

Committee: Development	Date: 10 th October 2012	Classification: Unrestricted	Agenda Item No:
Report Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Mandip Dhillon		Ref No: PA/12/01019	
		Ward(s): Bromley by Bow	

1. APPLICATION DETAILS

Location: Bow Cross Phase 11, Bow Cross Estate, Rainhill Way, London

Existing Use: Vacant brownfield site adjoining DLR line

Proposal: Construction of 18 residential units comprising of 7 x 1 bed, 7 x 2 bed and 4 x 3 bed properties arranged over 2, 3 and 4 storey blocks. (affordable housing)

Drawing No's: Drawings:
AA0286/2.1/001 Rev A
AA0286/2.1/002 Rev B
AA0286/2.1/003 Rev B
AA0286/2.1/004
AA0286/2.1/005
AA0286/2.1/901
AA0286/2.3/021 Rev D
AA0286/2.3/022 Rev B
AA0286/2.3/023 Rev B
AA0286/2.3/024 Rev B
AA0286/2.3/025 Rev B
AA0286/2.3/026 Rev B
AA0286/2.3/027
AA0286/2.3/028 Rev A
AA0286/2.3/035 Rev Q
DFC1188TPP

Supporting Reports:
Arboricultural Impact Assessment dated 7th December 2011
Highways Statement dated March 2012
Phase 11 Noise and Vibration Report dated 17th April 2012 ref 067730/ph 11/B
Planning and Affordable Housing Statement dated 25th April 2012
Sustainability and Renewable Energy Statement dated 15th February 2012
Design and Access Statement dated April 2012
Daylight Sunlight Assessment dated 5th May 2012

Applicant: Swan Housing Group

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

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Eileen McGrath 020 7364 5321

Owner: Swan Housing Group and Poplar HARCA

Historic Building: N/A

Conservation Area: 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 Core Strategy 2010, the London Borough of Tower Hamlets Unitary Development Plan, the Council's Managing Development DPD (Submission version 2012), Interim Planning (2007), adopted supplementary planning guidance and documents, the London Plan 2011 and the National Planning Policy Framework and has found that:

- The proposal is in line with the Mayor of London and Council's policy, as well as Government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3.4 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development DPD (Submission version 2012) which seek to ensure the use of land is appropriately optimised.
- The proposal provides an acceptable level of affordable housing and mix of units. As such, the proposal is in line with policies 3.8, 3.10, 3.11, 3.12, 3.13 of the London Plan 2011, saved policy HSG7 of the Council's Unitary Development Plan 1998, policy DM3 of Managing Development DPD (Submission version 2012), and policy SP02 of the Core Strategy (2010) which seek to ensure that new developments offer a range of housing choices.
- The proposed development is acceptable in terms of scale, bulk, design, use of materials and appearance. As such, the scheme is in line with policies 7.1 and 7.6 of the London Plan 2011, Policy SP10 of the adopted Core Strategy (2010), policies DM24 and DM26 of the Managing Development DPD (Submission version 2012), and saved policy DEV1 of the Council's Unitary Development Plan 1998, which seek to ensure buildings are of a high quality design and suitably located.
- The scheme provides acceptable space standards and layout. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, DM4 of the Managing Development DPD (Submission version 2012), and policy SP02 of the Core Strategy Development Plan Document 2010 and policy 3.5 of the London Plan 2011 which seek to provide an acceptable standard of accommodation.
- The proposed amount of amenity space is acceptable and in line with policy DM4 of the Managing Development DPD (Submission version 2012), and policy SP02 of the Core Strategy Development Plan Document (2010), which seek to improve amenity and liveability for residents.
- The proposal would not give rise to any unduly detrimental impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding residents. Also, the scheme proposes appropriate mitigation measures to ensure a satisfactory level of residential amenity for the future occupiers. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998), policy DM25 of the Managing Development DPD (Submission version 2012), and policy SP10 of the of the Core Strategy Development Plan Document 2010 which seek to protect residential amenity.

- Transport matters, including parking and access are acceptable and in line with policies T16 and T19 of the Council's Unitary Development Plan 1998, policy DM20 and DM22 of the Managing Development DPD (Submission version 2012), and policy SP08 and SP09 of the Core Strategy Development Plan Document (2010) which seek to ensure developments minimise parking and promote sustainable transport options.
- The development, through the provision of a CHP would result in a satisfactory reduction in carbon emissions and also seeks to secure the code for sustainable homes level 4 which is in accordance with policy SP11 of the Core Strategy and the energy hierarchy within the London Plan (2011) policies 5.2 and 5.7, and policy DM29 of the Managing Development DPD (Submission version 2012), which seek to reduce carbon emissions from developments by using sustainable construction techniques and renewable energy measures.
- Contributions have been secured towards the provision of affordable housing; education improvements; and access to employment for local people in line with Regulation 122 of Community Infrastructure Levy 2010; saved policy DEV4 of the Council's Unitary Development Plan 1998; and policy SP02 and SP13 of the Core Strategy Development Plan Document 2010, which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

- a) 100% affordable housing (18 residential units)
- b) £72,564 towards Education
- c) Car and permit free agreement (except for blue badge holders)
- d) Travel Plan
- e) Employment and Enterprise initiatives
- f) 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. Three Year time limit for full planning permission.
2. Development in accordance with plans.
3. Noise and vibration assessment on the proposed building structure (transmission through the piles and foundations) to determine the level of vibration and ground borne noise likely within this development from the railway tunnels. (DLR).
4. Contaminated land – details to be submitted for approval.
5. Development to be built in accordance with DLRLs guidance.
6. Prior agreement of construction plan required with DLR before any works can commence on site.
7. Full details of Energy Strategy to be submitted and approved.
8. Crossrail Safeguarding details to be submitted for approval.

9. Detail of measures to meet Code for Sustainable Homes.
10. Construction Environmental Management Plan.
11. Construction Hours (8am – 6pm Monday to Friday, 8am – 1pm Saturday only).
12. Scheme of highways works.
13. Development to comply with lifetime homes standards.
14. Provision of refuse and recycling facilities in accordance with drawing.
15. Provision of cycle spaces in accordance with drawing.
16. The development shall comply with the requirement of 'Secured by Design'.
17. Provision of a cycle land and associated signage.
18. Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

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

- 3.4 That, if within 3 months of the date of this committee 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 An outline planning application (PA/03/01683) for the Crossways Estate regeneration was granted consent on the 5th August 2005. The permission involved refurbishment and modification of existing housing stock as well as the construction of new residential blocks. This included the redevelopment of the application site, known as 'Phase 11'. The outline planning permission granted for the wider estate and Phase 11 has now lapsed and the applicants have therefore submitted this full planning application for the development of the final phase at the Crossways Estate, Phase 11.
- 4.2 The subject application is for the northern part of the wider Crossways estate. The site lies to the east of the DLR line which runs through the Crossways Estate. Rainhill Way also runs through the application site.
- 4.3 This application proposes the construction of 18 residential units abutting the railway lines, with Rainhill Way lying to the east/front of the proposed units. Phase 11 will also facilitate the re-instatement of the north south vehicular access link along Rainhill Way which has been severed. The application proposes landscaping in the far eastern part of the application site, which lies on the opposite side of Rainhill Way, alongside the provision of 3 allocated parking bays for Phase 11, providing on-site disabled parking.
- 4.4 The proposal seeks to provide 100% affordable housing, with all units provided as wheelchair adaptable/accessible. This is being provided by the applicants in order to accord with the requirements of the original planning permission (PA/03/01683) which sought wheelchair adaptable units within the wider Crossways Estate. To date, only 9 units have been delivered and these proposals will seek to meet the shortfall in provision which was previously agreed. Details of Wheelchair housing delivery are set out below for information purposes:

Planning Reference	Description of Development	Decision	Decision Date	Comments
PA/05/01263	Submission of details pursuant to condition 8a, 8b, 8c and 8d (accessibility, sunlight/daylight, Eco-Homes, Lifetime Homes) of outline planning permission dated 5th August 2005, reference PA/03/01683.	Approved	27/9/05	9/Nine wheelchair units proposed and approved within First Phase new build.
PA/08/02186	Submission of details pursuant to conditions 4 (tree plan), 7 (parking layout), 8a (access statement), 8b (daylight/sunlight assessment), 8d (lifetime homes and wheelchair housing provision report), 9 (landscaping), 14 (strategic sustainability report), 16 (air quality) and 20 (environmental mgt plan) of planning permission dated 5th August 2005, reference PA/03/1683.	Approved	10/02/09	Sites 4a and 4b-phase 10. Report indicated the delivery of 33 wheelchair housing units (overall), 24 to be delivered in Phase 11.
PA/09/00297	Submission of details pursuant to condition 7 (parking layout), condition 8a (access statement), condition 8c (Eco-Homes Report), condition 8d (lifetime homes and wheelchair housing provision), condition 11 (sound insulation and vibration isolation), condition 14 (strategic sustainability), condition 16 (air quality) and conditions 17, 18, 19 and 20 (construction traffic, parking, air pollution and environmental management plan) of planning permission dated 5th August 2005, reference PA/03/1683.	Approved	21/5/09	Phase 7-Site 3c. No wheelchair housing provision (to be delivered in Phase 11).
PA/10/02591	Submission of details pursuant to discharge of conditions 3 (I, II, III, IV – Site contaminations and Remediation, Phase 6), 8A (Access, Phase 3 & 6), 8B (Sunlight and Daylight, Phase 3 & 6), 8C (Ecohomes, Phase 6), 8D (Lifetime Homes/Wheelchair Housing, Phase 3 and 6), 14 (Sustainability, Phase 6), 16 (Air Quality, Phase 6, Phase 7) 17 (Construction traffic, Phase 6),	Approved	18/04/11	The report submitted again states that wheelchair housing is being provided in other phases of the developmen

	18 (Construction Parking, Phase 6, Phase 7), 19 (Construction Air Pollution, Phase 6), 20 (Environmental Management, Phase 6), 21 (Crossrail Tunnel Vibration Effects, Phase 6) of application dated 05/08/05, ref: PA/03/1683.			t, namely Phase 11.
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Site and Surroundings

- 4.5 The application site comprises a portion of land within the Crossways Estate. This application site has an area of 0.22Ha. This site forms the northern portion of the wider Crossways Regeneration Scheme approved under planning permission PA/03/01683.
- 4.6 The site is located on Rainhill Way within 40 metres (to the north) of Bow Road. The site is a previous railway cutting, which is being redeveloped as part of the Crossways Estate regeneration. The current application represents the last site to be regenerated on the estate, apart from the refurbishment of the third of the existing tower blocks.
- 4.7 An existing DLR line is located to the west of the site. The DLR line runs through the Crossways Estate. Immediately to the south of the wider Crossways estate is a railway viaduct which accommodates both London Underground and C2C services.
- 4.8 Located on the opposite side of Campbell Road, which lies to the west of the application site, is a mixture of development including residential and commercial uses as well as the Cherry Trees School. Bow Church DLR Station is located immediately to the north of the site and Devons Road DLR Station is located to the south. Bow Road Underground Station (Hammersmith & City and District lines) is located approximately 300 metres to the north west. There is a bus stop located on Campbell Road adjacent to the site. Increased pedestrian connectivity between the Crossways estate and the Bow Church DLR has been secured through a new pedestrian link from Rainhill Way to the DLR Platform. This new link directly adjoins the northern boundary of the application site.

Planning History

- 4.9 Outline Planning Ref. No. PA/03/01683 was granted permission on the 5th August 2005. The application was for demolition of 1-43 Holyhead Close as well as refurbishment, including cladding, of three tower blocks, and sub-division of larger flats therein to increase the number of units from 276 to 296 units. Also, new development of 363 units of housing for sale and for rent, in blocks up to 6 storeys high, on land within the estate including designated housing amenity land. The proposal included a new access road and a new community centre, with associated parking and landscaping.
- 4.10 Application Ref. No PA/06/1852 for erection of buildings up to six storeys to provide 232 flats was approved by the Development Committee on 10 January 2007.
- 4.11 Application Ref. No. PA/06/02095 for the refurbishment and extension of ground and first floors of Priestman Point to provide a new community centre was approved 11 January 2007.
- 4.12 Application Ref. No. PA/04/01131 for construction of buildings ranging from three to six storeys to provide 104 dwellings at the southern portion of the Crossways Estate was withdrawn 27 January 2007.
- 4.13 Application Ref. No. PA/06/2316 for the erection of 2 No. containers to house temporary

boilers to serve Hackworth Point was withdrawn on 02 February 2007.

- 4.14 On 24 September 2007, the Planning Inspectorate dismissed 2 x planning applications (PA/06/886 & PA/06/1865) as well as an enforcement appeal for development of Site 11 Crossways Estate (Co-joined appeals Refs. Nos. APP/E5900/A/07/2041336, APP/E5900/A07/2042697/NWF, APP/E5900/C/07/2042018).
- 4.15 On 18th February 2008, the Planning Inspectorate dismissed application PA/07/898 for development of Site 11 (Appeal Ref. No. APP/E5900/A/07/2055314/NWF).
- 4.16 PA/08/00112- Phase 5 amendments to proposed tenure within Blocks A and B. Approved 24th July 2008.
- 4.17 Application Ref. No. PA/11/00353, Application under S73 of the Town and Country Planning Act for a minor material amendment to planning permission PA/06/01852 (dated 27th June 2008) by way of varying condition 19 as proposed under PA/11/00319 (non-material amendment to PA/06/01852). The minor material amendment seeks to amend the tenure mix of blocks C & D in phase 5 by swapping 66 one and two-bedroom flats from private to affordable. Application granted consent 30th March 2011.

5. POLICY FRAMEWORK

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

5.2 Core Strategy Development Plan Document 2025 (adopted September 2010)

Strategic Objectives	SO7	Urban living for everyone
	SO8	Urban living for everyone
	SO9	Urban living for everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO12	Creating a Green and Blue Grid
	O013	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
	Policies	SP02
SP03		Creating healthy and liveable neighbourhoods
SP04		Creating a green and blue grid
SP05		Dealing with waste
SP09		Creating attractive and safe streets and places
SP10		Creating distinct and durable places
SP11		Working towards a zero-carbon borough
SP12		Delivering placemaking

5.3 Unitary Development Plan 1998 (as saved September 2007)

Policies	DEV1	Design requirements
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DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV12	Provision of Landscaping in Development
DEV50	Noise
DEV51	Soil tests
DEV55	Development and Waste Disposal
DEV56	Waste recycling
HSG7	Dwelling mix and type
HSG13	Internal Space Standards
HGS16	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

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

Proposals: Draft Crossrail boundary

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	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
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV22	Contaminated Land
	HSG1	Determining Housing Density
	HSG2	Housing Mix
	HSG3	Affordable Housing
	HSG5	Estate Regeneration Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing

5.5 Managing development DPD (Submission Version 2012)

Policies	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	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 public realm
	DM24	Place-sensitive design
	DM25	Amenity

DM26	Building Heights
DM29	Achieving a zero carbon borough and addressing climate change
DM30	Contaminated Land

5.6 Supplementary Planning Guidance/Documents

Planning Obligations SPD 2012

5.7 The Mayor's Spatial Development Strategy for Greater London, The London Plan 2011

Policies:	3.3	Increasing housing supply
	3.5	Quality and design of housing design
	3.6	Children and young people's play and informal recreation facilities
	3.8	Housing choice
	3.10	Definition of affordable housing
	3.11	Affordable housing targets
	3.12	Negotiating affordable housing on individual private residential and mixed use schemes
	3.13	Affordable housing thresholds
	5.1	Climate change mitigation
	5.2	Minimising carbon dioxide emissions
	5.3	Sustainable design and construction
	5.5	Decentralised energy networks
	5.6	Decentralised energy in development proposals
	5.7	Renewable energy
	5.11	Green roofs and development site environs
	5.13	Sustainable drainage
	5.17	Waste capacity
	5.21	Contaminated land
	6.9	Cycling
	6.11	Walking
	6.13	Parking
	7.1	Building London's neighbourhoods and communities
	7.2	An inclusive environment
	7.4	Local character
	7.5	Public realm
	7.15	Reducing noise and enhancing soundscapes
	8.2	Planning obligations

5.8 Government Planning Policy

NPPF National Planning Policy Framework 2012

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

6.2 LBTH Environmental Health- Noise and Vibration

Given the proximity of the application site to the adjoining DLR line, Environmental Health have concerns with the current proposal. Details of noise mitigation measures for future residents are required, including vibration isolation of the building, acoustic glazing and adequate acoustic ventilation, this should be secured by condition.

(Officer Comment: Whilst concerns have been raised with regard to the potential noise for future residents, these matters can be dealt with by way of a condition in order to ensure the future development is habitable for residents.)

6.3 LBTH Environmental Health- Contaminated Land

The site and surrounding area have been subjected to former industrial uses which have the potential to contaminate land. It is requested that a condition is imposed to secure site investigations to identify pollutants and an appropriate remediation strategy is secured.

(Officer Comment: The requested condition will be attached to any consent issued at the site.)

6.4 LBTH Biodiversity

No comments received to date.

6.5 LBTH Arboricultural Officer

No comments received to date

6.6 LBTH Corporate Access Officer

Concerns have been raised with regard to the size and accessibility/lift installation within each unit.

(Officer Comment: Officers have worked with the applicants to seek to ensure all units are adaptable and of a good quality. The layout of many units has now been revised and are considered to be acceptable.)

6.7 LBTH Energy Efficiency

The current application proposes a 39.6% reduction in CO2 emissions which complies with policy. Further details are however required of the proposals to ensure they are able to deliver the forecast reductions.

(Officer Comment: A condition will be imposed to ensure full details are provided to secure the implementation of the energy strategy submitted.)

6.8 Crime Prevention Officer

Some of the ground floor balconies/railings make it easy to climb and intrude into this development. The design includes undercrofts and recesses which are not a secure by design principle.

(Officer Comment: The ground floor layout provides a buffer zone between the development site and the public footpath through the provision of private amenity space. These spaces are proposed to be secured by open railings to provide an open and permeable environment for residents and passers by. Whilst it may be considered that the balconies and railings are likely to generate a nuisance, the design has sought to integrate the proposed development into the existing estate, rather than barrier it off. The scheme does not provide full undercrofts, although there are canopies over entrances into the communal blocks and recesses in the design of the block to articulate this linear block. It is considered on balance that the design is acceptable and does not present undue concern with regard to nuisance or ASB at the Crossways estate.)

6.9 **LBTH Housing**

Following much negotiation, all units are now adaptable, wheelchair accessible units for future residents. Housing welcome and support the provision these units.

All housing is proposed to be delivered as affordable housing, at social rented tenure, which is supported by the Council.

The type and mix of accommodation is reflective of the need for adaptable/wheelchair accessible accommodation in the borough and is therefore considered to be acceptable.

6.10 **LBTH Highways**

No objection in principle. A car and permit free agreement should be secured at the site. Cycle parking provision on site meets policy requirements and is acceptable. Principle of reinstating Rainhill Way as a one-way route is acceptable. Highways would welcome additional cycle connectivity within the new highway link on Rainhill Way.

(Officer comment: The application will be secured as car and permit free. Details of cycle accessibility on Rainhill Way will be secured by condition.)

6.11 **LBTH Education**

No comments received.

(Officer Comment: The proposed development will generate 5 primary school places and 3 secondary school places which necessitates a contribution of £141,191. The applicants have submitted a viability toolkit alongside this application. Full details of the viability of the scheme and planning obligations secured are set out within Material Planning Considerations.)

6.12 **LBTH Employment and Enterprise**

The proposed development should secure planning obligations in accordance with the adopted SPD 2012. These necessitate financial and non-financial planning obligations at the site. The financial obligations are in the region of £3,820 for construction phase employment opportunities.

(Officer comment: The applicants have submitted a viability toolkit alongside this application. Full details of the viability of the scheme and planning obligations secured are set out within Material Planning Considerations.)

6.13 **LBTH Communities, Localities and Culture**

The proposed development should secure planning obligations in accordance with the adopted SPD 2012. The financial obligations sought are £22,307.06 for community facilities and £582.15 towards sustainable transport and £31,142.70 towards public realm improvements.

(Officer comment: The applicants have submitted a viability toolkit alongside this application. Full details of the viability of the scheme and planning obligations secured are set out within Material Planning Considerations.)

6.14 **Docklands Light Rail (DLR)**

No objection in principle. It is requested that a condition is imposed to ensure the development is built in accordance with DLRL's guidance. A condition has been requested to ensure the applicant seeks DLRL's approval for works around the railway before works commence and to ensure adequate protection of the DLR supporting infrastructure, use of tower cranes, site management plans etc. DLR have also requested £20,000 towards the cost of installing realtime travel information screens at the Bow Church station.

(Officer comment: The requested conditions will be imposed on any consent issued at the

site. In light of the improvements delivered via an additional pedestrian route from Rainhill Way to Bow Church Station, it is considered that the financial request for a realtime travel information screen is unjustified and does not meet the requirements of the CIL regulations 2010.)

6.15 LBTH Waste

No objections raised to the proposed refuse and recycling arrangements.

6.16 Thames Water

The Authority recommends standard informatives for waste and water management

6.17 Crossrail

The site is within the limits of land subject to consultation under the safeguarding direction. As such, it is requested that an appropriate condition is imposed if the Council are minded to grant planning permission.

(Officer comment: The requested condition will be added to any consent issued at the site.)

7. LOCAL REPRESENTATION

7.1 A total of 78 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2 No. of individual responses: 3 Against: 2 In Support: 0 Comment: 1
Petition: Objection 1 (46 signatures) Support 0

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

Land Use

- Overdevelopment of the Site (overpopulation)
- Loss of green and open spaces
- Pressure on local amenities
- This area could/should be used as open space for the Crossways Estate
- Inadequate provision of child play space

Transport

- Access for vehicles during construction period
- Is Rainhill Way going to be a through route? Will this lead to rat-running?

Design

- Proposed height could obscure views and light

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of the Land Use and Density
2. Housing
3. Design
4. Amenity
5. Transportation
7. Others and Planning Obligations

8. Localism Act

Principle of the Land Use and Density

Land Use

- 8.2 Delivering housing is a key priority both nationally and locally and this is acknowledged within the National Planning Policy Framework, Strategic Objectives 7, 8 and 9 of the Core Strategy and policy 3.1 of the London Plan which gives Boroughs targets for increasing the number of housing units.
- 8.3 Core Strategy 2010 (Core Strategy) policy SP02 sets Tower Hamlets a target to deliver 43,275 new homes (2,885 a year) from 2010 to 2025. An important mechanism for the achievement of this target is reflected in London Plan 2011 (London Plan) policies 3.3 and 3.4 which seek to maximise the development of sites and thereby the provision of family housing to ensure targets are achieved.
- 8.4 The principle of the scheme was previously established in the outline application for the entire Crossways estate regeneration (PA/03/1683). The site does not have an allocation in the Unitary Development Plan nor the Managing Development DPD (submission version 2012). Taking this into account, and given the surrounding area is predominantly residential in character, it is considered that this development would be an acceptable use of previously developed land and would be in accordance with the above planning policies.
- 8.5 Concerns have been raised by local residents with regard to loss of open space and the potential use of the application site as an area of open space to serve the Crossways Estate. The existing site is an area of brownfield land and not public open space, the development does not therefore result in the loss of open space at the site. The Council are required to assess the application before them which seeks to provide housing at this site, a principle which was established under the original outline consent.

Density

- 8.6 The London Plan density matrix within policy 3.4 suggests that densities within urban sites with good transport links should be within the range of 450-700 habitable rooms per hectare. This is reinforced by policy HSG1 of the Interim Planning Guidance and policy SP02 (2) of the Core Strategy (2010) which seek to correspond housing density to public transport accessibility and proximity town centres.
- 8.7 Policy HSG1 of the IPG specifies that the highest development densities, consistent with other Plan policies, will be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and type of housing proposed. Consideration is also given to standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.
- 8.8 The proposed density of the application site is around 500 habitable rooms per hectare. This density calculation has not taken into account the site area of the landscaping works and reinstatement of the road. This density level falls comfortably within the recommended guidelines.
- 8.9 Furthermore, as discussed further below, it is not considered that the proposed scheme gives rise to any of the symptoms of overdevelopment. As such, the density is considered acceptable given that the proposal poses no significant adverse impacts and meets the recommended guidelines.

Housing

- 8.10 The application proposes 18 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 18 proposed residential units:-

Table 1	Market Sale	Affordable Rent	Social Rent	Shared Ownership
Studios	0	0	0	0
1 Bedroom unit	0	0	7	0
2 Bedroom unit	0	0	7	0
3 bedroom unit	0	0	4	0
4 Bedroom unit	0	0	0	0
5 Bedroom unit	0	0	0	0
Total Units	0	0	18	0
Total Affordable Units	0	0	100%	0
Habitable Rooms	0	0	51	0

- 8.11 Policies 3.10, 3.11 and 3.12 of the London Plan (2011) define Affordable Housing and seek the maximum reasonable amount of affordable housing taking into account site specific circumstances and the need to have regard to financial viability assessments, public subsidy and potential for phased re-appraisals.
- 8.12 Policy SP02 of LBTH's Core Strategy (2010) seeks 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.
- 8.13 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.
- 8.14 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. In addition, the development seeks to provide 100% social rented accommodation which is also welcomed and supported.
- 8.15 Social rented housing is defined as:
Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.
- 8.16 Given the application proposes 100% affordable housing, with the 4 family sized units at social rent, on balance the proposed development provides an acceptable development which is supported by the Councils Housing Team.

Dwelling mix

- 8.17 In total 4 family sized units are provided which is equivalent to approximately 31% of all the accommodation proposed (measured by habitable rooms). Policy SP02 requires 30% of all developments as 3 bedroom units or larger, but within the social rented sector 45% should be for families.
- 8.18 In this case, 31% of the units within the social rented tenure would be family sized. Whilst this level of provision of family sized accommodation is not policy compliant, it is considered that given the delivery of 100% affordable housing at the site and the spatial constraints of the site with noise sensitive facades, the provision of family sized affordable housing has been maximised within the development.
- 8.19 It is considered that there is a suitable mix of units within the scheme and it would provide for a wide range of occupants, and on balance it is considered to meet the Borough's 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

- 8.20 The London Plan requires that 10% of all housing developments are suitable for wheelchair users. In this case all of the residential units proposed, 18 units in total, are proposed to be wheelchair accessible.
- 8.21 This is being provided by the applicants in order to accord with the requirements of the original planning permission (PA/03/01683). The original outline planning permission (PA/03/01683) did not require 10% wheelchair units, but permissions were granted for later phases (e.g. PA/09/00297) which allowed zero wheelchair provision on those phases, but submitted statements which indicated that a total of 33 wheelchair units would be provided across the estate as a whole.

To date, only 9 units have been delivered within the Crossways Estate regeneration and these proposals will seek to meet the shortfall in provision which was previously agreed. The units to be delivered in the proposed development will provide a total across the estate of 27 units. The original plans for this development site showing a larger number of units had to be adapted due to land title errors.

- 8.22 Whilst the provision of 27 units overall is a shortfall in the overall delivery of adaptable units, the Council is supportive of the delivery of these adaptable units within the Crossways Estate and accepts that the Phase 11 site has been unable to deliver the quantum of housing originally anticipated under the outline consent. Intensification of this site is likely to lead to other concerns with this development, namely amenity and design concerns. The proposals are therefore considered on balance to be acceptable and in accordance with the requirements of IPG policy HSG9 and Core Strategy policy SP02.

Design

- 8.23 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.
- 8.24 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.

- 8.25 Furthermore, policy DEV2 of the IPG, supported by policy SP10 of the CS and DM24 of the MD DPD (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.
- 8.26 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.
- 8.27 No demolition works are proposed as a result of the current proposals, all works are proposed to take place on existing areas of hardstanding.

Proposed Development

- 8.28 The application proposes a development which is arranged over 2, 3 and 4 storeys across a linear site. The design principle follows the general design proposal of the wider Crossways Estate regeneration to ensure the proposal site is integrated into the overall site-wide development. The development massing is 4 storeys where it abuts the existing development at Site 4B, which is 3 storeys in height. From this element, the heights step down to 3 storeys and 2 storey dwelling houses where the site meets the proposed pedestrian access point which links Rainhill Way to the Bow Church DLR. Given the topography of the proposed vehicular route of Rainhill Way and the adjoining building heights in the area, the proposed development is considered to be of a scale which reflects and is in-keeping with the local environs.
- 8.29 The design rationale is a simple, buff brick building which seeks to reflect the colour and texture of the Phase 5 development located adjacent to the application site. The design detailing is seeking to provide large windows within the front elevation, set back behind the front gardens or balconies of the residential properties, providing natural surveillance to all of the surrounding streets and maximum levels of illumination to the proposed residential dwellings.
- 8.30 The design, scale and bulk of the proposed development 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 (submission version 2012) and IPG policies DEV1 and DEV2.
- 8.31 Given the location of the proposed development site, there would be limited views of the proposed development from the Tomlins Grove conservation area and the Grade II listed buildings located on Campbell Road. The proposals do not therefore impact upon the character or views of these heritage assets.

Proposed Landscaping Works and Public Realm Enhancements

- 8.32 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.
- 8.33 The planning application proposes new landscaping opposite the residential units, within the Crossways Estate. As part of these works pedestrian routes will be enhanced, lighting improved, provision of new tree planting, and re-instatement of the north-south vehicular route within the estate.

- 8.34 These works would serve to improve the appearance of the Crossways Estate and provide enhanced landscaping and walking routes for local residents.
- 8.35 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.

Amenity

Internal Space Standards

- 8.36 London Plan policy 3.5 seeks quality in new housing provision. London Plan policy 3.5, MD DPD policy DM4 and saved UDP policy HSG13 requires new development to make adequate provision of internal residential space.
- 8.37 The submitted drawings and details of the unit layouts show that the units are in-line with the requirements of the space standards set out in policy 3.5, table 3.3, of the London Plan 2011 and policy DM4 of the MD DPD.

Daylight

- 8.38 Policies DEV2 of the UDP, DM25 of the MD DPD and SP10 of the CS seek to ensure that adjoining buildings and occupiers 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 Environmental which considers the impacts upon existing and future occupiers.
- 8.39 The submitted study assesses the impact of the development on existing properties surrounding the proposed residential development site. The study concludes that no windows fail to meet the BRE recommendations, and as such the development will not result in a loss of Daylight to neighbouring residential properties.
- 8.40 Supplementary information was provided to the Council of the 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 for future residents.

Sunlight

- 8.41 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).
- 8.42 The results of the study show annual and winter sunlight levels, to some properties at Rainhill Way are likely to experience losses of sunlight. The losses impact upon the block opposite the application site, 26-42 Rainhill Way. All windows experiencing a loss as a result of the daylight and sunlight assessment are recessed windows and windows under existing balconies at this block. The existing design of 26-42 Rainhill Way and the massing of the building are likely to be a partial cause of the failures experienced at the site. These pre-existing conditions have created results showing a minor negative impact on the daylight and sunlight of these units as a result of the proposed development. Less than 20% of the windows within the affected block (26-42 Rainhill Way) would experience a

minor loss of sunlight, given that this is an existing situation at the site, is a minor negative impact, and given the urban context of the application site, on balance the proposals are not considered so significant as to warrant refusal of the planning application.

Conclusions

- 8.43 The submitted study shows that the development would not have a substantial 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 (submission version January 2012) and IPG policy DEV1.

Privacy

- 8.44 Saved UDP Policy DEV 2 and policy DM25 of the MD DPD (submission version 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.
- 8.45 The proposed development achieves a separation distance of 14 metres between the proposed development and the residential property at 24 and 42 Rainhill Way, due to the staggered frontage of the existing Poplar HARCA properties, this separation distance increases to 25 metres where the proposed development lies opposite 14 and 32 Rainhill Way. From the rear of the proposed development, the proposals achieve a separation distance of some 40 metres to the existing properties at Campbell Road.
- 8.46 In the majority of cases, as described above, it is not considered the existing residents will experience a loss of privacy as the development achieves a separation distance of over 18 metres. At the northern end of Rainhill Way, where the separation distance only achieves 14 metres, the development proposals seek to provide 2-storey single family dwellinghouses. Whilst a degree of overlooking may be possible, on balance it is considered that a separation distance of 14 metres in a built up urban location is acceptable and does not outweigh the overall benefits of the scheme in providing the much needed family affordable housing loss .
- 8.47 The proposal therefore accords with saved policy DEV2 of the UDP, policy SP10 of the CS, policy DM25 of the MD DPD (submission version January 2012) and policy DEV1 of the IPG which seek to protect the amenity of future residents.

Residential Amenity Space

- 8.48 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.
- 8.49 The application proposes private amenity space in the form of ground floor gardens and balconies for all properties. The application meets policy requirements for the delivery of adequate private amenity spaces to serve this development.
- 8.50 Details of the required communal amenity and child play space are set out within the table below. The scheme is required to provide 306 square metres of communal and child play space under IPG policy HSG7, MD DPD policy DM4 and under London Plan policy 3.6 requirements:

	Policy Requirement
Communal Open Space	58 sq.m
Child Play Space	80 sq.m
Total	138 sq.m

- 8.51 The proposed landscaping enhancements located to the south of the Mallard Point building will provide 362 square metres of combined communal amenity space and child play space. These calculations have specifically excluded the footpath areas, ramps and any communal walkways. The proposals therefore provide quality communal and child play space through the development proposals and will also form an integral part of the landscaping and play space requirements for the wider Crossways Estate. The proposals are therefore considered to accord with the requirements of IPG policy HSG7 and MD DPD policy DM4.

Noise/Disturbance

- 8.52 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.
- 8.53 Concerns have been raised by the Councils Environmental Health team that the proposed units are likely to be detrimentally impacted upon by the adjoining DLR line. It is therefore suggested that Crossrail, in cooperation with the developers acoustic consultant, should undertake a full noise and vibration assessment on the proposed building structure (transmission through the piles and foundations) to determine the level of vibration and groundborne noise likely within this development from the railway tunnels. Appropriate mitigation should also be incorporated as part of an appropriate condition at the site. Subject to the imposition of this condition, the proposal is considered to accord with planning policies which seek to protect the amenity of future residential occupiers.

Transportation

- 8.54 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.
- 8.55 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.
- 8.56 The proposed application seeks to reinstate the north south route along Rainhill Way which is supported by the Council's Highways department. This route will be re-instated as a one-way route to prevent rat running through the estate, which has been raised as a concern by local residents. Highways also support this one-way vehicular route as rat-running was identified as a concern in the previous layout. Due to the topography of the site, the new north south route will have varying levels, set at a lower level where it adjoins the two storey houses and a higher level adjoining the 4 storey flatted developments.

Vehicle Parking

- 8.57 The proposed development seeks to provide 3 disabled car parking bays for future occupants of this residential development. The remainder of the development is proposed to be secured as car and permit free (subject to the operation of the Council's permit transfer scheme for family sized social rented units). The provision of disabled spaces alongside a car and permit free agreement at the site is supported and considered to accord with planning policy. Whilst the Council operates a Permit Transfer Scheme, officers consider that there is sufficient on-street parking to accommodate the small number of units in the proposal that would benefit from the Permit Transfer Scheme.

Cycle Parking

- 8.58 The application proposes 32 cycle parking spaces for the development site. For the single family houses, dedicated cycle stands are provided within the front gardens of each property and a separate storage areas provide facilities for the remainder of the flats. 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.

Others

Air Quality

- 8.59 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.
- 8.60 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

- 8.61 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.
- 8.62 The application is accompanied with an Energy Statement which details that the development would provide a CHP and the residential units would be completed to Code for Sustainable Homes Level 4.
- 8.63 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

- 8.64 In accordance with the requirements of, saved UDP policy DEV51 and IPG policy DEV22 the environmental health officers have identified that the application site is likely to be contaminated. A condition will be imposed to secure further intrusive investigations and any necessary mitigation for the site.

Other impacts on local infrastructure

- 8.65 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.

- 8.66 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 £218,142.70. This has been applied as follows through the SPD.

The proposed heads of terms are:

Financial Contributions

- a) Community Facilities £22,307.06
- b) Education £141,191
- c) Sustainable Transport £582.15
- d) Employment £3,280
- e) Public Realm £31,142.70

Non-financial Contributions

- a) 100% affordable housing units (comprising 18 social rent units)
- b) Car and permit free agreement
- c) Travel Plan
- d) Commitment to utilise employment initiatives

- 8.67 The planning application proposes the delivery of additional landscaping works within the Crossways Estate. In addition, the application proposes the delivery of 100% social rented accommodation. All of these factors have had an impact upon the viability of the scheme and the subsequent delivery of Planning Obligations.

- 8.68 This application is supported by a viability toolkit which demonstrated that there was limited provision to provide all of the S106 contributions that are required to mitigate the impacts of this development proposal. 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 £72,564 towards mitigation.

- 8.69 Whilst the Borough's key priorities are affordable housing, employment, and education, it is considered that the limited S106 package should be focused on one key priority that the Council has a statutory obligation to meet. :

Financial Contributions

- a) £72,564 towards Education

Non-financial Contributions

- a) 100% affordable housing units (comprising 18 social rent units)
- b) Car and permit free agreement
- c) Travel Plan
- d) Commitment to utilise employment initiatives (reasonable endeavours to secure 40%)

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)

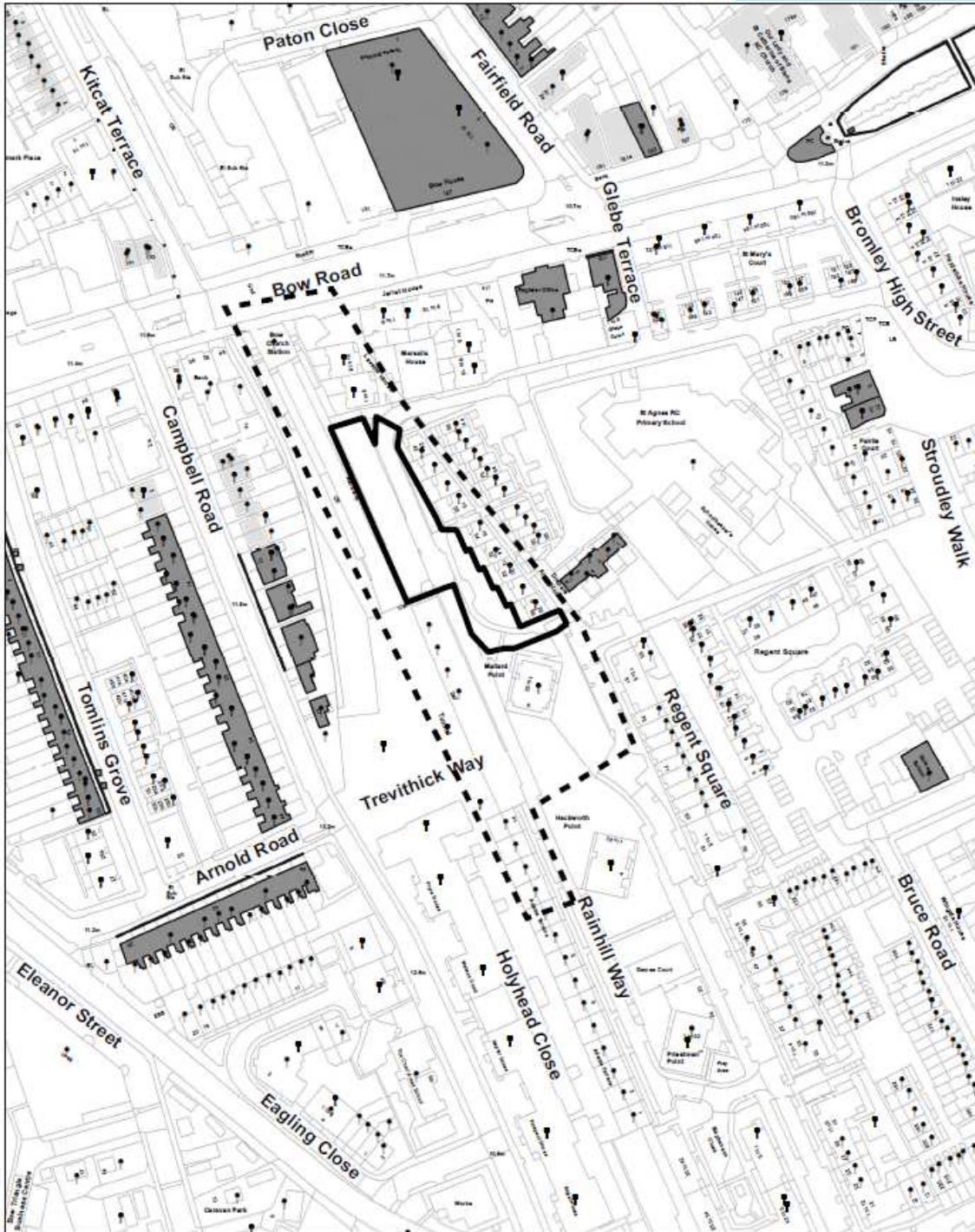
- 8.70 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:
- 8.71 In 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.
- 8.72 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.
- 8.73 In this context “grants” might include the new homes bonus and payment of the community infrastructure levy.
- 8.74 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.
- 8.75 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. The Mayoral CIL applicable to a scheme of this size is £57,575 which is based on the gross internal area of the proposed development. The scheme is proposed to provide 100% affordable housing and will therefore qualify for social housing relief.
- 8.76 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.
- 8.77 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 £23,029 within the first year and a total of £138,176 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.

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 15 m




1:2,000

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

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