

Committee: Development Committee	Date: 10 th May 2012	Classification: Unrestricted	Agenda Item No: 7.5
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Mandip Dhillon		Ref No: PA/11/02257	
		Ward(s): East India and Lansbury	

1. APPLICATION DETAILS

Location: Brownfield Estate, Infill Sites 1 and 2 located on Brownfield Street and Infill Site 3 located at the junction of Lodore Street and Adderley Street:

- § Infill Site 1 – Bound to the north by 6-52 Willis Street block and to the south by 1-43 Brownfield Street block. Brownfield Street is located to the west and Ida Street is located to the east of the site.
- § Infill Site 2 – Bound to the north by 54-112 Willis Street block, to the east by 39a-89a St Leonards Road block to the south by 45-107 Brownfield Street Block and to the west by an access road.
- § Infill Site 3 – Bound to the north by 45-107 Brownfield Street block, to the east by 19-75 St Leonard's Road block, to the south by Adderley Street and the west by Lodore Street.

Existing Use: Infill Site 1 – Surface level car parking and ball court;
Infill Site 2 – Surface level car park and communal gardens.
Infill Site 3 – Non-accessible landscaped area; currently used as on site construction area during the development of an adjoining residential block.

Proposal: The erection of 2 residential blocks located on Brownfield Street in areas of existing ground level parking, communal gardens and a Ball Court fronting Ida Street. The 2 residential blocks will comprise 25 new dwellings (4 x 1 bed, 13 x 2 bed, 6 x 3 bed and 2 x 4 bed dwellings) cycle parking facilities, provision of enhanced public open space throughout the Brownfield Estate and private amenity space, alterations to the surface parking layout and other associated works.

Drawing No's: Drawings:
AL1905/2.0/100
AL1905/2.0/200
AL1905/2.1/202
AL1905/2.0/203
AL1905/2.1/204
AL1905/2.1/205

AL1905/2.1/206
AL1905/2.1/207
AL1905/2.0/208
AL1905/2.0/209
AL1905_2.0_900
AA1773-2-3-010 rev C
AA1773-2-3-011 rev D
AA1773-2-3-012 rev D
AA1773-2-3-013 rev C
AA1773-2-3-014 rev C
AA1773-2-3-015 rev C
AA1773-2-3-016 rev C
AA1773-2-3-017 rev C
AA1773-2-3-018 rev D
AA1773-2-3-019 rev C
AA1773-2-3-020 rev C
AA1773-2-3-021 rev C
10836/100
10836/101
AA01773-2-1-001
AA01773-2-1-002
AA01773-2-1-100
AA01773-2-1-110
AA01773-2-1-111
AA01773-2-1-200
AA01773-2-1-210
AA01773-2-1-300

Documents:

Brownfield Phase 2 – Parking Appraisal dated August 2011
Brownfield Site Phase 2 Transport Statement dated August 2011
Brownfield Site Regeneration Interim Residential Travel Plan dated August 2011
Phase 1 Ground Conditions Report- Sites F-1, F-2 and Ball Court area dated August 2011
Flood Risk Assessment dated September 2011
Flood Risk Assessment dated August 2011
Tree Survey and Arboricultural Impact Assessment dated 18th August 2011
Daylight, Sunlight and Overshadowing dated 19 August 2011
Sustainability Strategy dated 22 August 2011
Energy Statement dated 2 November 2011
Planning and Regeneration Statement, Impact Statement & Statement of Community Involvement dated August 2011
Brownfield Public Realm and Infill Sites dated August 2011
Addendum Parking Report dated 20 January 2012-04-26
Sample: VMZINC Pigmento Blue

Applicant: Poplar HARCA
Owner: Poplar HARCA (plus some leaseholders)

Historic Building: The following listed buildings are located within the application site:

- § Balfroon Tower – Grade II
- § Carradale House – Grade II

Conservation Area: The Balfroon Tower Conservation Area is located within the application

site, to the north and east.

With particular regard to the Infill Sites:

- § Infill Sites 1 and 2 are not within the Conservation Area.
- § Infill Site 3 is within the Balfron Tower Conservation Area.

Other designations: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Managing Development Development Plan Document (Proposed Submission Version 2012), Interim Guidance, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- The proposal makes efficient use of the site and provides an increase in the supply of housing within an acceptable density. As such the proposal accords with policy 3.3 and 3.4 of the London Plan 2011, HSG1 of the Council's Interim Planning Guidance (2007) and objective S07 of the Core Strategy 2010, which seek the maximum intensity of use compatible with local context.
- The proposal provides an acceptable level of affordable housing, tenure and mix of units overall and as such complies with policies 3.8, 3.9 and 3.11 of the London Plan 2011, saved policy HSG7 of the Council's Unitary Development Plan (1998), policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), policy DM3 of the Managing Development DPD Proposed Submission Version 2012 and policy SP02 of the Core Strategy 2010, which seek to ensure that new developments offer a range of housing choices and acceptable level of affordable housing subject to viability.
- The impact of the developments on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the urban context of the site and as such accords with saved policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010, policy DM25 of the Managing Development DPD Proposed Submission Version 2012 and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
- The quantity and quality of housing amenity space, communal space, child play space and open space is acceptable and accords policy 3.6 of the London Plan 2011, policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan (1998) and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007), policy DM4 of the Managing Development DPD Proposed Submission Version 2012 and policy SP02 of the Core Strategy 2010, which seek to improve amenity and liveability for residents.
- The building height, scale, bulk, design and relationship of the proposed developments are acceptable and accord with policies 3.5 of the London Plan 2011, policies DEV1, DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1, DEV2, DEV3, DEV4, CON1 and CON2 of the Council's Interim Planning Guidance (2007), policies DM24 and DM27 of the Managing Development DPD Proposed Submission Version 2012 and policy SP10 of the Core Strategy 2010, which seek to ensure buildings are of a high quality design and sensitive to the

setting of the Balfron Tower Conservation Area and the Grade II listed Balfron Tower and Carradale House.

- The scheme would promote permeability and accessibility through the enhancements to landscaping throughout the Estate whilst being designed to provide a safe and secure environment for residents. The development accords with policy DEV1 of the Council's Unitary Development Plan (1998), policies SP09 and SP10 of the Core Strategy 2010, policies DM23 and DM24 of the Managing Development DPD Proposed Submission Version 2012 and policy DEV4 of the Council's Interim Planning Guidance (2007), which require all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and accord with policy 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan 2011, policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy 2010, policies DM20 and DM22 of the Managing Development DPD Proposed Submission Version 2012 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- Sustainability matters, including energy, are acceptable and accord with policies 5.2 and 5.7 of the London Plan 2011, policy SP11 of the Core Strategy 2010, policy DM29 of the Managing Development DPD Proposed Submission Version 2012 and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- Taking into account the viability constraints of the proposal, the proposed development will provide appropriate contributions towards the provision of affordable housing, education facilities, community facilities and employment and enterprise in line with policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007) and the Planning Obligations SPD 2012, which seek to secure contributions toward infrastructure and services required to facilitate proposed development subject to viability.

3. RECOMMENDATION

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

A That prior completion of a **legal agreement** to secure the following planning obligations:

- a) Twenty-five units of affordable housing comprising 17 social rent units and 8 affordable rented units (100% affordable housing), as specified in the submitted schedule of housing.
- b) A contribution of £31,972.50 to mitigate for the demand of the additional population on educational facilities.
- c) A contribution of £4,042.50 towards community facilities.
- d) A contribution of £735 towards Employment and Enterprise.
- e) The completion of a car and permit free agreement.
- f) Travel Plan

g) A commitment to utilising employment and enterprise initiatives in order to maximise employment of local residents in accordance with the Planning Obligations SPD.

h) Monitoring fee of £750.00 (2%).

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

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

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

Conditions:

1. Time Limit 3 years
2. Compliance with approved plans and documents
3. Balcony details to be submitted and approved
4. Contaminated land survey
5. Samples / pallet board of all external facing materials
6. Detail of landscaping including child play space, Landscape Maintenance and Management Plan specifying the use of native species.
7. Construction Logistics and Management Plan
8. All residential accommodation to completed to lifetimes homes standards plus at least 10% wheelchair accessible
9. Implementation of sustainable design and renewable energy measures CFSH 4
10. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
11. Detail of Highway Works to be submitted and approved
12. The Glazing specification for all habitable rooms shall meet BS 8233:1999 internal noise levels of 'Good' standard
13. Cycle Parking details to be submitted and approved
14. All disabled parking bays to be designed and constructed in accordance with the standards described in the Department for Transport 'Inclusive Mobility' guidance
15. Environment Agency Surface Water Drainage condition
16. be submitted and approved
17. Tree protection plan to be submitted and approved
18. All north and south elevation windows within Infill Site B shall be provided as obscure glazed at all times.
19. Permitted Development rights (GPDO 1995 as amended) removed for gates and enclosures.
20. Permitted Development Rights (GPDO 1995 as amended) removed for 6 dwellinghouses.
21. Refuse and Recycling to be provided in accordance with the details submitted
22. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 required
- 2) Section 278 / S72 required
- 3) Thames Water advice regarding private drainage and water pressure
- 4) Operation of the Olympic and Paralympic vehicular routes during 2012.
- 5) Applicant advised to contact LBTH Building Control team.

- 6) No blocking of surrounding highway and carriageway.
- 7) No skips or construction materials shall be kept on the footway or carriageway.
- 8) Construction vehicles must only load/unload/park at locations within the permitted times by existing restrictions.

3.4 That, if six weeks from the date of the committee meeting, the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 This planning application has been submitted by Poplar HARCA who hold the major freehold interest at the application site.

4.2 The application proposes three infill developments, Sites 1, 2 and 3 located at various locations within the Brownfield Estate. Sites 1 and 2 proposes the erection of two residential buildings within the Brownfield estate, located at Brownfield Street. Site 3 seeks the provision of a new ball court and public play area. The proposals also include the re-landscaping of the public realm within the Brownfield Estate to upgrade the existing pedestrian areas and provide enhanced communal play facilities. This will also include an overall reduction in the number of parking spaces throughout the estate.

4.3 In detail the application proposes:

- Two residential blocks within the Brownfield estate comprising:

Site 1 - 17 residential units comprising 2 x 1 bed flats, 9 x 2 bed flats, 4 x 3 bed units and 2 x 4 bed houses. This development is a 3 storey block.

Site 2 – 8 residential units comprising 2 x 1 bed flats, 4 x 2 bed flats and 2 x 3 bed flats. This development is a 3 storey block.

Site 3 – Creation of a replacement ball court and play area.

- 25 residential units across sites 1 and 2, all proposed as affordable housing (100% affordable housing).
- Overall reduction in on-street car parking within the Brownfield estate with some surface level re-arrangement to the existing parking layout resulting in a loss of 28 car parking spaces.
- Provision of sixty-four (64) bicycle parking spaces and a car and permit free agreement imposed upon all new residential units proposed.
- Provision of new semi-mature tree planting and shrubs throughout the Brownfield estate to enhance the upgraded landscaping works.
- Provision of shared surface paving to improve pedestrian accessibility, on land within the ownership of Poplar HARCA.
- New front gardens provided to residential properties along 2-28 Adderley Street and 19-75 St Leonard's Road.
- Provision on an enhanced entrance into the Brownfield estate at the Burcham Street entrance to the shops.

- Allocated space within each residential block for refuse and recycling facilities for proposed occupiers.

Site and Surroundings

- 4.4 The Brownfield estate comprises of an area of some 6.6 hectares. The Brownfield estate is bound by Blackwall Tunnel Northern Approach/A13 to the east, Susannah and Follett Street to the South, the Dockland Light Railway (DLR) line to the west and Burcham Street runs along the sites northern boundary.
- 4.5 The existing estate comprises of 28 residential blocks with some commercial units and community facilities located at ground floor level. The existing residential blocks at the Brownfield Estate vary in building heights with the tallest comprising the Balfron Tower which is 27 stories in height, Carradale and Glenkerry House are both 11 stories in height, whilst the majority of the remaining estate comprises of 4 storey blocks, primarily located to the west of the Brownfield estate boundary. In addition sites 1 and 2 provide 49 surface level car parking spaces and 19 lock up garages. The 19 lock up garages are all single storey units.
- 4.6 Site 1 is bound to the north by the Willis Street block and to the south by the Brownfield Street block which are both 4 storey residential blocks with pitched roofs. Site 2 is bound to the north by the Willis Street block, to the east by the St Leonards Road block to the south by the Brownfield Street Block all of which comprise of four storey residential blocks with pitched roof forms. Site 3 is bound to the north by the Brownfield Street block and to the east by the St Leonard's Road block, again which are both four storey residential blocks with pitched roof forms.
- 4.7 The Brownfield Estate is located to the east of Chrisp Street market which is a designated District shopping centre, a direct pedestrian bridge provides access from Brownfield Street to Chrisp Street and the shopping centre. East India Dock Road and All Saints DLR station are located to the south of the site. Langdon Park School and Jolly's Green, an area of Public Open Space, are located along the sites northern boundary. Two pedestrian underpasses are located to the east of the site providing access across the A13 which is busy road running through the Borough.
- 4.8 Within the eastern boundary of the application site are located the Grade II listed Balfron Tower and Carradale House, both of which are located within the Balfron Tower conservation area. The northern part of the Brownfield estate is also located within the conservation area, as is Site 3. The western part of the Brownfield estate which comprises of Sites 1 and 2 does not form part of the Balfron Tower conservation area.
- 4.9 The site has a Public Transport Accessibility Level (PTAL) of 4. The closest station to the site is located at All Saints DLR to the south west of the estate and Langdon Park DLR to the north west of the estate boundary, both of which are a short walk from the application site, approximately 200metres. The site is close to numerous bus routes which run along the East India Dock Road, Chrisp Street and the A13 Blackwall Tunnel, all of which are a short walk from the application site/estate boundary.

Planning History

- 4.10 There are a number of planning permissions relating to the wider Brownfield estate, however the planning history below has sought to focus on the most recent and relevant planning history for this application.
- 4.11 Willis Street Car Park, Brownfield Street and Ida Street

<u>Planning Ref</u>	<u>Description of Development</u>	<u>Decision</u>
PA/09/02100	<p>Demolition of existing buildings at 132-154 Brownfield Street, site south of 15-37 Ida Street and 1-19 Follett Street, E14 (Sites G, I (1) & I (2)).</p> <p>Erection of a 20 storey building on the Willis Street Car Park site and its use as 112 residential units (50 x 1 bed, 43 x 2 bed & 19 x 3 bed) and 150 sq.m community facility (Class D1) - Site E</p> <p>Erection of a part 4 & part 5 storey building and its use as 23 residential units (8 x 2 bed, 4 x 3 bed, 10 x 4 bed & 1 x 5 bed) - Site G</p> <p>Erection of a two storey building and its use as 4 four bedroom houses. - Site I (1)</p> <p>Erection of a three storey building and its use as 2 four bedroom and 3 five bedroom houses - Site I (2).</p>	Granted 29/03/10
PA/11/01920	<p>Application under Section 96a of the Town and Country Planning Act 1990, for a non material amendment to the application reference PA/09/2100 dated 29/03/2010 for the following:</p> <ul style="list-style-type: none"> • Removal of a shared ownership dedicated stair core servicing floors 1-4 inclusive • Re-arrangement of basement and removal of dedicated stair core • Removal of the louvre bank to the stair core • Reduction in length of the canopy to the front and rear entrances due to the rearrangements internally • Alterations to the ground floor western elevation to replace some glazed panels with stone cladding panels • Reconfiguration of some of the two and three bed units on 1st-4th floors 	Granted 16/12/11

4.12 Brownfield Estate Refurbishment Works

<u>Planning Ref</u>	<u>Description of Development</u>	<u>Decision</u>
PA/11/01555	<p>Works Comprise: 2-28 Adderley Street (Block 8), 54-112 Willis Street (Block 12), 45-107 Brownfield Street (Block 13), 2-72 Lodore Street (Block 14), 10-24 Ida Street (Block 16), 62-128 Brownfield Street (Block 19). 1-43 Brownfield Street (Block 20), 6-52 Willis Street (Block 21) and 2-60 Brownfield Street (Block 22).</p> <p>Replacement of roofs with matching artificial slates, the extension of eaves and verges, overcladding of the gable walls with insulation and brick slips and the provision of 900mm diameter satellite dish.</p> <p>19-39 and 55-75 St Leonard's Road (Block 9) , 39a-43a</p>	Granted 25/10/11

	<p>and 77-89a St Leonard's Road (Block 10). Installation of secure screens and canopies to entrances, insulation and render to rear walls and soffits of ground and second floor recessed areas, replacement of roofs with matching artificial slates, the extension of eaves and verges, overcladding of the gable walls with insulation and brick slips and the provision of a 900mm diameter satellite dish.</p> <p>52-74 St Leonard's Road (Block 3) New roof covering with insulation, new security gate, building fabric repairs and provision a 900mm satellite dish.</p>	
PA/11/00114	Installation of secure screens and canopies to entrances. Insulation and render to rear walls and soffits of ground and second floor recessed areas.	Granted 17/03/11
PA/11/03907	Replace existing UPVC windows with like for like double glazed UPVC windows to match existing profile of opening lights / fixed lights & insulated low level panels, provided with ironmongery for tilt & turn openings.	Granted 20/03/12
PA/11/01969	<p>External Refurbishment of existing block consisting of the:</p> <p>Provision of new entrance doors, refuse/recycling & cycle store.</p> <p>Installation of render & cladding on facing elevations.</p> <p>Installation of solar panels at roof level.</p> <p>Provision of new aluminium windows, handrails & balustrades.</p> <p>New paving, planting and parking facilities and</p> <p>Provision of external lighting & landscape features.</p>	Granted 22/09/11

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV9	Control of Minor Works
	DEV12	Provision Of Landscaping in Development
	DEV17	Street Furniture
	DEV50	Noise
	DEV51	Contaminated Soil
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	DEV57	Development and Sites of Nature Conservation Importance
	HSG6	Accommodation over Shops
	HSG7	Dwelling Mix and Type
	HSG13	Internal Space Standards
	HSG16	Housing Amenity Space
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network

T21	Pedestrians Needs in New Development
OS9	Children's Playspace

Core Strategy 2010

Strategic Objectives:	S07	Urban Living for Everyone
	S08	Urban Living for Everyone
	S09	Urban Living for Everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO12	Creating a Green and Blue Grid
	SO13	Creating a Green and Blue Grid
	SO14	Dealing with waste
	SO19	Making Connected Places
	SO20	Creating Attractive and Safe Streets and Spaces
	SO21	Creating Attractive and Safe Streets and Spaces
	SO22	Creating Distinct and Durable Places
	SO23	Creating Distinct and Durable Places
	SO24	Working Towards a Zero Carbon borough
	SO25	Delivering Placemaking
	Spatial Policies:	SP02
SP03		Creating Healthy and Liveable Neighbourhoods
SP04		Creating a Green and Blue Grid
SP05		Dealing with waste
SP08		Making connected Places
SP09		Creating Attractive and Safe Streets and Spaces
SP10		Creating Distinct and Durable Places
SP11		Working Towards a Zero Carbon Borough
SP12		Delivering Placemaking
SP13	Planning Obligations	

Managing Development Development Plan Document (DPD) Proposed Submission Version 2012

Policies	DM1	Development within the town centre hierarchy
	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	DM8	Community Infrastructure
	DM10	Delivering Open Space
	DM11	Living Buildings and biodiversity
	DM13	Sustainable Drainage
	DM14	Managing Waste
	DM20	Supporting a Sustainable transport network
	DM22	Parking
	DM23	Streets and the public realm
	DM24	Place sensitive design
	DM25	Amenity
	DM26	Building Heights
	DM27	Heritage and the historic environment
	DM29	Achieving a zero-carbon borough and addressing climate change
	DM30	Contaminated Land

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

Policies:	DEV1	Amenity
	DEV2	Character and Design

DEV3	Accessibility and Inclusive Design
DEV4	Safety and Security
DEV5	Sustainable Design
DEV6	Energy Efficiency
DEV7	Water Quality and Conservation
DEV8	Sustainable Drainage
DEV9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping and Tree Preservation
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV22	Contaminated Land
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Affordable Housing
SCF1	Social and Community Facilities
CON1	Listed Buildings
CON2	Conservation Areas

Supplementary Planning Guidance/Documents

Designing Out Crime Parts 1 and 2

Spatial Development Strategy for Greater London (London Plan) 2011

Policies:	3.3	Increasing Housing Supply
	3.4	Optimising Housing Potential
	3.5	Quality and Design of Housing Developments
	3.6	Children and young peoples play and informal recreation facilities
	3.8	Housing Choice
	3.9	Mixed and Balanced Community
	3.10	Definition of Affordable Housing
	3.11	Affordable Housing Targets
	3.12	Negotiating Affordable Housing
	3.13	Affordable Housing Thresholds
	3.14	Existing Housing
	5.2	Minimising Carbon Dioxide Emissions
	5.3	Sustainable Design and Construction
	5.7	Renewable Energy
	5.11	Green Roofs and Development Site Environs
	5.12	Flood Risk
	5.13	Sustainable Drainage
	5.14	Water Quality and Wastewater Infrastructure
	6.1	Strategic Approach
	6.3	Assessing Effects of Development on Transport Capacity
	6.9	Cycling
	6.10	Walking
	6.11	Smoothing Traffic Flow and Tackling Congestion

6.13	Parking
7.2	An Inclusive Environment
7.3	Designing out crime
7.4	Local Character
7.5	Public Realm
7.6	Architecture
7.8	Heritage Assets and Archaeology
8.2	Planning Obligations

Government Planning Policy Guidance/Statements

NPPF National Planning Policy Framework

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

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

6. CONSULTATION RESPONSE

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

Environment Agency (Statutory Consultee)

6.2 No objection in principle subject to the imposition of a condition relating to the submission of details of a Surface Water Drainage Scheme.

(Officer Comment: Conditions to cover the planning issues raised by the Environment Agency would be placed on any permission issued.)

Viability Assessor- External Consultant

6.3 The viability has been independently reviewed and the following conclusions drawn:

- The scheme is unable deliver any further social rented accommodation;
- All assumptions relating to affordable housing provision are therefore reasonable;
- It is reasonable that the application provides no planning obligations as the scheme is showing a negative value.

(Officer comment: Whilst these conclusions have been drawn by the Independent review, the applicants are seeking to provide £37,500 of planning obligations to seek to provide some level of mitigation at the site. This is discussed further below.)

Transport for London

6.4 No objections subject to the following:

- Development secured as car and permit free
- Cycle parking provision implemented in accordance with details submitted
- The Draft Travel Plan is secured as part of the S106 agreement
- Condition to be imposed securing a construction logistics plan; and
- The inclusion of an informative relating to the Olympic and Paralympic route.

(Officer Comment: The above conditions, informatives and agreements would be secured as part of any planning approval at the site.)

Tower Hamlets Primary Care Trust

- 6.5 No comments received to date.

Crime Prevention Officer

- 6.6 In principle the Crime Prevention Officer (CPO) raised no objection to the proposed works. A number of suggestions were put forward for the developer to incorporate into the overall design at pre-application stage including the pedestrianisation of the path between Site 1 and Site 2, these have been incorporated into the current application.

LBTH Arboricultural Officer

- 6.7 No objections raised.

LBTH Environmental Health

- 6.8 Health and Housing

The Type L units proposed do not provide a separate window in accordance with ventilation requirements.

(Officer comment: The doors proposed within the Type L units are proposed with a separate openable window to provide ventilation.)

- 6.9 Noise and Vibration

The applicant is required to provide adequate glazing to meet BS 8233:1999 internal noise levels of 'Good' standard.

(Officer comment: A condition will be imposed regarding the necessary sound insulation to Infill Site 1 and 2.)

- 6.10 Contaminated Land

A condition is required to investigate and identify potential contamination at the site.

(Officer Comment: Conditions to cover the planning issues of contaminated land would be placed on any permission.)

LBTH Cultural Services

- 6.11 The increased permanent population generated by the development will increase demand on community leisure facilities. As such it is considered that a request for financial contributions is made in accordance with the draft Planning Obligations SPD for Community Facilities, Idea Stores, Libraries and Archives and Public Realm (including Public Open Space) provision of £8,946 for Idea Stores and £31,708 for Leisure facilities.

(Officer comment: The viability assessment, reviewed by an independent consultant has advised that contributions towards community facilities cannot be supported, this is discussed in more detail within the body of this report.)

LBTH Education

- 6.12 Based upon the proposed dwelling mix and tenure, the proposal is required to make provision for 12 primary school places and 6 secondary school places which should be provided as a financial contribution this equates to £312,042.

(Officer comment: The viability assessment, reviewed by an independent consultant has advised

that the full contributions towards education facilities cannot be supported, this is discussed in more detail within the body of this report)

LBTH Transport and Highways

6.13 The following comments have been received from the Highways team:

The existing Sites 1 and 2 accommodate 68 car parking spaces which are proposed to be lost. At the application site, there are 154 Poplar HARCA operated surface level permit bays (not LBTH permit bays). This parking provision excludes the Willis Street development, Carradale House and Balfron Tower.

As existing Poplar HARCA have 111 parking permits allocated amongst the 154 surface level parking permit bays. An additional 13 parking permits are allocated to visitors. The total existing allocated parking permits within the Brownfield estate are 124.

The future site layout will result in a total of 126 parking spaces managed by Poplar HARCA for the Brownfield estate residents, including 13 disabled car parking spaces.

Whilst the application results in the loss of 28 Poplar HARCA managed parking bays, these bays are not allocated to the residents within the Brownfield estate.

The Transport Statement and Masterplan Parking Appraisal identifies that the development will be secured as car and permit free to prevent the exacerbation of on-street parking in the area which is already at a high level of occupancy. This is supported by LBTH Highways.

Further details of the cycle parking stands are to be submitted and approved by the Local Planning Authority.

A condition is required to secure all private forecourt areas to be drained within the site and not into the Public Highway should be included on any planning consent issued at the site.

A condition is required to secure highway improvement works in the area.

In principle no objections are raised to the proposal subject to the imposition of the necessary conditions and informatives set out above.

(Officer Comment: Conditions and Informatives to cover the planning issues raised by the Highways department would be placed on any permission.)

LBTH Waste

6.14 No objections to waste management proposals.

LBTH Energy

6.15 The application proposes Photovoltaic Panels and achievement of Code for Sustainable Homes Level 4. The proposed works are considered to meet planning policy requirements. Conditions should be imposed relating to the implementation of the Energy Strategy and the submission of details prior to occupation of achieving Code Level 4.

(Officer Comment: The requested conditions will be imposed on any consent issued at the site.)

London Thames Gateway Development Corporation

6.16 No comments received to date.

7. Other

Land-use

- 8.3 The application site has no specific designations in the adopted Unitary Development Plan 1998 (UDP) or the Interim Planning Guidance 2007 (IPG). The application proposes a residential development comprising 25 residential units provided across 2 blocks (sites 1 and 2) and the provision of a replacement ball court and play area (site 3).

Loss of Parking and Lock Up Garages

- 8.4 National guidance on transport provision is given in the National Planning Policy Framework (NPPF), London Plan polices 6.1, 6.3, 6.9, 6.10, 6.13; IPG policies DEV16, DEV17, DEV18, DEV19 and policy SP09 of the Core Strategy 2010 (CS) in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.
- 8.5 Saved UDP policy T16 requires that consideration is given to the traffic impact of operational requirements of a proposed use and saved UDP policy T18 seeks to ensure priority is given to the safety and convenience of pedestrians.
- 8.6 The main issue arises from the loss of two car parking areas at Site 1 and Site 2 which together provide 68 car parking spaces. Whilst there will be an overall loss of 28 parking spaces (taking into account the proposed spaces), currently managed by Poplar HARCA, 40 of the existing 68 spaces are proposed to be re-provided throughout the estate.
- 8.7 The Transport Statement and Masterplan Parking Appraisal identifies that the Brownfield estate has 111 Poplar HARCA allocated parking permits whilst there are 154 Poplar HARCA managed surface level parking bays, 13 additional parking permits are allocated to visitors, totalling 124. The proposed development will deliver 126 Poplar HARCA managed surface level car parking bays, including 13 disabled car parking spaces. This therefore accommodates for all of the existing allocated parking permits.
- 8.8 The proposed development will be secured as car and permit free to prevent the exacerbation of on-street parking in the area which is already at a high level of occupancy. This is supported by LBTH Highways.
- 8.9 Whilst the applicants have identified a capacity within the local area for parking, it is considered that only existing tenants who have an allocated parking space should be offered the opportunity to apply for a parking permit to minimise parking stress within the area and any future residents of the affordable housing units that comply with the requirements of the Council's Tenant Transfer Scheme.
- 8.10 In respect of the recently adopted permit transfer scheme it is anticipated that 8 units could potentially qualify for a parking permit in the local area. A parking permit could either be applied for from the LB Tower Hamlets or from Poplar HARCA. Whilst there are limited spaces remaining within the Poplar HARCA managed permit bays, should a need arise, the permit transfers may be able to be accommodated within the LB Tower Hamlets permit bays, of which there are some bays within the Brownfield Estate and also within the vicinity of the Estate.
- 8.11 Local residents have raised concerns about parking stress and capacity in the Brownfield estate area. As a means of ensuring the parking stress is not exacerbated, all new residential units will be secured as car and permit free, restricting the ability for new residents to park and or apply for a permit in the area.

Principle of a residential use

- 8.12 The principle of the loss of car parking and lock up garages has been considered and found

acceptable. In terms of a housing use it is noted that the Brownfield estate is an existing residential estate and would therefore provide a suitable environment for future residents. The provision of additional housing is a key aim of national, regional and local planning policy and the proposal would accord with policies 3.3, 3.4 of the London Plan 2011 and policy S07 and S08 of the CS which seek to maximise the supply of housing.

Density of Development

- 8.13 The NPPF stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3.4, which requires development to maximise the potential of sites, and policy 3.5 which details design principles for a compact city. Strategic Objective S07 and policy SP02 of the CS and policy HSG1 of the IPG also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.14 The Brownfield estate site has an area of 6.6 ha. The two residential sites proposed form much smaller parts of this wider site. Site 1 measures 0.27 ha providing a density at the site of 232 habitable rooms per hectare (hr/ha) and Site 2 measures 0.33 ha providing a density of 81.4 hr/ha. In an urban area with a PTAL of 4, the London Plan states than a density range of 200 – 700 hr/ha is appropriate.
- 8.15 Overall, the existing Brownfield Estate has a density of approximately 268 hr/ha. Works to implement planning permission PA/09/2100 are currently underway and this scheme, once fully built, would bring the overall density of the Brownfield Estate to 322 hr/ha. The proposed development of Infill Sites 1 and 2, would increase the overall density of the Brownfield Estate to approximately 335 hr/ha.
- 8.16 In the simplest of numerical terms, the proposed density would appear to be appropriate for the application site and within the range stipulated by the London Plan. The intention of the London Plan and the Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity. The application makes the most efficient use of the land available and accords with the aims of London Plan policy 3.4, policies S07 and SP02 of the CS and IPG policy HSG1.

Housing

- 8.17 The application proposes 25 residential (Use Class C3) units at the application site. The following table (Table 1) sets out the proposed housing mix when split into market, social rent, affordable rented, shared-ownership tenures for all 25 proposed residential units:-

Table 1	Market Sale	Affordable Rent	Social Rent	Shared Ownership
Studios	0	0	0	0
1 Bedroom unit	0	0	4	0
2 Bedroom unit	0	0	13	0
3 bedroom unit	0	6	0	0
4 Bedroom unit	0	2	0	0
5 Bedroom unit	0	0	0	0
Total Units	0	8	17	0
Total Affordable Units	0	25 (100%)		0

Habitable Rooms	0	42	39	0
Habitable Rooms %	0	52%	48%	0

- 8.18 This section of the report considers the acceptability of the housing provision on site in terms level of affordable housing, mix of tenures, mix of dwellings sizes and provision of wheelchair units.

Affordable Housing

- 8.19 London Plan policies 3.8, 3.9 and 3.11 state Boroughs should seek to maximise affordable housing provision. Policy SP02 of the CS and IPG policy HSG3 require the provision of a minimum of 35% affordable housing on schemes of 10 dwellings or more. IPG policy HSG10 notes that it is acceptable for the proportion of affordable housing to be calculated using habitable rooms as the primary measure.
- 8.20 The scheme provides a total of 25 affordable housing units, which equates to 100% of the habitable rooms. The provision of 100% affordable housing complies with local planning policy guidance which sets minimum affordable housing thresholds, therefore this development accords with planning policies 3.8, 3.9 and 3.11 of the London Plan 2011, policy S07, S08, S09 and SP02 of the CS and HSG3 of the IPG.

Social Rent / Intermediate Ratio

- 8.21 London Plan policy 3.11 states that there should be mix of tenures within the affordable housing units with 60% social rent (social rented and affordable rented) and 40% shared ownership. The Council's own CS policy SP02 requires a split of 70% social rent and 30% shared ownership given the housing needs identified within the Borough.
- 8.22 The development proposal does not achieve the CS objectives under policy SP02 for a tenure split of 70:30 or the London Plan policies. However on balance, the provision of 100% affordable housing at this site is supported and is therefore acceptable.
- 8.23 Affordable rented housing is defined as:

“Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent.

- 8.24 To assist in the assessment of what constitutes an affordable rent level, 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. 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.

	Social Target Rent	Adjusted Affordable Rent levels (market rent %)	Proposed rents for this scheme (market rent %)
1 bed	£106.10 (Social Target Rent)		
2 bed	£121.89- £127.07 (Social Target Rent)		
3 bed		£187.85(50%)	£180.00 (inclusive of service charges)
4 bed		£250.00(50%)	£196.00 (inclusive of service charges)

- 8.25 In respect of Policy DM3 of the Managing Development DPD (Proposed Submission Version 2012), it is considered in this instance that the provision of affordable rent product is justified in light of the viability of this scheme. If further units or larger accommodation had been provided at social rent levels the overall provision of affordable housing within the development may not have achieved 100% affordable housing and POD rent levels.
- 8.26 Whilst the tenure split of accommodation is not wholly compliant with policy DM3 of the MD DPD, the scheme would deliver 100% affordable housing, 48% of which would be social rented accommodation and 52% affordable rented, providing a 100% affordable housing scheme for borough residents. On balance, the provision of affordable housing at this site is supported.

Mix of dwelling sizes

- 8.27 The Council's housing studies have identified that there is a significant deficiency of family housing within the Borough. This shortage is reflected in Council policy which seeks to ensure development provides a range of dwelling sizes.
- 8.28 Saved policy HSG7 of the UDP requires development to provide a mix of unit sizes and this is reflected in London Plan policy 3.8 which also requires development to offer a range of housing choice. Policy SP02 of the CS and MD DPD policy DM3 specifies the particular mix of unit sizes required across different tenures in the Borough.
- 8.29 Policy DM3 of the MD DPD details the mix of units required in all tenures. These figures and the breakdown of the proposed accommodation are shown in the table 3 below: -

Table 3		Affordable Housing						Private Housing		
		Social and Affordable Rent			Intermediate			Market Sale		
Unit size	Total units	Unit no.s	%	LBTH target %	Unit no.s	%	LBTH target %	Unit no.s	%	LBTH Target %
Studio	0	0	0%		0			0	0%	
1 bed	4	4	16%	30%	0	0%	25%	0	0%	50%
2 bed	13	13	52%	25%	0	0%	50%	0	0%	30%
3 bed	6	6	24%	30%	0	0%	25%	0	0%	10%
4+ bed	2	2	8%	15%	0	0%	0%	0		10%
	25	25	100		0	0		0	100	

- 8.30 The proposed housing mix provides an excess of two bedroom units against the policy target. It is also noted that IPG policy HSG2, policy DM3 of the MD DPD and policy SP02 of the CS seeks the overall provision of 45% family sized units (comprising 3 or more bedrooms) in the social rent tenure; the application proposes only 32% family sized units.
- 8.31 A more policy compliant mix could be achieved at the site, however it is considered that on balance, the provision of 100% affordable housing together with 32% family sized accommodation, 6 units of which comprise single family dwellinghouses, is considered to meet the Boroughs identified need for family accommodation. The over-provision of affordable housing in lieu of a policy compliant mix of tenure and dwelling sizes is considered acceptable.

Wheelchair Housing and Lifetime Homes

- 8.32 Policy HSG9 of the IPG and policy SP02 of the CS requires housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible.
- 8.33 All residential units would be built to Lifetime Homes Standards. In addition three wheelchair accessible units are proposed within the ground floor layout of the properties which meets the regional and local policy requirement. The proposed parking layout throughout the Brownfield Estate will also provide 13 disabled parking spaces for permit holders.
- 8.34 The proposed accessible units are considered to comply with lifetime homes standards and the level of wheelchair housing provision is in accordance with the requirements of IPG policy HSG9 and Core Strategy policy SP02. It is recommended that a condition is included to ensure that these units and standards are met during construction.

Design, Public Realm, Impact on Heritage Assets

- 8.35 Good design is central to the objectives of national, regional and local planning policy. Policy 3.5 of the London Plan provides guidance on the quality and design of housing developments and specifies a number criterion aimed at achieving good design. These criterion are reflected in saved policies DEV1, DEV2 and DEV3 of the UDP; strategic objectives and policies SO20, SO21, SO22, SO23 and SP10 of the CS, policies DM23 and DM34 of the emerging MD DPD and IPG policies DEV1 and DEV2.
- 8.36 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.
- 8.37 Furthermore, policy DEV2 of the IPG, supported by policy SP10 of the CS and DM24 of the MD DPD (proposed submission version January 2012) also seeks to ensure new development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.38 The application is not a 'tall building' within the definition set by the London Mayor as it is not higher than 30m above ground level, nor does it significantly exceed the height of neighbouring properties.
- 8.39 No demolition works are proposed as a result of the current proposals, all works are proposed to take place on existing areas of car parking, play space and vacant hardstanding.

Infill Site 1 (Located to the West of the Brownfield Estate)

- 8.41 The application proposes a three storey residential block on the site of the existing car park and garages and enclosed ball court. The proposed building is designed to be a stand alone block with an area of public open space provided directly in front of the block. The main entrance into the block is proposed to be served by an enhanced area of public realm with improved pedestrianised access between Ida Street and Brownfield Street. This is also sought to be achieved through enhancements in the public realm and landscaping which are proposed throughout the wider Brownfield Estate.
- 8.40 The proposed footprint of Infill Site 1 follows that of the existing residential blocks to the north and south of the site. The buildings to the north and south are both four stories in height and the proposal would be only three stories in height. The proposed siting and massing of the block is considered appropriate in the context of the site.
- 8.41 The design rationale is a simple, brick building that seeks to respect the surrounding residential blocks which are also of brick construction. Large windows are proposed at ground floor level, set back behind the front gardens or balconies of the residential properties, alongside windows on

both flank elevations providing natural surveillance to all of the surrounding streets.

- 8.42 Infill Site 1 would provide dual aspect units, all with private amenity space. All residential units meet the recently adopted London Plan floorspace Standards and all units are set back from the main building line providing defensible space for residents.
- 8.43 The proposed design, scale and bulk of Infill Site 1 is considered to be acceptable and in accordance with saved policies DEV1, DEV2 and DEV3 of the UDP; policies SO20, SO21, SO22, SO23 and SP10 of the CS, policies DM23 and DM34 of the MD DPD (proposed submission version January 2012) and IPG policies DEV1 and DEV2.
- 8.44 Given the location of the proposed development site, there would be limited views of the proposed development from the Balfron Tower conservation area. The proposals do not therefore impact upon the character or views of the conservation area.

Infill Site 2 (located to the East of the Brownfield Estate)

- 8.45 The application proposes a three storey residential block on the site of the existing car park and an area of communal space. The proposed building is designed to be a stand alone block with an area of public open space provided to the west of Infill Site 2. The main entrance into the block is proposed to be served by this area of public open space, but also by an enhanced public realm and landscaping which is proposed throughout the wider Brownfield Estate.
- 8.46 The proposed footprint of Infill Site 2 has been located to the east of the infill site to allow for the maximum use of the public open space. Objections have been raised with regard to its location, in favour of its position fronting Brownfield Street with the public open space to the rear. However, it is considered that the proposed layout provides the opportunity for natural surveillance and easy access from Brownfield Street of the proposed public open space and children's play area.
- 8.47 The proposed height of Infill Site 2 follows that of the existing residential blocks surrounding the site. The buildings to the east and south are four stories in height and the proposal would be only three stories in height. The proposed siting and massing of the block is considered appropriate in the context of the site.
- 8.48 The design rationale is a simple, brick building with the introduction of a zinc metal treatment at second floor level. The materials are considered to respect the surrounding residential blocks which are of brick construction. Large windows are proposed at ground floor level, set back behind the balconies of the residential properties, alongside windows on both flank elevations providing natural surveillance to the surrounding site, which will be enclosed.
- 8.49 Infill Site 2 provides dual aspect units to 6 of the 8 properties within the development. Only the two smaller 1 bedroom properties are single aspect units, although they have sufficient fenestration to serve the property. All family sized accommodation is dual aspect and all properties have private amenity space. All residential units meet the recently adopted London Plan floorspace Standards and all units are set back from the main building line providing defensible space for residents.
- 8.50 The proposed design, scale and bulk of Infill Site 2 is considered to be acceptable and in accordance with policies DEV1, DEV2 and DEV3 of the UDP; policies SO20, SO21, SO22, SO23 and SP10 of the CS, policies DM23 and DM34 of the MD DPD (proposed submission version January 2012) and IPG policies DEV1 and DEV2.
- 8.51 Given the location of the proposed development site, there would be limited views of the proposed development from the Balfron Tower conservation area. The proposals do not therefore impact upon the character or views of the conservation area.

Infill Site 3 (located at the junction of Brownfield Street and Lodore Street)

- 8.52 Infill Site 3 seeks to provide a new Ball Court, a play area and an enhanced public open space through the provision of paving and planting. The site currently comprises of an area of underused public open space which has no play facilities for residents to use. All landscaping and public realm enhancements are proposed to be in the same treatments which are proposed throughout the Estate providing a cohesive streetscene within the Brownfield Estate.
- 8.53 The design of the new ball court will provide an enclosed space for ball games with high level metal railings to allow natural surveillance into the Ball Court. The play space will be provided with play equipment suitable for children of all ages. The area will also be equipped with seating for accompanying adults.
- 8.54 Infill site 3 is located within the Balfron Tower conservation area. National guidance contained within the NPPF seeks to sustain and enhance heritage assets and put them into viable uses. This area of underused public open space will provide an enhanced public realm to the local residents and play facilities for residents providing a positive contribution to the local character and distinctiveness of the Balfron Tower Conservation Area.

Proposed Landscaping Works and Public Realm Enhancements

- 8.55 Saved UDP Policy DEV1, policy SP09 of the CS, policy DM23 of the emerging MD DPD and IPG policy DEV4, require development to consider the safety and security of users. Regards should also be given to the principles of Secure by Design. However, these matters must also be balanced against requirements to promote site permeability and inclusive design.
- 8.56 The planning application proposes new landscaping throughout the Brownfield Estate. As part of these works pedestrian routes will be enhanced, lighting improved, provision of new tree planting, provision of new front gardens to some properties within the estate. A number of smaller children's play areas are also proposed and any estate roads which are within the applicants control would also be upgraded.
- 8.57 These works would serve to improve the appearance of the Brownfield Estate and provide enhanced play and open space facilities for local residents.
- 8.58 As such it is considered that the layout of the proposals alongside the wider landscaping works would improve the appearance, permeability and accessibility of the application site. The proposal is therefore considered to accord with the requirements of saved UPD policy DEV1, CS policy SP09 and IPG policy DEV4.

Impact on adjoining Listed Buildings

- 8.59 The Grade II listed Balfron and Carradale House lie to the east of the wider application site. Given the distance between the three infill sites and the two listed buildings, it is not considered that the proposals would have an adverse impact on the setting of these listed building. The wider landscaping proposals would serve to enhance the setting of these listed buildings and therefore accords with policy CON1 of the IPG, policy SP10 of the Core Strategy, policy DM27 of the MD DPD and national guidance contained within the NPPF.

Amenity

Daylight

- 8.60 Policies DEV2 of the UDP, DM25 of the MD DPD and SP10 of the CS seek to ensure that adjoining buildings are not adversely affected by a material deterioration in their daylighting and sunlighting conditions. Policy DEV1 of the IPG states that development should not result in a material deterioration of sunlight and daylighting conditions for surrounding occupants. These policies also seek to ensure the amenity of future occupants. The applicant has submitted a detailed Daylight and Sunlight Report produced by PRP which considers the impacts upon

existing and future occupiers.

- 8.61 The submitted study assesses the impact of the development on existing properties surrounding both residential development sites. The study concludes that no windows fail to meet the BRE recommendations, as such the developments at Infill Sites 1 and 2 will not result in a loss of Daylight to neighbouring residential properties.
- 8.62 The submitted daylight and sunlight study prepared by PRP considers proposed light-levels within the proposed development for the future residents. It is considered from the information submitted that the daylight and sunlight availability would be within acceptable margins, based upon the report submitted.

Sunlight

- 8.63 Sunlight is assessed through the calculation of annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter for each window within 90 degrees of due south (i.e. those windows which receive sunlight).
- 8.64 The study concludes that no windows fail to meet the BRE recommendations, as such the developments at Infill Sites 1 and 2 will not result in a loss of Sunlight to neighbouring residential properties.

Conclusions

- 8.65 The submitted study shows that the development would not have an adverse impact on neighbours and future residential occupiers in terms of loss of daylight and loss of sunlight. The proposal is acceptable and complies with UDP policy DEV2, CS policy SP10, DM25 of the MD DPD (proposed submission version January 2012) and IPG policy DEV1.

Privacy

- 8.66 Saved UDP Policy DEV 2 and policy DM25 of the MD DPD (proposed submission version January 2012) requires that new development should be designed to ensure that there is sufficient privacy for neighbouring residents. The policies state that a distance of 18m between opposing habitable rooms reduces inter-visibility to a degree acceptable to most people.
- 8.67 Infill Site A achieves a separation distance of 18metres between the proposed development and the existing residential blocks to the north and south of the site. As such it is not considered that these existing residents will experience a loss of privacy.
- 8.68 At Infill Site 2, the east and west elevations of the property are able to achieve separation distances of 18metres or more. However, the flank elevations, or the north and south elevation of this block are only able to achieve separation distances of 15-16metres. The floorplans show that all windows located on the north and south elevation serve a non-habitable room, a bathroom or a kitchen. As such, it is considered appropriate to impose a condition if consent is granted that these windows are secured as obscure glazed at all times to ensure the residential amenity of local residents.
- 8.69 The proposal therefore accords with saved policy DEV2 of the UDP, policy SP10 of the CS, policy DM25 of the MD DPD (proposed submission version January 2012) and policy DEV1 of the IPG which seek to protect the amenity of future residents.

Residential Amenity Space

- 8.70 Saved UDP policy HSG 16 requires that new development should make adequate provision for amenity space, IPG Policy HSG7 and MD DPD policy DM4 sets minimum space standards for the provision of private, communal and child play space in new developments. London Plan Policy

3.6 on the provision of child play space is also relevant.

8.71 The application proposes 809.5 square metres of private amenity space in the form of balconies for the flats on the upper floors and garden space for the ground level accommodation. Under policy HSG7 of the IPG, 607 sqm of private amenity space is required in quantitative terms which therefore exceeds the local policy requirements.

8.72 Details of the required communal amenity and child play space is set out within the table below. The scheme is required to provide 306square metres of communal and child play space under IPG policy HSG7, MD DPD policy DM4 and under London Plan policy 3.6 requirements;

	LBTH Policy Requirement	London Plan Policy Req't
Communal Open Space	65 sq.m	N/A
Child Play Space-Under 4	28sq.m	94sq.m
Child Play Space-Under 5-10	27sq.m	89sq.m
Child Play Space-Under 11-15	17sq.m	58sq.m
Total	72 sq.m	241 sq.m

8.73 Given the complex nature of the proposals, each Infill Site is proposed to be assessed individually setting out the existing open space provision and the proposed provision. This is set out in the Table below.

Site	Existing			Proposed		
	Communal/amenity Space	Ball Court	Play Space	Communal/amenity Space	Ball Court	Play Space
Infill Site 1		400sq.m		255sq.m		170sq.m
Infill Site 2	980sq.m			855sq.m		220sq.m
Infill Site 3	1436sq.m				320sq.m	1116sq.m
Total	2816sq.m			2936sq.m		

Across the three sites, the development results in a marginal uplift in amenity space, and whilst this uplift does not meet the policy requirements, the upgrading of the play facilities and equipment for the local residents is considered to be a key asset to the local area. At present the Brownfield Estate has limited Local Area Play for children and the proposed scheme aims to deliver 6 new play areas, to meet the needs of the local community. Three of these new play spaces are located on the infill development sites whereas the remainder are located within the Estate.

8.74 The proposed landscaping enhancements across the Estate alongside proposals to provide quality communal and child play space through the three main development sites and the wider area is considered to accord with the requirements of IPG policy HSG7 and MD DPD policy DM4. It is however acknowledged that the proposal represents a shortfall under the requirement of the London Plan. However on balance it is considered that the enhancements and improvements provided to the existing spaces would be a substantial improvement to the estate.

Noise/Disturbance

- 8.75 Saved Policy DEV50 of the UDP, policy DM25 of the emerging MD DPD and policy SP10 of the CS states that the Council will consider the level of noise from a development as a material consideration. This policy is particularly relevant to construction noise during the development phase. To ensure compliance with this policy conditions would be placed on any permission restricting construction works to standard hours.

Transportation

- 8.76 National guidance on transport provision is given in PPG13: Transport. London Plan policies 6.1, 6.3, 6.9, 6.10, 6.13 IPG policies DEV16, DEV17, DEV18 and DEV19, emerging MD DPD policies DM20 and DM22 and CS policy SP09 in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.
- 8.77 Local Plan policies seek to require that consideration is given to the traffic impact of operational requirements of a proposed use and also seek to ensure priority is given to the safety and convenience of pedestrians.
- 8.78 The application is supported by a Transport Assessment which details the policy context and baseline conditions in respect of the local areas public transportation and road network.

Vehicle Parking

- 8.79 Full details of the principle of the loss of on-site car parking has been provided in paragraphs 8.4-8.11 above. If planning permission is granted, the developer would agree to enter into a car and permit free agreement so that no controlled parking permits are issued to new residents. This would prevent additional pressure for on-street parking and reduce congestion and promote the use of alternative modes of transport.
- 8.80 It is noted that some residents consider that the level of car-parking and the re-arranged layout of car parking throughout the wider Estate is insufficient under the current proposals. However, given the survey work undertaken to assess the number of permits issued to Poplar HARCA residents and spaces throughout the estate and the imposition of car and permit free agreements for all new residents (subject to operation of the Council's permit transfer scheme) coupled with the Council's policy objectives to promote sustainability, Officers consider that both residential parking arrangements are acceptable and accord with London Plan policies 6.1 and 6.13, MD DPD policy DM22 and IPG policy DEV19.

Cycle Parking

- 8.81 The application proposes 68 cycle parking spaces for the two residential blocks. For the single family houses at Infill Site 1, dedicated cycle stands are provided within the front gardens of each property and two separate storage areas provide facilities for the remainder of properties. Similarly Infill Site 2 would provide residents with a secure cycle store for all residents. The provision meets the standards for residential developments and visitor parking specified in IPG policy standards. The level of provision accords with London Plan policy 6.9 and IPG policy DEV16 and is acceptable. It is recommended that these stores are secured by condition.

Impact on Local Transport Infrastructure;

- 8.82 The transport assessment estimates that additional demand on train and bus services could easily be absorbed into existing capacity.
- 8.83 The submission has been reviewed by both the Council's Highway Engineers and Transport for London who have raised no objection. In overall terms, Officers are satisfied that with the proposals and the impact of the development on public transport and road capacity is acceptable. Given the relatively small size of the scheme, it is not considered that the cumulative impact of this and other development in the area is likely to be significant. The scheme would significantly

improve conditions in the immediate area of the site for cyclists and pedestrians through the landscaping enhancements and the development is acceptable in terms of transportation policies.

Others

Air Quality

- 8.84 Policy DEV11 of the IPG requires the potential impact of a development on air quality to be considered, with IPG policy DEV12 also requiring that air and dust management is considered during demolition and construction work.
- 8.85 It is likely that the proposal could have some adverse impacts in terms of the generation of dust emissions during the demolition and construction phases. It is considered that this matter can be controlled via an appropriate construction.

Renewable Energy and Energy Efficiency

- 8.86 London Plan energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and renewable energy technologies. Policy 5.2 and 5.7 state that new developments should achieve a reduction in carbon dioxide emissions of 40%. IPG policies DEV5 and DEV6 and CS policy SP11 have similar aims to London Plan policy.
- 8.87 The application is accompanied with an Energy Statement which details that the development would provide Photovoltaic Panels and the residential units would be completed to Code for Sustainable Homes Level 4.
- 8.88 The measures outlined are considered to accord with planning policies and are considered to be acceptable. The renewable and energy efficiency measures would be secured by condition.

Site Contamination

- 8.89 In accordance with the requirements of PPS23, saved UDP policy DEV51 and IPG policy DEV22 the application has been accompanied by an Assessment of Ground Conditions to assess whether the site is likely to be contaminated. The study has been reviewed by the Council's Environmental Health Officer who has concluded that there is a potential threat of contamination. The study identifies the need for further intrusive investigations and this, and any necessary mitigation, would be required by condition.

Other impacts on local infrastructure

- 8.90 Policy DEV4 of the adopted UDP, policy SP13 of the CS and Policy IMP1 of the IPG say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

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

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

The general purpose of s106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure such as education, community facilities, health care and open space and that appropriate infrastructure to facilitate the development i.e. public realm improvements, are secured.

- 8.91 The Council's draft Supplementary Planning Document (SPD) 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.

Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development would be approximately £358,701. This has been applied as follows through the SPD. Given the extent of public realm enhancements and landscaping proposed throughout the Estate, no public realm contributions are proposed to be sought.

The proposed heads of terms are:

Financial Contributions

Community Facilities £40,654

Education £312,042

Sustainable Transport £1,065

Employment £4,940

Non-financial Contributions

- a) 100% affordable housing units (comprising 17 social rent units and 8 affordable rented units)
- b) Car and permit free agreement
- c) Travel Plan
- d) Commitment to utilise employment initiatives

8.92 The planning application proposes the delivery of wide scale public realm works throughout the Estate and 100% affordable housing. In addition, the application proposes the delivery 48% social rented accommodation, and 52 Affordable Rent accommodation. All of these factors have had an impact upon the viability of the scheme and the subsequent delivery of Planning Obligations.

8.93 This application is supported by a viability toolkit which demonstrated that there was no provision to provide all of the S106 contributions or any further affordable housing as social rented accommodation. The viability appraisal has established that it is not viable for the proposal to deliver the planning obligations which are required to mitigate against the impact of the proposed development. The applicants have however offered a planning contribution of £37,500 (equivalent of £1,500 per unit) towards mitigation.

8.94 Based on the Borough's key priorities which are affordable housing, employment, community facilities and education, the S106 package is proposed to be focused to be shared proportionately amongst the key priority areas:

Financial Contributions

a) £31,972.50 towards Education

b) £4,042.50 towards Community facilities

c) £735 towards Employment and

b) £750 towards monitoring

Non-financial Contributions

- a) 100% affordable housing units (comprising 17 social rent units and 8 affordable rented units)
- b) Car and permit free agreement
- c) Travel Plan
- d) Commitment to utilise employment initiatives

For the reasons identified above it is considered that the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the relevant statutory tests.

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

- 8.95 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 15th January 2012, Parliament has enacted an amended section 70(2) as follows:
- 8.96 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.
- 8.97 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.
- 8.99 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.
- 8.100 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.
- 8.101 Officers are satisfied that the current report to Committee 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.
- 8.102 Regarding Community Infrastructure Levy considerations, following the publication of the London Mayor's Community Infrastructure Levy, Members are reminded that the London Mayoral CIL is now operational, as of 1 April 2012.
- 8.103 The Regional Growth Fund (RGF) is now a £2.4bn fund operating across England from 2011 to 2015. It supports projects and programmes that lever private sector investment to create economic growth and sustainable employment. It aims particularly to help those areas and communities which were dependent upon 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 financial and non-financial contributions toward Enterprise and Employment, (referred to in paragraph 3.1 of the Officers report), there is likely to be a range of job opportunities, both skilled and un-skilled that would support the aim of the initiative to create economic growth and sustainable employment.
- 8.104 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.

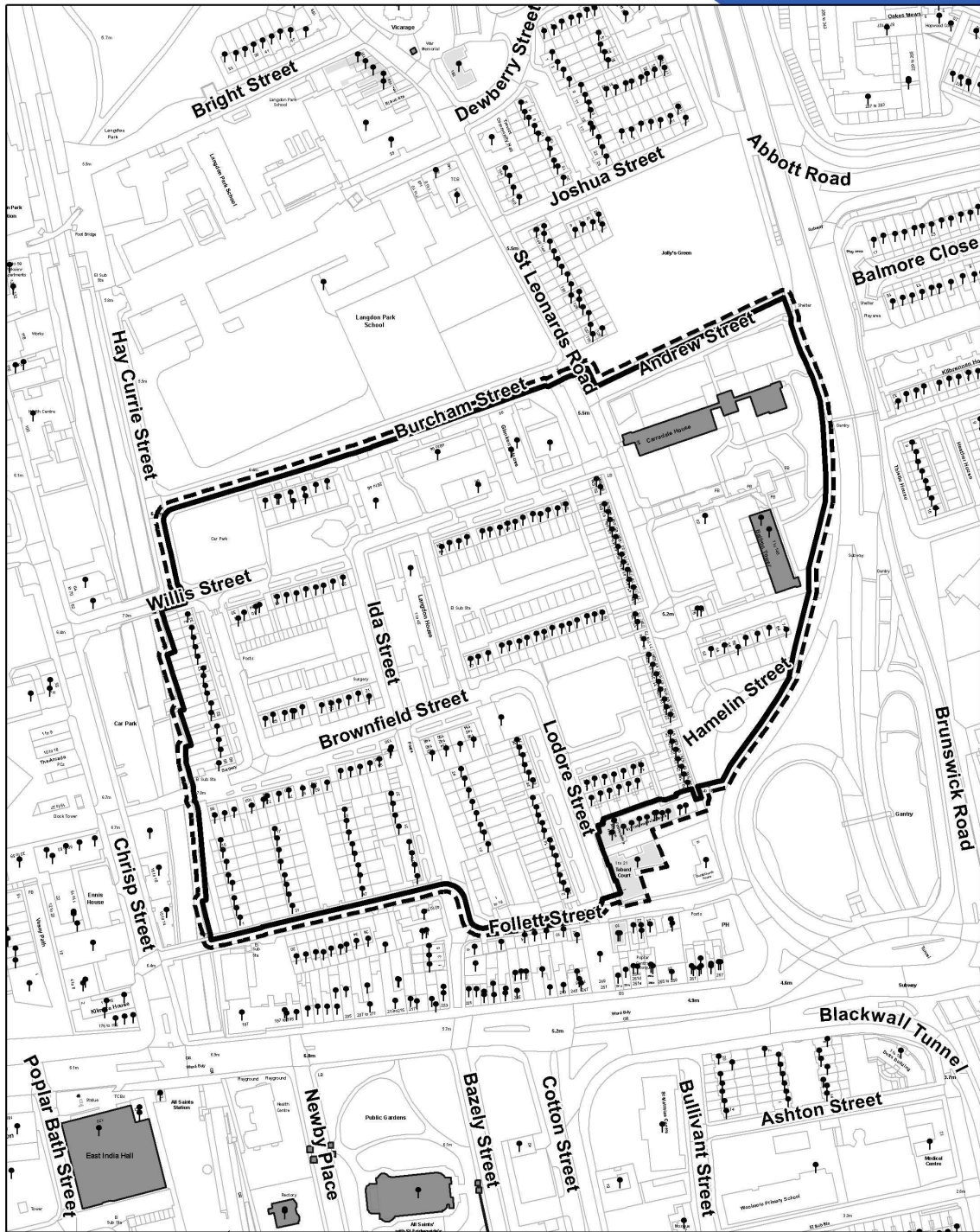
8.105 Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £31,985 within the first year and a total of £191,911 over a rolling six year period. There is no policy or 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.


8.106 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 social rent (17 units), with the remainder being affordable rent (8 units).

9.0 **Conclusions**

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


Planning Application Site Map





 Planning Application Site Boundary

 Locally Listed Buildings

 Land Parcel Address

 Consultation Area

 Statutory Listed Buildings

0 30 m




1:2,750

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

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