

**LONDON BOROUGH OF TOWER HAMLETS**

**STRATEGIC DEVELOPMENT COMMITTEE**

**1<sup>st</sup> March 2012 at 7.30 pm**

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**UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL**

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**INDEX**

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<b>Agenda item no</b>	<b>Reference no</b>	<b>Location</b>	<b>Proposal</b>
7.2	PA/11/03375	Poplar Business Park, 10 Prestons Road London E14 9RL	Demolition of existing buildings and redevelopment of the site to provide a mixed use scheme of between 3 and 22 storeys comprising 8,104sq.m of business accommodation (Use Class B1), 392 residential units (Use Class C3) with associated parking and landscaping.

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<b>Location:</b>	Poplar Business Park, 10 Prestons Road London E14 9RL
<b>Proposal:</b>	Demolition of existing buildings and redevelopment of the site to provide a mixed use scheme of between 3 and 22 storeys comprising 8,104sq.m of business accommodation (Use Class B1), 392 residential units (Use Class C3) with associated parking and landscaping.

## 1.0 Error

1.1 There was a typographical error to Paragraph 8.100 and it should read:

*The only habitable room window to habitable room separation distance which fail to meet the minimum separation distance of is located on the northern end in Block C1 and its relationship with Wharfside Point North is approximately 12m. (see figure 5). Only one of two kitchen windows to a flat on each floor (a total of 6 units) which will have direct habitable room window to window separation distance of 12 m.*

1.2 There was a typographical error to Paragraph 8.113 and it should refer to the proposal providing 9 parking spaces dedicated to 4 and 5 bedroom affordable units, and not 12 spaces.

1.3 Paragraph 3.1(o) should read:

*Provision of a pedestrian access (public walkway) through the site and Aspen Way and future provision through to **Poplar High Street**.*

1.4 Paragraph 7.1 states number of individual responses as 16. This should be a total of **51** responses, 16 with objections and 35 with support.

## 2.0 Additional information and clarification

### 2.1 Density

Paragraph 8.17 explains the proposed density for the site and your officers have identified the site as in an urban location. It should be noted that the GLA had identified the site being within a central location which would result in the proposed density being in compliance with the density threshold of 650-1100hr/ha.

In the London Plan 2011, urban setting is defined as: *areas with predominately dense development, such as, for example, terrace houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800m walking distance of a District centre or along main arterial routes.*

Central setting is defined as *areas with very dense development, a mix of different uses, large building footprints and typically buildings of four to six storeys, located within 800 metres walking distance of an International, Metropolitan or Major town centre.*

It can arguably be said that the application site falls within the two settings. The site is located within 800m walking distance to Canary Wharf major town centre, however the site is in a predominately dense area. Nonetheless, as outlined in the main report the proposed density of 907 habitable rooms per hectare is considered acceptable for the application location.

### 2.2 Emergency Flood Evacuation Plan

Paragraph 6.14 outlined the requirement of the Emergency Flood Evacuation Plan for the site by the Environment Agency. The Council's Emergency Planning Team was consulted

and raised no objections to the Plan subject to informatives. Appropriately worded informative will be added.

### 2.3 Affordable rented housing

Paragraphs 8.20 to 8.33 outline the proposed affordable housing offer. It should have clarified that the applicant has agreed to rent levels below the borough average rents as identified in Pod research levels which are as follows:

- 1bed - £173 per week
- 2bed – £186 per week
- 3bed - £229 per week
- 4bed - £236 per week
- 5bed - £288 per week

### 2.4 Cycle hire docking station

In paragraph 8.116 states that the land made available for 24 cycle docking station will be secured through a 106 Agreement. Therefore, under the Non-financial contribution within Paragraph 3.1 should have included an additional point. This shall read;

s) Land to be made available for 24 cycle docking stations and the delivery and implementation of the cycle docking stations shall be made by TfL.

## **3.0 Localism Act (amendment to S70(2) of the TCPA 1990)**

3.1 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15<sup>th</sup> January 2012, Parliament has enacted an amended section 70(2) as follows:

3.2 In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

3.3 Section 70(4) defines “*local finance consideration*” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

3.4 In this context “grants” might include:

- a) Great Britain Building Fund: the £400m “Get Britain Building” Fund and government-backed mortgage indemnity guarantee scheme to allow housebuyers to secure 95% mortgages;
- b) Regional Growth Funds;
- c) New Homes Bonus;
- d) Affordable Homes Programme Funding.

3.5 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

- 3.6 (Officer Comment): Officers are satisfied that the current report to Committee, when viewed alongside previous reports presented has had regard to the provision of the development plan. As regards local finance considerations, the proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.
- 3.7 As regards Community Infrastructure Levy considerations, following the publication of the Inspector's Report into the Examination in Public in respect of the London Mayor's Community Infrastructure Levy, Members are reminded that it is likely that the London mayoral CIL is intended to become operational from 1 April 2012 and will not be payable on this scheme, as long as the planning permission is issued by 31 March 2012. The likely CIL payment associated with this development would be in the region of £837,728 and could impact on the future s.106 obligations.
- 3.8 With regards grants, the Great Britain Building Fund is part The government's housing strategy published on the 21 November 2011 designed to tackle the housing shortage, boost the economy, create jobs and give first time buyers the opportunity to get on the housing ladder. Officers are satisfied that the development provides the types of units in the form single occupancy flats within the private and intermediate tenure, and range of unit sizes to accommodate the differing financial constraints of future potential occupier and therefore the proposal supports this initiative .
- 3.9 The Regional Growth Fund (RGF) is now a £2.4bn fund operating across England from 2011 to 2015. It supports projects and programmers that lever private sector investment to create economic growth and sustainable employment. It aims particularly to help those areas and communities which were dependent on the public sector to make the transition to sustainable private sector-led growth and prosperity. Whilst there is no evidence to suggest that this development is directly linked into this initiative, officers are satisfied that through the creation of 425 jobs, there is likely to be range of job opportunities, both skilled and un-skilled that would support the aim of the initiative to create economic growth and sustainable employment. Officers can confirm that best endeavors have been secured through the S.106 agreement to ensure that at least 20% of the those job opportunities will benefit residents of the borough during the construction process, and are also satisfied that a financial payment to provide silks and training can also lead to greater opportunities for local residents to secure sustainable employment.
- 3.10 With regards to the New Home Bonus. The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 3.11 Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £594,667 within the first year and a total of £3,568,004 over a rolling six year period. There is no policy or legislative requirement to discount the new homes bonus against the s.106 contributions, and therefore this initiative does not affect the financial viability of the scheme.
- 3.12 The Affordable Homes Programme 2011-15 (AHP) aims to increase the supply of new affordable homes in England. Throughout 2011-15, Homes and Communities

*Agency(HCA) aims to invest £4.5bn in affordable housing through the Affordable Homes Programme and existing commitments from the previous National Affordable Housing Programme. The majority of the new programme will be made available as Affordable Rent with some for affordable home ownership, supported housing and in some circumstances, social rent.*

*3.13 However developments that secure affordable housing through s.106 agreements (as is the case for this proposal) are highly unlikely to receive grant from the HCA as they seek to reserve funding for Registered Social Landlords who specialise in providing affordable housing.*

#### **4.0 Recommendation**

Officer's recommendation remains approval.