 and PPS1 encourage developments to incorporate renewable energy and to promote energy efficiency. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011 and policies SO24 and SP11 of the Core Strategy (2010) seek to mitigate climate change and reduce carbon dioxide emissions.
- 8.112 The London Plan (2011) sets out the Mayor of London's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 8.113 Policy 5.2 of the London Plan 2011 includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy.
- 8.114 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. Policy SP11 of the Core Strategy (2010) requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.
- 8.115 Policy DM29 of the Managing Development DPD (Proposed submission version 2012) requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all residential developments to achieve a Code for Sustainable Homes Level 4 rating and all non-residential schemes to achieve a BREEAM Excellent rating.
- 8.116 The energy strategy follows the Mayor's of London's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean). The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine to supply the space heating and hot water requirements in accordance with policy 5.6 of the London Plan would reduce energy demand and associated CO2 emissions (Be Clean).
- 8.117 Photovoltaic cells are proposed to provide a source of on site renewable energy (Be Green). The technologies employed would result in a 4.5% carbon savings over the baseline. Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that achieving a 20% reduction in CO2 emissions through renewable energy technologies is not feasible. The applicant has demonstrated that the proposed CO2 emission reduction through PV's (98m2 array with peak output of 14.7kWp) is the maximum that can be achieved from renewable energy technologies for the site.

- 8.118 Whilst the proposed development is not strictly in accordance with policy SP11 of the Core Strategy (2010), Officers support the application as the development is in compliance with policy 5.2 of the London Plan (2011) through achieving a cumulative 44.4% reduction above Building Regulation 2006 requirements (This is equivalent to a 25% reduction against Building Regulations 2010).
- 8.119 The anticipated reduction in carbon emissions through energy efficiency measures, a CHP power system and renewable energy technologies is considered to be acceptable and in accordance with the above mentioned development plan policies. It is recommended that the strategy is secured by condition and delivered in accordance with the submitted Energy Strategy.
- 8.120 In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating. This is to ensure the highest levels of sustainable design and construction in accordance with policy 5.3 of the London Plan 2011 and policy DM29 of the draft Managing Development DPD (2012).
- 8.121 The submitted Sustainability Statement details how the development will achieve a Code for Sustainable Homes Level 4 rating. It is recommended that the achievement of a Code Level 4 is secured by way of condition.

Summary on energy and sustainability matters

- 8.122 Subject to the recommended conditions as identified in paragraph 3.3 of this report, it is considered that energy and sustainability matters, including energy, are acceptable and in line with policies PPS22, PPS2, S03& SP11 of the Core Strategy (2010) and DM29 of the Development Management DPD (Proposed submission version 2012) which seek to promote sustainable development practices.

Section 106 Agreement

- 8.123 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should 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.
- 8.124 More recently, 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 are:
- (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Are fairly and reasonably related in scale and kind to the development.
- 8.125 Policies 8.2 of the London Plan (2011), Saved policy DEV4 of the UDP (1998), policy IMP1 of the IPG (2007) and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations through their deliverance in kind or through financial contributions.
- 8.126 The Council's draft Supplementary Planning Document on Planning Obligations was

adopted in January 2012; this SPD provides the Council's guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. The document also set out the Borough's key priorities being:

- Affordable Housing
- Employment, skills, training and enterprise
- Community facilities
- Education

The borough's other priorities include:

- Health
- Sustainable Transport
- Public Realm
- Environmental Sustainability

8.126 In light of this, LBTH Officers have identified the following contributions to mitigate against the impacts of the proposed development, which the applicant has agreed. As such, it is recommended that a S106 legal agreement secure the following Heads of Terms:

financial contributions

- 8.127 Affordable housing provision of 35% of the proposed habitable rooms with a 60% (target rent)/ 40% (intermediate)
- £135,000 - towards education facilities.
 - £86,400 towards community facilities
 - £7,800 towards employment skills and training
 - £37,800 towards health care facilities
 - £3,000 towards Section 106 monitoring

Total financial contribution sought = £270,000

non financial contributions

- 8.128
- Endeavours to achieve 20% local procurement at construction phase
 - 20% of non technical jobs in the construction phase to be advertised exclusively through skillsmatch for a limited period with reasonable endeavours used to ensure that a target of 20% employment of local residents is achieved
 - Travel Plan
 - 'Car free' Agreement

Education

8.129 Increased residential development impacts on the demand for school places within the borough. Where there is a child yield output from a development, the Council would seek contributions towards additional primary and secondary school places across the borough. Financial contributions towards Education would be pooled in line with Circular 06/2005. The contribution of £135,000 would allow expenditure on Education to be planned on a Borough wide basis to meet the Education need for its residents.

Community facilities

8.130 Community facilities provide the space for community groups within the Borough to meet and carry out activities and include, but not limited to, community centres, Idea Stores,

libraries and leisure centres. Community facilities provide the space for community groups within the Borough to meet and carry out community activities. The Borough has a range of facilities but their condition means they are not always able to cope with the demand upon these groups and potentially new community groups emerging in Tower Hamlets. This new residential development would bring additional people and there would be an increased demand on existing community facilities. Officers consider that the proposed financial contribution of £86,400 towards community facilities would sufficiently mitigate against the development and continue to make the scheme viable.

Health

- 8.131 Where the residential population in the Borough is increased through new development, there is further pressure upon existing health facilities and a subsequent demand for new ones. The Council would mitigate that impact by securing contributions from new residential developments towards health facilities in the Borough.
- 8.132 Due to the Borough wide impact, financial contributions towards health facilities would be pooled in line with Circular 05/2005. The contribution of £37,800 would allow expenditure on health to be planned on a Borough wide basis to meet the need for its residents.

Employment & training

- 8.133 The Council will seek to secure a financial contribution of £7,900 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.

Monitoring Section 106 Agreement

- 8.134 The requirement on the Council to monitor all aspects of s106 Agreements carries a financial cost that constitutes an impact of new development. Accordingly, the Council would include a monitoring fee as a financial contribution for each s106 agreement. All planning obligations, whether financial or in-kind, require monitoring to ensure the obligations is fully complied with and in line with the trigger date as well as the relevant legal requirements. The Council will require a contribution equivalent to two percent (2%) of the total financial contribution secured against each s106 agreement. As such, it is considered that £3,000 towards the monitoring of the Section 106 Agreement is appropriate.
- 8.135 In terms of non-financial obligations, the applicant has also been asked to use reasonable endeavours to ensure:
- 8.136
- 20% of the construction phase workforce would be local residents of Tower Hamlets

The Council would support the developer in achieving this target through providing suitable candidates through the Skillsmatch Construction Services. The Skillsmatch Service would also assist in local procurement through advertising upcoming contracts in the East London Business Place and facilitating an integrated consultation event with a number of developers to enable them to meet with prospective local suppliers.

- 8.137
- 20% Local procurement at construction phase
 - This requirement would be captured in the S106 requiring the developer to include a 'local procurement clause' for their subcontracting supply chains. The developer

would provide LBTH with a list detailing a package of works/trades, so that LBTH can match these requirements with appropriate suppliers within the Borough.

- *Car Free*

8.138 The applicant would be required to enter into a "car free" agreement which would restrict residents from applying for on-street car parking permits.

8.139 The applicant has submitted a toolkit to justify the proposed level of affordable housing and financial contributions whilst continuing to make the scheme viable. The viability assessment has been externally reviewed and it was concluded that the Section 106 offer of 35% affordable housing and financial contributions of £270,000 would sufficiently mitigate against the development and continue to make the scheme deliverable.

- *Travel Plan*

8.140 Travel Plans are a key tool to ensuring developments minimise adverse environmental impacts of the travel demand that it generates. Development of the nature and scale proposed would generate different travel demands when compared to the existing use.

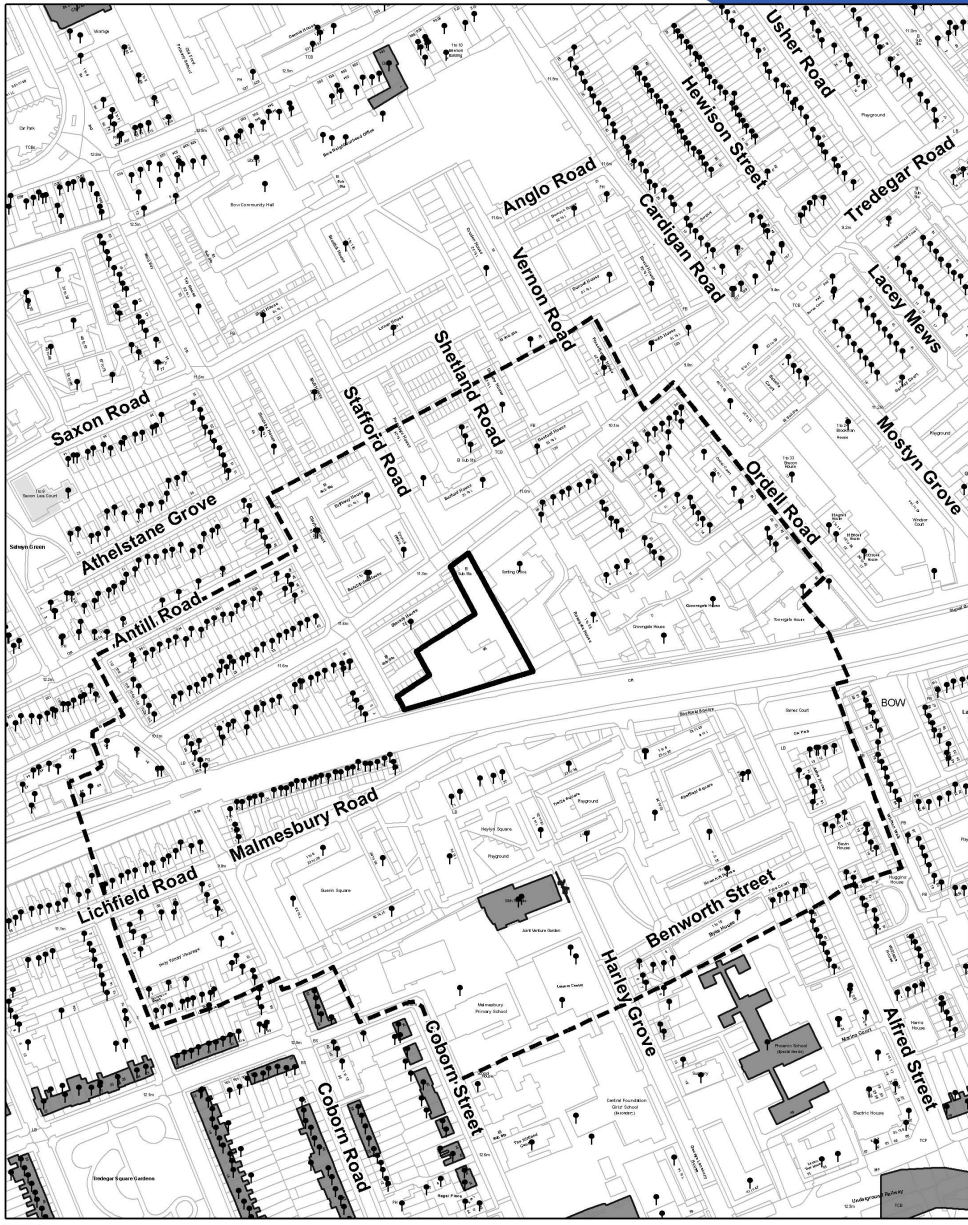
Conclusion on S106 matters

8.141 Officers consider that the proposed Section 106 offer would not compromise the viability of the scheme and ensures that the proposal would mitigate the impacts of the development.

9 Conclusions

9.1 All other relevant policies and considerations have been taken into account. Planning permission should not 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



| | | | |
|------------------------------------|----------------------------|---------------------|---------------------------|
| Consultation Area | Locally Listed Buildings | Land Parcel Address | 0 30 m 1:3,000 |
| Planning Application Site Boundary | Statutory Listed Buildings | | |

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
 © Crown copyright and database rights 2011 Ordnance Survey, London Borough of Tower Hamlets 100019288

