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|---------------------------------------------------------------|--------------------------------------------|-------------------------------------------------|------------------------------|
| Committee: Strategic Development | Date: 18 th July 2013 | Classification: Unrestricted | Agenda Item No: 7. |
| Report of: Corporate Director Development & Renewal | | Title: Planning Application for Decision | |
| Case Officer: Nasser Farooq | | Ref No: PA/12/02332 | |
| | | Ward(s): Mile End East | |

1. APPLICATION DETAILS

- 1.1 **Location:** Leopold Estate Phase 2
Land Bounded By Bow Common Lane, St Pauls Way And Ackroyd Drive, London
- 1.2 **Existing Use:** Housing Estate partially redeveloped and partially vacant
- 1.3 **Proposal:** Demolition of 152 residential units and replacement with 364 new dwellings; new landscaped public open space and public realm, surface vehicle and cycle parking; access and associated ancillary development.
- 1.4 **Drawing Nos:** Submission Documents
Design and Access Statement July 2012
Public Realm Strategy June 2012
Planning Statement August 2012
Sustainability Statement July 2012
Ground Investigation Report dated June 2012
- Plan Indicating Areas of Proposed Reduced Thickness of Clean Cover Systems drg. ref. 13172SI/T P1 Version A, RSA Geotechnics Ltd'
 - Additional Gas Monitoring Investigation letter, RSA Geotechnics Ltd' dated 1st May 2013
- Residential Travel Plan July 2012
Ecological Assessment 27th October 2011
Environmental Statement Review March 2013
- Non-Technical Summary dated 6th August 2012
 - Revised Non-Technical Summary 14th May 2013
 - Addendum to 6th August 2012 Environment Statement dated 14th May 2013
- Consultation Summary July 2012
Code for Sustainable Homes Statement July 2012
Energy Statement June 2012
Gasholder Risk Assessment July 2013
Housing Statement July 2012
- Supplemental Housing Statement May 2013
 - Comparative Schedule of Residential Accommodation Across Leopold Estate
- Noise and Vibration 25th July 2012
Site Waste Management Plan June 2012
- Refuse Capacity Calculation dated 29th November 2011

Stage Two Daylight and Sunlight Report dated 6th August 2012
Transport Assessment July 2012 and Addendum November 2012
Tree Survey and Initial Arboricultural Implications Assessment dated 7th March 2013
Utilities statement (including drainage) June 2012
Thames Water dated 22nd February 2012
Waste Assessment dated June 2012
Financial Viability Assessment August 2012

Submitted Drawings:

1108 P 101 001 06, 1108 P 101 002 05,
1108 P 101 030 07, 1108 P 101 031 05,
1108 P 101 032 05, 1108 P 101 033 05,
1108 P 101 034 05, 1108 P 101 035 04,
1108 P 101 036 04, 1108 P 101 037 04,
1108 P 101 038 04, 1108 P 101 039 04,
1108 P 102 001 07, 1108 P 102 002 07,
1108 P 102 003 07, 1108 P 102 010 07,
1108 P 102 011 07, 1108 P 102 015 07,
1108 P 102 016 06, 1108 P 102 020 06,
1108 P 102 021 06, 1108 P 102 025 07,
1108 P 102 026 06, 1108 P 103 001 05,
1108 P 103 002 04, 1108 P 103 003 05,
1108 P 106 001 04, 1108 P 106 002 06,
1108 P 106 003 03, 1108 P 106 004 03,
1108 P 222 001 05, 1108 P 222 002 04,
1108 P 222 003 04, 1108 P 222 004 02,
1108 P 1010 050 11103/5003 P2,
11103/5004 P2, 11103/5010 P5,
11103/5011 P3, 11103/5012 P1,
TOWN514(08)5001 R01 And TOWN514(08)0001 R00

- 1.5 **Applicant:** Poplar HARCA and Countryside Properties
- 1.6 **Owner:** Poplar HARCA (whole estate), RELTA (2 Ackroyd Drive)
And two individual leaseholders (86 Shelmerdine Close and LBTH)
- 1.7 **Historic Building:** Approximately 190m south west lies the Grade II* listed St Pauls Church
- 1.8 **Conservation Area:** none

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 Officers have considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted CS (2010), the adopted MDD (2013) with modifications; as well as the LP (2011) and the National Planning Policy Framework, and has found that:

- 2.1 ➤ In accordance with paragraphs 186 and 187 of the National Planning

Policy Framework (2012) and policy DM0 of the MDD (2013), the Local Planning Authority has worked with the applicant in a positive and proactive manner by employing a formal pre-application process. The Local Planning Authority has also produced policies and provided written guidance, all of which is available on the Council's website and has been adopted in this instance.

- 2.2 ➤ The proposal is in line with the Mayor of London and Council 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 LP (2011), policy SP02 of the CS (2010) and policy DM3 of the MDD (2013), which seeks to ensure the use of land, is appropriately optimised.
- 2.3 ➤ The proposed development is acceptable in terms of design and appearance and subject to conditions requiring the submission of full details and material samples, the scheme is considered to deliver high quality design, enhancing the street scene and the local context. As such, the scheme is in line with policies 7.1, 7.6, 7.8 and 7.9 of the LP (2011), policy SP10 of the CS (2010), and policies DM23, DM24 and DM26 of the MDD (2013), which seek to ensure buildings are of a high quality design and suitably located.
- 2.4 ➤ By virtue of the separation distances and design, the proposed development will not have an unduly detrimental impact on the setting of the Grade II* Listed St Pauls Church. As such, the proposal accords with policy SP10 of the adopted CS (2010), and policy DM27 of the MDD (2013), which seek to preserve or enhance the heritage environment.
- 2.5 ➤ The landscaping proposed within the development is of high quality, and the proposed development would result in a net gain in biodiversity value. As such, the proposal is in accordance with policy SP04 of the adopted CS (2010) and policy DM23 of the MDD (2013) which seek to ensure attractive streets and public spaces, and to ensure development proposals serve to improve the biodiversity value of the area.
- 2.6 ➤ On balance, the provision of affordable housing is considered to be acceptable and in accordance with policies 3.8, 3.10, 3.11, 3.12, 3.13 of the LP (2011), policy SP02 of the CS and policy DM3(6) of the MDD (2013), which require affordable housing to be considered based on all the phases within a scheme, and allow the net loss of affordable housing in estate regeneration schemes in order to ensure that the scheme can viably carry out this later phase of development, and complete the estate regeneration works.
- 2.7 ➤ The scheme provides an acceptable mix of units, space standards and layout. As such, the scheme is in line with policy DM4 of the MDD (2013), policy SP02 of the CS (2010) and policy 3.5 of the LP (2011), which seek to provide an acceptable standard of accommodation for existing and future residents.
- 2.8 ➤ The proposed amount of amenity space and child play space is acceptable and in line with Policy 3.6 of the LP (2011), Policy SP02 of

the CS (2010) and policy DM4 of the MDD (2013), which seek to ensure developments provide a high level of amenity and child play space for all future residents.

- 2.9 ➤ The proposal would not give rise to any unduly detrimental impacts in terms of privacy, overlooking, sunlight and daylight, sense of enclosure or 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 accords with policy SP10 of the CS (2010) and policy DM25 of the MDD (2013), which seek to protect residential amenity.
- 2.10 ➤ On balance, it is considered that the substantial regenerative benefits of the scheme, including the provision of much needed housing and the environmental improvements would sufficiently outweigh the potential risks to health and the local environment. As such, the proposal accords with policy 5.22 of the LP (2011) which requires risk to be balanced against the benefits of development. In addition, it is considered that subject to a condition requiring the submission and approval of a full evacuation plan, the potential hazard will be suitably mitigated, in accordance with Policy DM30(2) of the MDD (2013), which states development will not be supported which cause a significant hazard to health and the environment.
- 2.11 ➤ Transport matters, including parking, cycling, access and servicing, are acceptable and in line with policies SP08 and SP09 of the CS (2010) and policies DM20 and DM22 of the MDD (2013), which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.12 ➤ The development, thorough a series of methods including the utilisation of an existing decentralised Central Heating Plant system built within Phase 1 and Photovoltaic Panels would result in a satisfactory reduction in carbon emissions. Furthermore, the proposal seeks to secure the code for sustainable homes level 4 which is in accordance with policy SP11 of the CS (2010), and the energy hierarchy policies 5.2 and 5.7 within the LP (2011) and policy DM29 of the MDD (2013), which seek to reduce carbon emissions from developments by using sustainable construction techniques and renewable energy measures.
- 2.13 ➤ Contributions have been secured towards the provision of affordable housing, health, transport and openspace for local people in line with Regulation 122 of Community Infrastructure Levy (2010), policy SP13 of the CS (2010) and the Planning Obligations SPD (2012) 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. Any **direction** by **The London Mayor**
- B. Any **direction** by the **Health and Safety Executive**
- C. The prior completion of a **legal agreement** to secure the following

planning obligations:

3.2 Financial Obligations

| | |
|-----------------------------------|--------------------|
| a) Employment Skills and Training | £22,100.00 |
| b) Community Facilities | £35,855.00 |
| c) Health | £56,840.00 |
| d) Sustainable Transport | £3,100.00 |
| e) Public Realm | £52,284.00 |
| f) Education | £133,674.00 |
| g) Monitoring (2%) | £6,077.00 |
| Total | £309,930.00 |

Non-financial Contributions

- a) 32% affordable housing by habitable rooms
- b) 54 Wheelchair units
- c) Car and permit free agreement
- d) Commitments to employment, training and procurement of goods and services at construction and end user phases
- e) Retained public access to the 'pocket park'
- f) Travel Plan
- g) Provide a viability assessment on completion of Phase 2 where any overage would be allocated towards affordable housing;
- h) A minimum of £3,210,170.00 shall be spent on landscaping within this phase in accordance with the public realm Strategy document reference TOWN514(08)2001 R03.

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

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

CONDITIONS & INFORMATIVES

- 3.5
- 1. Three year time limit
 - 2. Compliance with approved plans and documents
 - 3. Submission and approval of samples and materials
 - 4. Drawing at scale of 1:50 of all wheelchair accessible units
 - 5. Compliance with Public Realm Strategy
 - 6. Submission and approval of landscaping works and biodiversity enhancements,
 - 7. Submission and approval of Child Play Space Details
 - 8. Submission and approval of secure by design statement including details of security measures (CCTV)
 - 9. Minimum 46 new trees
 - 10. Implementation of Tree protection plan
 - 11. Tree cavity inspections for T29,T33 and T53
 - 12. Implementation of refuse and recycling in accordance with approved plans
 - 13. Implementation of cycle parking in accordance with approved plans
 - 14. Provision and retention of car parking
 - 15. Minimum of 20% Electric Vehicle Charging Points
 - 16. Submission and approval of Construction Environmental Management Plan

17. Submission and approval of Delivery and Servicing Plan including Construction Logistic Plan
18. Submission and approval of a Piling Method Statement
19. Submission and approval Revised Travel Plan
20. Details of Highway Improvement Works s278 agreement
21. Details of "Good" (BS8233) glazing to bedroom and living rooms and details of noise insulation measures and ventilation systems
22. Contaminated Land Remediation Details
23. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
24. Ensure pedestrian access points are level or gently ramped.
25. Hammer Driven Piling or Impact Breaking between 10am-4pm Mon-Fri only
26. Prior to occupation confirmation that 100% of homes secured to Lifetime Homes Standard
27. A minimum of 54 Wheelchair accessible units to be retained
28. Compliance with Energy Strategy
29. Submission, approval and compliance of Code For Sustainable Homes- Level 4
30. Prior to occupation of Evacuation Plan

3.6 Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

3.7 **Informatives:**

- S106 required
- Protection of Bird nesting trees
- CIL liable
- S278 required
- Consultation with Building Control

3.8 Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.9 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

Site and Surroundings

The application site

4.1 The Leopold Estate is bounded by Burdett Road to the west, St Paul's Way to the south, Ackroyd Drive and the London to Southend Railway line to the north and Bow Common Lane and the Bow Common Lane Gas-works to the north-east.

4.2 To the south-east of the site is St Pauls Way School. The following site plan shows the extent of Leopold Estate with the smaller area to the east forming the application site. The subject site is known as 'Phase II' in reference to the original master-plan application in 2006 which is discussed further in the 'Background/Relevant Planning History' section of this report.

- 4.3 Phase II, the subject site is bounded by Ackroyd Drive, Bow Common Lane and the playground of St Pauls Way School. The site is 1.7 hectares and currently contains a number of blocks predominantly 6 storeys in height (with some two storeys in height) containing 152 residential units in the form of flats and maisonettes. The blocks were constructed in the 1960's out of pre-cast reinforced concrete.
- 4.4 The majority of the blocks have been decanted, and according to the submitted design and access statement only 8 tenants currently remain within the 8 blocks. Other flats are also occupied to prevent squatters.
- 4.5 The site is not located within a conservation area, nor there are any listed buildings on site.

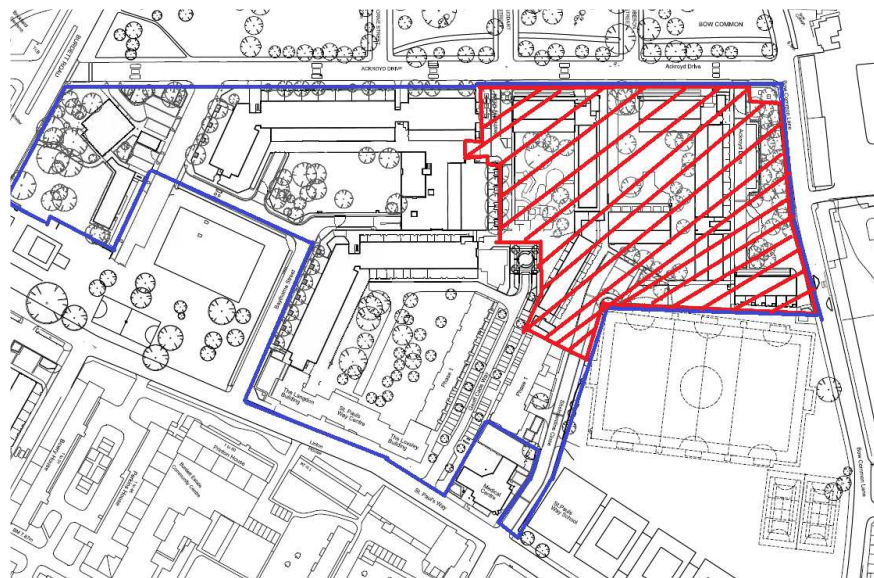
Key



Application site "Phase 2"



Leopold Estate



- 4.6 The site has a moderate public transport accessibility average level of 3 where 6 is the highest and 1 the lowest. Burdett Road to the east of the estate is part of the Transport for London Road Network.
- 4.7 Mile End Underground Station is located around 1km from the site and Devon's Road is the closest DLR station to the site. In addition, the site is served by numerous bus routes along St Pauls Way to the south, Bow Common Lane to the east of the site and Burdett Road along the west.
- 4.8 The bus routes include:
- Bus Route D6 running between Isle of Dogs Asda to Dalston
 - Bus Route D7 running between Poplar DLR to Mile End Station
 - Bus Route 277 running between Nutmeg Lane to Highbury
 - Bus Route 309 running between Canning Town to London Chest Hospital, Bethnal Green
 - Bus Route 323 running between Canning Town Bus Station to Mile End Station

Background Information

- 4.9 Under 'Housing Choice', London Borough of Tower Hamlets estates have been transferred to Registered Social Landlords (RSLs) in order to achieve the

significant level of investment required to bring homes up to Decent Homes plus standard. The plus element reflects the need to tackle and overcome environmental and anti-social behaviour problems on estates, to ensure they are to become safe and desirable places to live.

4.10 The Leopold Estate was transferred to Poplar HARCA (a Registered Social Landlord) under 'Housing Choice' in 2005 and is considered as an estate regeneration site. The objective of the estate redevelopment is to achieve estate improvements and minimum Decent Homes standards across the entire estate.

4.11 With this in mind a number of planning applications have been submitted over the past few years, some of which have been implemented and form a material consideration in this application. The following section lists the most relevant planning applications.

Relevant Planning History

4.12 PA/06/00518-Leopold Estate

This was the masterplan for the entire estate approved as an outline. The application sought the 'Partial demolition of existing housing blocks, demolition of cafe tenants hall in Shelmerdine Close and Ackroyd Drive and in outline, renovation of existing 335 units and the erection of 480 new residential units, a 100 sq.m shop, 600 sq.m of offices and 300 sq.m of community use'.



4.13 This was approved on 7th August 2008 and has not been implemented.

PA/06/00425 -Leopold Estate Phase I

4.14 This was a separate full planning application submitted concurrently with PA/06/00518. It sought to deliver 122 of the 480 new dwellings applied for under the masterplan application. The description of development read:

Demolition of existing buildings and erection of seven buildings between three and seven storeys high to provide a mixed use proposal comprising 1,000 sqm of community and office floorspace and 122 dwellings (46 x 1 bedroom, 50 x 2 bedroom, 15 x 3 bedroom, 8 x 4 bedroom plus 3 x 6 bedroom) including 40 car parking spaces, landscaping, bin and bicycle stores.



4.15 This application was approved on 7th August 2008 and has since been implemented, following minor amendment applications (PA/10/01482 and PA/11/01544) which resulted in minor amendments to the design. Planning applications PA/10/01482 and PA/11/01544 are listed further in this section.

PA/06/00632-Leopold Estate Phase II

4.16 This application sought the refurbishment of Elmslie Point, Whytelaw, Perley, Couzens, Willcox, Stileman and Grindley Houses; demolition of community hall;

works to existing underground garages; landscaping and environmental improvements.

These refurbishment works were approved on 19th June 2006 and have been carried out.



PA/10/01165-Leopold Estate (within phase I)

- 4.17 This application was a full planning application which sought the erection of single storey building to provide a community centre and ancillary café use of 170.45sq.m for a temporary period of 3 years.
- 4.18 This application was approved on 29th April 2010 and was to ensure the community centre demolished under PA/06/00425 was replaced whilst a new facility was built. This consent expires on 28th July 2013.

PA/10/01482 - Leopold Estate Phase I

- 4.19 This was an application under Section 73 of the Town and Country Planning Act 1990 seeking minor material amendments to the original planning permission PA/06/425.
- 4.20 The amendments consisted of the alteration of the fence line along St Paul's Way; and alterations to the building line. The application was approved on 13th October 2010.

PA/11/01544 - Leopold Estate Phase I

- 4.21 This was an application under Section 73 of the Town and Country Planning Act 1990 seeking additional minor material amendments to the planning permission dated 13th October 2010, reference PA/10/1482 (original ref:PA/06/425)
- 4.22 The amendments consisted of the following:
- a) alterations to the community facility (Block B) - increase in building height by 575mm;
 - b) replace grass/crete with grass and amendments to landscape paths;
 - c) changes to balcony timber screens for Blocks A and Block C; and
 - d) other minor incidental changes

This application was approved on 15/06/2012

PA/11/02004- Leopold Estate

- 4.23 This is an application for a new planning permission to replace extant planning permission dated 7th August 2008, reference PA/06/00518 for the partial demolition of existing housing blocks, demolition of cafe and tenants hall in Shelmerdine Close and Ackroyd Drive and in outline, renovation of existing 335 units and the erection of 480 new residential units, a 100 sq m shop, 600 sq m of offices and 300 sq m of community use.
- 4.24 Planning application PA/06/00518 was granted subject to a three year time period which lapsed on 6th August 2011. By seeking to extend the time period of PA/06/00518 the applicant is seeking to retain the possibility of pursuing the outline master plan proposals in the event the current application is not

considered acceptable. Therefore, PA/11/02004 has been held in abeyance whilst this application is under consideration.

Proposal

- 4.25 The current application proposes the demolition of 152 existing residential units and replacement with 364 new dwellings with a new landscaped public open space and public realm, vehicle and cycle parking access and other associated ancillary development.
- 4.26 This application seeks to provide the remaining 358 units which had been originally proposed within the masterplan (PA/06/00510). However, since the masterplan consent there is a net increase of 6 units. Other changes include the proposed mix and affordable housing splits. These are discussed in greater detail within the body of this report.
- 4.27 In summary, the applicant is seeking to demolish properties 1-78 Ackroyd Drive and 15-88 Shelmerdine Close, some of which are currently occupied.

5. POLICY FRAMEWORK

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

Core Strategy Development Plan Document 2010 (CS)

| | | |
|-----------|------|-------------------------------------------------|
| Policies: | SP02 | Urban living for everyone |
| | 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 Document adopted April 2013 (MDD)

| | | |
|------------|------|--------------------------------------------|
| Proposals: | | N/A |
| Policies: | DM3 | Delivering Homes |
| | DM4 | Housing Standards and amenity space |
| | DM8 | Community Infrastructure |
| | DM9 | Improving Air Quality |
| | DM10 | Delivering Open space |
| | DM11 | Living Buildings and Biodiversity |
| | DM13 | Sustainable Drainage |
| | DM14 | Managing Waste |
| | DM20 | Supporting a Sustainable Transport Network |
| | DM21 | Sustainable Transport of Freight |
| | DM22 | Parking |
| | DM23 | Streets and Public Realm |
| | DM24 | Place Sensitive Design |
| | DM25 | Amenity |

| | |
|------|------------------------------|
| DM26 | Building Heights |
| DM29 | Zero-Carbon & Climate Change |
| DM30 | Contaminated Land |

Supplementary Planning Guidance/Documents

Planning Obligations SPD 2012

Spatial Development Strategy for Greater London (London Plan 2011) (LP)

- 2.9 Inner London
- 3.1 Ensuring Equal Life Chances for All
- 3.2 Improving Health and Addressing Health Inequalities
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young People's Play and Informal Recreation Facilities
- 3.7 Large Residential Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.10 Definition of Affordable Housing
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
- 3.13 Affordable Housing Thresholds
- 3.14 Existing Housing
- 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
- 5.9 Overheating and Cooling
- 5.10 Urban Greening
- 5.13 Sustainable Drainage
- 6.1 Strategic Approach to Integrating Transport and Development
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.9 Access to Nature and Biodiversity
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 8.2 Planning Obligations

8.3 Community Infrastructure Levy

Government Planning Policy Guidance/Statements

NPPF The National Planning Policy Framework 2012

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

6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

LBTH Biodiversity Officer

6.3 The Ecological Assessment and Environmental Statement indicate that there is nothing of significant biodiversity importance on the site. Sufficient surveys have been undertaken to determine that there are no bat roosts.

6.4 The plans include sedum green roofs and brown roofs aimed at enhancing biodiversity.

6.5 Overall, the living roofs and bird and bat boxes should secure an overall gain in biodiversity. These features should be secured by condition. Details of the soft landscaping have not been finalised, and should be secured through a condition. Any landscaping condition should state that the landscaping is expected to benefit biodiversity, and require the applicant to state how the landscaping will benefit biodiversity

6.6 *(Officer comment: A landscaping and biodiversity condition will be attached to the decision notice in accordance with the advice of the biodiversity officer)*

LBTH Parks and Opens Spaces

6.7 No comments received.

LBTH Arboricultural Officer

6.9 Tree protection is adequate and as such, no objections are raised to the proposed works.

6.10 *(Officer comment: The tree protection plan will be secured by condition)*

LBTH Energy Officer

6.11 The proposals are following the energy hierarchy and will utilise a decentralised Central Heating Plant system and roof mounted PV panels to achieve at least a 35% reduction against building regulations 2012.

- 6.12 The proposals are for Code for Sustainable Homes Level 4 rated units which is supported by the sustainable development team
- 6.13 *(Officer comment: The energy strategy and Code of Sustainable Homes level 4 are recommended to be secured by condition)*

Crime Prevention Officer

- 6.14 The Crime Prevention officer has had two meetings regarding Secure by Design (SBD) and is satisfied that SBD standards can be achieved. Full details should be conditioned.
- 6.15 *(Officer comment: a condition is recommend to ensure SBD standards are achieved)*

LBTH Environmental Health

- 6.16 Contaminated Land
Environmental Health agree with the recommendations made within the submitted Land Quality Report for additional ground investigation to fully characterise risks associated with potential contaminant/gas pathways.
- 6.17 *(Officer comment: a condition is recommended to ensure appropriate remediation is carried out)*

Noise and Vibration

- 6.18 The development will be exposed to noise and some vibration from local road and railway transport in close proximity to the development, hence adequate noise insulation and ventilation should be put in place. The "good" standard or BS8233 should be met within all bedrooms and living rooms and any mechanical and electrical plant should be 10 dB below the existing background noise level at the times required to operate.
- 6.19 *(Officer comment: a condition is recommended to ensure these standards are met)*

LBTH Highways Officer

- 6.20 The application is proposing 5 disabled bays and 46 ground level car parking spaces equating to 0.13 spaces per dwelling. The applicant is also proposing 427 ground floor cycle parking spaces in line with policy 6.9 of the LP.
- 6.21 The applicant should be required to enter into an s278 agreement (Highways Act) and provide a financial contribution for public realm improvements: the latter funding is especially sought for Bow Common Lane in the vicinity of the site where the carriageway is in very poor condition near the bus-stops. This development will increase trip rates across all modes to the site, which justifies the need for improvement.
- 6.22 *(Officer comment: A section 106 contribution has been secured for public realm improvements and this is outlined further within the material planning section of this report)*

- 6.23 **Parking**
The ratio of spaces to units is acceptable for this PTAL (3), as is the offer to undertake a car-and-permit free legal undertaking. A minimum 10% of all car spaces must be of accessible design, spread out and in convenient and accessible locations. A minimum 10% of spaces should be fitted with an electric vehicle charger, with a further 10% passively fitted.
- 6.24 The cycle stands are acceptable in quantity, however there should be a further 8 visitor cycle spaces grouped around the estate, in an area where they can be under surveillance.
- 6.25 *(Officer comment: subject to a condition requiring the retention of cycle parking spaces, it is considered the level proposed is acceptable)*
- 6.26 A site this large should have a space on-site for an HGV and a small van. Clarification is sought where deliveries can take place, and also the route of refuse vans and points they will collect waste.
- 6.27 *(Officer comment: these comments have been noted and revised details showing servicing and refuse collection have been submitted and considered acceptable)*
- 6.28 Balconies should not overhang the public highway.
- 6.29 *(Officer comment: the applicant has confirmed no balconies over sail the public highway)*

LBTH Employment and Enterprise Officer

- 6.30 **Construction phase**
The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. The developer will be supported by the Council by providing suitable candidates through the Skillsmatch Construction Services.
- 6.31 To ensure local businesses benefit from this development it is expected that 20% goods/services procured during the construction phase should be supplied by businesses in Tower Hamlets. The developer will be supported in achieving this target through inter-alia identifying suitable companies through East London Business Place.
- 6.32 The Council will seek to secure a financial contribution of £87,958 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution will be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skill set required for the jobs created. In exceptional circumstances and with the prior agreement of the Council, the developer may deliver their own in-house training programme where appropriate. The appropriateness of the in-house training will be assessed by the Council on a case by case basis.
- 6.33 *(Officer comment: The planning obligations requested are discussed within the Planning obligations section within this report)*

LBTH Communities, Localities and Culture

- 6.34 Communities, Localities and Culture noted that the increase in population as a result of the proposed development will increase demand on the borough's open spaces, sports and leisure facilities and on the Borough's Idea Stores, libraries and archive facilities. The increase in population will also have an impact on sustainable travel within the borough. The proposed development of 367 units is calculated to result in 328 new residents. Accordingly, in line with the SPD on planning Obligations, the following financial contributions are requested.
- 6.35 A total contribution of £41,328.00 is required towards Idea Stores, Libraries and Archives.
A total contribution of £101,376 is required towards Leisure Facilities.
A total contribution of £64,249.95 is required towards Public Open Space.
A total contribution of £4,920 is required towards Smarter Travel.
A total contribution of £218,940.00 is required towards Street scene improvements.
- 6.36 *(Officer comment: The planning obligations secured are discussed in detail within the main body of this committee report)*

LBTH Children, Schools & Families

- 6.37 No comments received to date.
- 6.38 *(Officer comment: The financial contributions for the proposed development has been calculated using the Planning Obligations SPD 2012. As the proposal results in no increase in Child Yield no education contributions are required in this instance. However, estate wide the proposed new housing has generated a net increase of 6 primary school places and 2 secondary school places, this equates to an education contribution of £133,674.00 which has been provided for within this application. Whilst no direct comments have been received the financial contribution have been agreed at the Planning Contributions Overview Panel (PCOP) which includes officers from LBTH Children, Schools & Families)*

LBTH EIA Officer

- 6.39 The application has been submitted with an Environmental Statement (ES). This ES was reviewed by LBTH's Environmental Impact Assessment (EIA) Officer, and the Council's EIA consultants - LUC and Cascade.
- 6.40 The applicant has provided a response to the request for further information as an ES Addendum. This further information in relation to noise and vibration, and clarifications on other sections was considered to be satisfactory, and was appropriately published/ consulted on as required by the EIA Regulations 2011.
- 6.41 Both the original ES and ES Addendum were considered by the Planning Officer when making the decision on the planning application.

Thames Water

- 6.42 Waste Comments
Thames Water request that the protection to the development is applied by installing a non-return valve or other suitable device to avoid the risk of backflow at a later date.
- 6.43 Surface Water Drainage

It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

- 6.44 *(Officer comment: both of the above are recommended as informatives on any planning permission)*
- 6.45 Thames Water also recommended that petrol / oil interceptors be fitted in all car parking/washing/repair facilities.
- 6.46 **Water Comments**
Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 6.47 *(Officer comment: both of the above are recommended as informatives on any planning permission)*
- 6.48 Thames Water have requested a piling method statement to ensure any piling does not adversely impact on local underground water utility infrastructure.
- 6.49 *(Officer comment: A condition is recommended requiring full piling method statement)*
- 6.50 Thames Water have also requested informatives on any planning permission advising the applicant that Thames Water will not allow any building within 5 metres of Thames Water tunnels and will require 24 hours access for maintenance purposes.
- 6.51 *(Officer comment: This is recommended as an informative on any planning permission)*

Greater London Authority (GLA - Statutory Consultee)

- 6.52 In summary, the GLA advised that the proposal did not comply with the LP, but that there were possible remedies. In particular, the GLA made the following comments:
- 6.53 Housing
The scheme proposes 32% of Habitable Rooms as affordable units. It was accepted that in the case of estate renewals it may be possible to provide affordable housing over and above existing provision, and that the viability assessment should be provided in order for an assessment to be made as to whether the maximum reasonable amount of affordable housing has been provided.
- 6.54 Housing Mix
40% of affordable rented and social rented units are proposed to be family sized and this was supported. The GLA were satisfied that applicant has confirmed that the mix is representative of the estate's existing housing needs.

- 6.55 Housing Quality
The GLA were satisfied that the scheme was redesigned (from that approved under the outline consent) in order to ensure that the proposal met the Housing Design Guide standards. In particular, the GLA noted that the units met the London Plan space standards and that there are were no single aspect 3 bed units.
- 6.56 Inclusive access
The GLA requested confirmation regarding the provision of wheelchair accessible units on the estate and suggested the applicant confirmed the locations of these units within this phase.
- 6.57 Density
GLA calculated the density to be 552 habitable rooms per hectare, above the suggested density range of 200-450 habitable rooms per hectare. Whilst this was above the suggested range given the local context and the quality of the scheme the GLA considered it acceptable.
- 6.58 Child play space
The GLA requested that child play space should be increased to an SPG compliant level of 1,220 sqm.
- 6.59 Urban design
Concerns remained regarding the impact the development will have on the quality of Bow Common Lane, as it will lack enclosure, overlooking and activity that could be otherwise generated by providing the development built on the back of the footway.
- 6.60 On balance, considering the quality of the residential offer and the overall permeability of the scheme GLA are satisfied that the proposals raise no strategic design concerns.
- 6.61 Hazardous Substances
The proposed scheme is in the vicinity of disused gas holders for which the Hazardous Substances Act 1990 is applicable and as such further discussion is needed regarding this matter and the position of the HSE.
- 6.62 Climate change mitigation and adaptation
The tonne of carbon emission reduction equates to 36% exceeding the targets set within policy 5.2 of the London Plan.
- 6.63 Highways
See TfL comments
- 6.64 Community Infrastructure Levy
The applicant will need to include appropriate contributions relating to CIL.
- 6.65 *(Officer comment: Following these comments from the GLA, the applicant has submitted further clarification details in relation to the wheelchair adaptable units and the transport matters, and the viability of the scheme has been independently reviewed. Lastly, issues relating to transport and other matters such as Child Play Space and the Health and Safety Executive are discussed further within the material planning section of this report)*

Transport for London (TfL)

- 6.66 Transport Assessment
A multi-modal trip rate assessment was provided by the applicant, which was welcomed. TfL confirmed that no additional mitigation was required. It was expected however that the previous contribution of £270,000 will be secured within the section 106 agreement towards bus capacity improvements.
- 6.67 *(Officer comment: the applicant has confirmed that an amount of £445,000 towards the improvements and upgrades of the transport infrastructure to mitigate the requirements and pressures of the additional population on road network in the immediate area was paid in full in accordance with the previous s106 agreement, as such it was not considered necessary to secure this again)*
- 6.68 Car parking
A total of 46 car parking spaces are proposed, located at ground level, with 5 spaces designated as Blue Badge only. This is equivalent to 0.13 spaces proposed per unit. TfL considers this level of provision to be satisfactory and in accordance with London Plan policy 6.13 (Parking). In addition, TfL have advised that Electrical Vehicle Charging Points will be need to be provided in line with London Plan minimum standards. In addition, the applicant is expected to enter into a legal agreement restricting all occupiers from local Controlled Parking Zone (CPZ) eligibility.
- 6.69 *(Officer comment the provision of Electrical Vehicle Charging Points and car free development will be secured via condition)*
- 6.70 TfL noted however, that Tower Hamlets Council operate a permit transfer scheme (PTS). The PTS assists families transferring within the borough to car free social rented properties by allowing them to retain one on-street resident car parking permit. This is applicable to residents moving to 3 bedroom or larger properties. The applicant is therefore encouraged to engage with the potential Registered Social Landlord (RSL) to determine the likely level of demand for an on street permit through the PTS.
- 6.71 *(Officer comment: this is noted and given the applicant is an RSL they have been informed of these comments)*
- 6.72 Cycle parking
A total of 427 cycle parking spaces are proposed on the ground floor. TfL sought further details regarding the provision of family sized units on site to ensure the proposal conformed with London Plan policy 6.9 'Cycling'.
- 6.73 *(Officer comment: the provision of cycle spaces has been reviewed by Council Officers and is considered compliant with the London Plan policy, a condition is recommended to ensure they are provided and retained. Furthermore, they are also considered suitably located within each individual block)*
- 6.74 Highway Impact
TfL was satisfied that this application would not have a detrimental impact on the local highway network.
- 6.75 Delivery, servicing and construction
TfL noted that all servicing was proposed to take place on site at the entrance cores of each residential block. The submitted plans demonstrated that there was sufficient provision for turning areas for larger vehicles within the site. TfL

therefore considers these proposals are satisfactory.

6.76 TfL recommended a condition requiring a delivery and servicing plan (DSP) which identified efficiency and sustainability measures to be undertaken once the development was operational.

6.77 TfL also recommended a construction and logistics plan (CLP) to be submitted and approved by the Council prior to commencement of any construction. This was to ensure full compliance with London Plan policy 6.14 'Freight'.

6.78 *(Officer comment: Both a DSP and CLP will be recommended as conditions to the consent, in line with the above comments)*

6.79 Travel Planning

TfL have advised that the submitted Travel Plan failed the ATTrBute assessment tool and suggested that the contents of the travel plan be improved. TfL expect the Council to secure, enforce, monitor, review and ensure the funding of the travel plans through the section 106 agreement to ensure conformity with London Plan policy 6.3 'Assessing transport capacity.'

6.80 *(Officer comment: an amended Travel Plan is recommended as a condition, and the monitoring of the Travel Plan is to be secured within the s106 agreement)*

6.81 CIL

TfL noted that the proposed development requires a Mayoral CIL Charge of £35 per square metre Gross Internal Area (GIA). As such, a CIL contribution is required which will help towards the delivery of Crossrail.

6.82 *(Officer comment: the applicant is aware of the CIL requirements and this has been factored into the scheme viability)*

Health and Safety Executive (HSE)

6.83 Based on the standard PADHI+ planning advice software tool, the HSE conclude that the risk of harm to the people of the proposed development is such that the HSE's advice will be that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission in this case.

6.84 HSE advise that if the LPA refuse the application, they will provide the necessary support in the event of an appeal. Furthermore, if the LPA approve the application against the HSE's advice, it should give notice of that intention and allow 21 days from that notice for the HSE to give further consideration to the matter. During this period, the HSE will consider whether or not to request the SoS to call in the application for its own determination.

6.85 *(Officer Comment: Issues relating to the HSE and gas holder risk safety are discussed in detail in section 8 of this report)*

7.0 LOCAL REPRESENTATION

7.1 A total of 802 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 Objecting: 3 Supporting: 0
No of petitions received: 0

7.3 The following issues were raised in the objection letter.

- An over-development of the site which has open space deficiencies
- Health and Safety issues in relation to the proximity of the site to the gasholders
- Lack of affordable housings
- Poor daylight sunlight conditions
- Lack of parking for future residents including disabled residents.

(Officer comment: all the issues raised above are discussed in detail within the material planning consideration section of this report)

7.4 Other issues

- Premature compulsory purchase order (CPO)

(Officer comment: this application is solely concerned with the planning merits of the scheme, the compulsory purchase of 2 Ackroyd Drive is a separate process and one that would be considered outside the planning process should planning permission be granted.)

7.5 Procedural Issues

- Certificate B has not been submitted to one of the leaseholders

(Officer comment: the applicant has signed ownership certificate B and provided details of the leaseholders notified of the application. Since this issue arose, the applicant has re-sent the certificate, on this basis officers are satisfied that the application is valid and can be determined)

7.6 Lastly, one of the objectors has requested that their objections are sent to committee members. As per any application the submitted documents and representations are available on file should committee members wish to view them.

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by this application that the committee are requested to consider are:

- Principle of Development and Land Uses
- Density
- Design
- Housing/Child play space
- Amenity
- Landscaping/Biodiversity
- Health and Safety Executive
- Transport, Connectivity & Accessibility
- Energy & Sustainability
- Section 106 Planning Obligations

8.2 **Principle of Development and Land Uses**

8.3 At national level, the NPPF (2012) promotes a presumption in favour of sustainable development, through the effective use of land through a plan-led

system, driving sustainable economic, social and environmental benefits.

- 8.4 The regeneration of sites such as this within East London is also a strategic target of the LP (2011) Policy 1.1 states “the development of East London will be a particular priority to address existing need for development, regeneration and promotion of social and economic convergence with other parts of London and as the location of the largest opportunities for new homes and jobs”.
- 8.5 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 CS (2010) and policy 3.1 of the London Plan which gives Boroughs targets for increasing the number of housing units.
- 8.6 CS (2010) policy SP02 sets Tower Hamlets a target to deliver 43,275 new homes (2,885 a year) from 2010 to 2025. Policy SP02 also seeks to ensure the Council works with our housing partners (which includes the applicant) to support the regeneration of housing estates, and ensure that homes are brought up to at least Decent Homes Standard.
- 8.7 An important mechanism for the achievement of this target is reflected in LP (2011) 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.
- 8.8 As the scheme seeks to provide residential use, which is the same as the existing use of the site, no change of use is proposed within the application.
- 8.9 The site does not have an allocation in the MDD (2013). Taking this into account, and given the surrounding area is predominantly residential in character, it is therefore considered that this development would be an acceptable use of previously developed land in accordance with the above mentioned policies.
- 8.10 The proposed development is therefore in accordance with policy SP02 of the adopted CS which seeks to deliver 43,275 new homes and policies 3.3 and 3.4 of the LP.

Density

- 8.11 Policies 3.4 of the LP (2011) and SP02 of the CS (2010) seek to ensure new housing developments optimise the use of land by relating the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of the immediate location.
- 8.12 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 LP Policy 3.4, which requires development to maximise the potential of sites, and policy 3.5 which details design principles for a compact city. Policies S07 and SP02 of the CS also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.13 The site has a moderate public transport accessibility level (PTAL) of 3.
- 8.14 In terms of density characteristics, the GLA's stage 1 response refers to the site as having an urban character. Table 3.2 of the LP sets out that where accessibility to public transport is moderate, densities in urban settings should be between 200-450 habitable rooms per hectare.

- 8.15 Whilst the GLA have suggested the application proposed a density of 552 habitable rooms per hectare (hr/ha), officers have calculated the density of phase 2 to be 633 hr/ha. Estate wide the density would result in 535 hr/ha.
- 8.16 Whilst the density is higher than the recommended guidelines, it is noted that the proposed scheme would result in 13 less habitable rooms than the already consented outline planning permission PA/06/00518. Therefore, the principle of densities exceeding the LP for this site has already been established within the Estate.
- 8.17 In addition, it is considered that:
- The proposal is of a particularly high quality and responds to the local context by delivering a positive relationship to the surrounding area.
 - The proposal does not result in any of the adverse symptoms of overdevelopment to warrant refusal of planning permission, such as amenity impacts, or poor standard of accommodation.
 - The proposal would complete the regeneration of Leopold Estate, by replacing mostly vacant, poor quality accommodation within a newly built high quality development that creates a better public realm.
- 8.18 Considering the benefits of the scheme along with the presumption in favour of sustainable development in the NPPF, it is considered that the density can be supported in this instance.
- 8.19 It is also noted that officers from the GLA, under stage 1 of their response confirm that they consider the density to be acceptable.
- 8.20 The development does not present symptoms of overdevelopment, nor result in any unduly detrimental impacts on the amenity of existing and future residential occupiers, as discussed further within this report. As such, it is considered that the proposal appropriately maximises the intensity of use on the site and is supported by national, regional and local planning policy, complying with Policy 3.4 the LP (2011) and policies SP02 and SP10 of the CS (2010) which seek to ensure the use of land is appropriately optimised in order to create sustainable places.

Design

- 8.21 The NPPF promotes high quality and inclusive design for all development, optimising the potential of sites to accommodate development, whilst responding to local character.
- 8.22 Chapter 7 of the LP places an emphasis on good design in new developments. Policy 7.4 specifically seeks high quality urban design having regard to the local character, pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that complement the local character, quality adaptable space and optimising the potential of the site.
- 8.23 Policy SP10 of the CS and policies DM23 and DM24 of the MDD seek to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible,

attractive, durable and well-integrated with their surrounds.

8.24 The sites existing 8 concrete blocks (up to 6 storeys in height) are to be demolished and replaced with four residential blocks between 4 and 9 storeys in height. The main benefit of the application is an increase in legibility through the estate as shown in the following diagrams which show the existing and proposed scenarios.

8.25

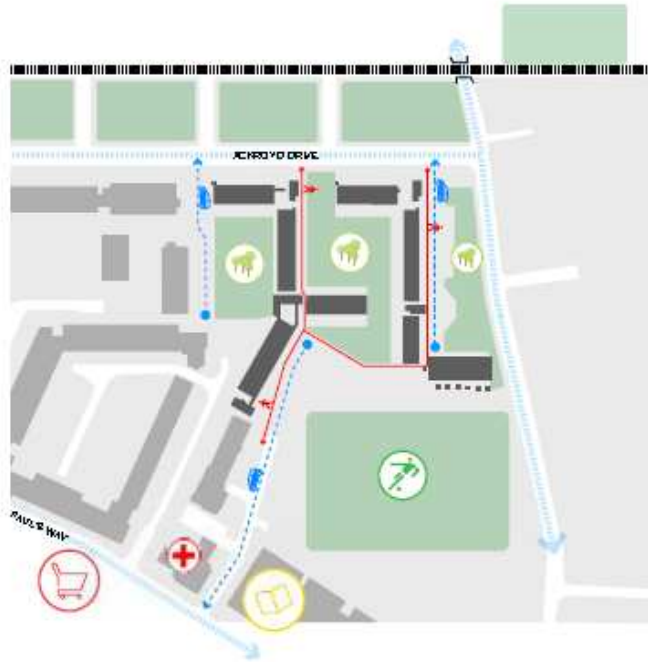


Diagram 1: showing permeability within the site

8.26 The existing layout is considered confusing and poorly defined in terms of legibility for pedestrians trying to navigate across the estate in a north – south direction from Ackroyd Drive to St Pauls Way.

8.27

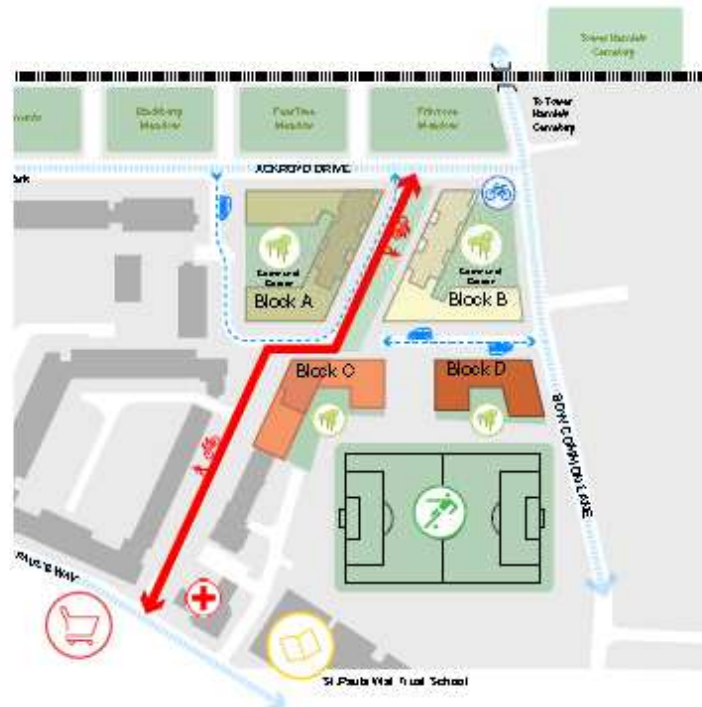


Diagram 2: showing proposed legibility diagram

8.28 The proposed layout seeks to retain private communal areas whilst promoting a strong north south emphasis which would improve sightlines and create a more legible and defined streetscene. This is supported by officers.

Height & Massing

8.29 The height of each of the four private blocks varies between four and nine storeys. The massing is similar to the rest of the estate, which is considered appropriate within the site context. The massing diagram is shown in the following image.

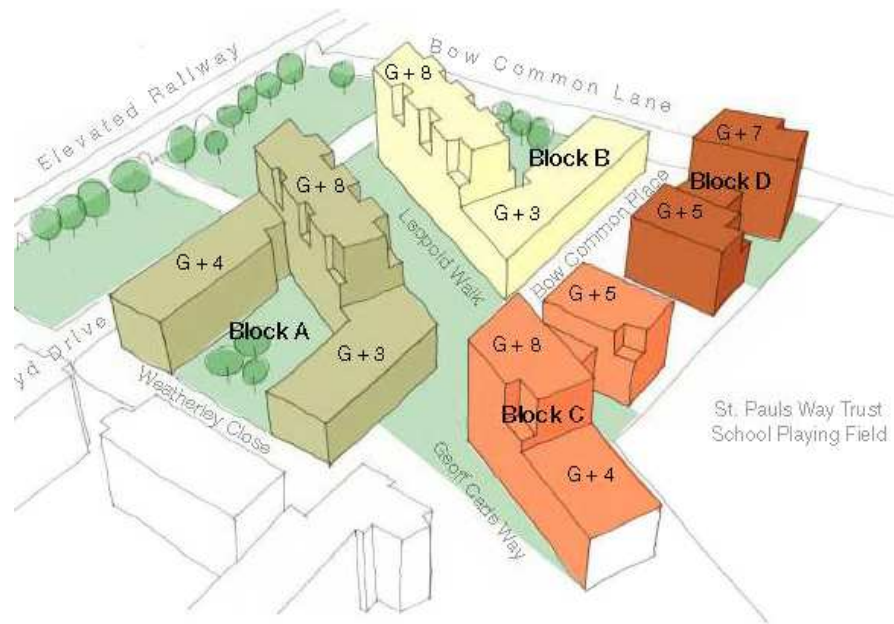
8.30



8.31 The four and five storey elements are located close to the retained and refurbished part of the Leopold Estate where they are considered to relate well with the existing heights, The taller elements are focussed more centrally within the estate along the newly proposed 'Leopold Walk', which by having a width of 25m is considered capable of accommodating the taller elements without resulting in a 'canyon' effect.

8.32 The proposed heights are shown in the following diagram with the 'G' representing ground floor.

8.33



Materials/ Elevational Treatment

8.34 The applicant is proposing all four of the buildings to be constructed of brick with each block having a slightly different colour, resulting in each block having a distinctive appearance.

8.35 The majority of the ground floor residential units are accessed directly from street level, with projecting communal entrances, projecting balconies and recessed windows providing an distinctive and well designed group of buildings.

8.36 The various setbacks at roof level and full height windows also add to the architectural quality of the scheme. The following image is an elevation example of the proposed appearance.



Design Development - Final Proposal
Recessed Brickwork Panels

- 8.37 Officers are satisfied that subject to conditions requiring samples to be submitted, the proposed materials will be of high quality and acceptable within the context of the site.

Secure by Design

- 8.38 Policy 7.3 of the LP and policy DM23 of the MDD seek to ensure that developments are safe and secure.
- 8.39 The Secure by Design officer as fed into the design development, and is satisfied that the proposal will achieve secure by design approval. A condition to ensure secure by design measures are incorporated into the development is recommended to ensure the resulting scheme is safe and secure for residents.
- 8.40 With such a condition imposed on the permission it is considered that the development would adequately provide a safe and secure environment and accord with policy 7.3 of the LP and policy DM23 of the MDD.

Landscaping

- 8.41 The application has been accompanied by a Public Realm Strategy which seeks to create a series of private, public and communal amenity spaces within each of the individual blocks (the quantum of which is discussed further within this report).
- 8.42 As outlined earlier in this report, one of the main aspirations of the redevelopment of this site is to improve legibility through the estate by creating a well-defined

layout which improves north – south views and routes. The landscaping seeks to reinforce this by creating a ‘pocket-park’ within the new central walkway. The central space measures around 2,288sqm and is to contain a mix of hard and soft landscaping areas in an attractive landscaping area. A sketch of this is shown in the following image.

8.43

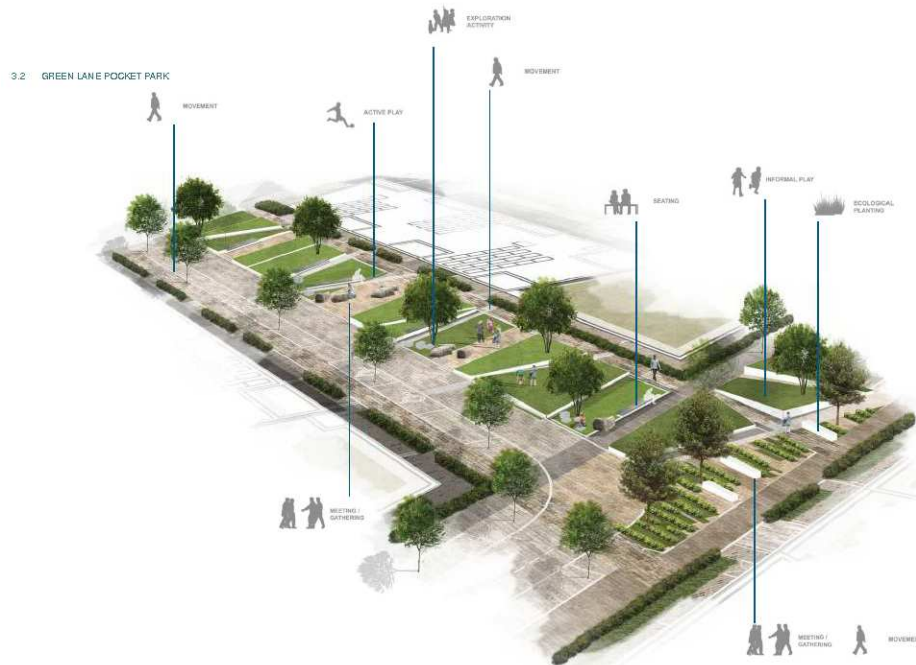


Image 1: showing prospective pocket park.

- 8.44 Two non financial planning obligations are proposed to help deliver this pocket park and retain it for public access. The first is an in kind obligation to ensure a minimum of £3,210,170.00 is spent on landscaping within this phase.
- 8.45 The second is an obligation ensuring the public park is retained for public access in perpetuity. This is in accordance with the requirements of the planning obligations SPD and will help deliver the Green Grid by creating a visual link to Tower Hamlets Cemetery Park to the north east of the site.
- 8.46 Overall, officers consider the landscaping proposed is of high quality and in accordance with policy SP09(6) of the adopted CS and policy DM23 of the MDD, which seek to ensure attractive streets and public spaces.

Heritage Assets

- 8.47 Whilst the site does not contain any listed buildings or lie within a conservation area, the Grade II* Listed St Pauls Church is located approximately 190m south west of the site at the corner of Burdett Road and St Pauls Way.
- 8.48 Given the existing Leopold Estate (Phases 1 and refurbished units) is sandwiched in between the listed church and the application site, officers conclude the proposed development will not have an adverse impact on the setting of the church, in accordance with policy SP10 of the adopted CS and policy DM27 of the MDD.

Overall Design Conclusions

- 8.49 The proposed development is acceptable in terms of design, scale and appearance. As such, the scheme is in line with policies 7.1 and 7.6 of the LP (2011), Policy SP10 of the adopted CS (2010), and policies DM24 and DM26 of the MDD (2013), which seek to ensure buildings are of a high quality design and suitably located.
- 8.50 Subject to conditions requiring the submission of full details and material samples the scheme is considered to deliver high quality design, enhancing the street scene and local context. As such, the proposal is in accordance with government guidance set out in the NPPF, Policies 7.8 and 7.9 of the Mayor's LP (2011), Policy SP10 of the adopted CS (2010), and policies DM23 and DM24 of the MDD (2013), which seek to ensure an acceptable standard of design.

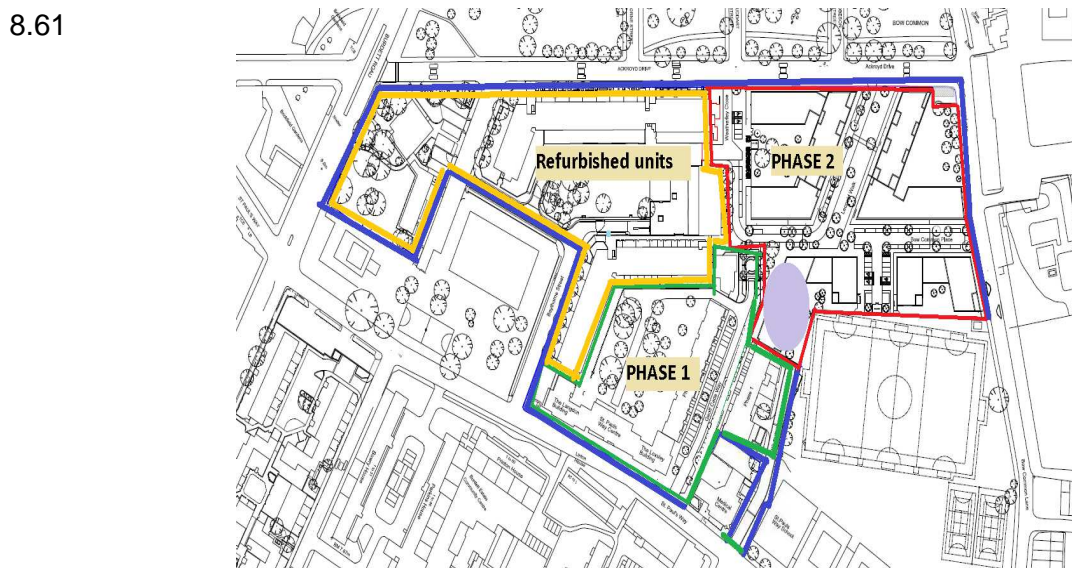
Housing

- 8.51 Paragraph 49 of the National Planning Policy Framework seeks to ensure Housing applications are considered in the context of the presumption in favour of sustainable development.
- 8.52 Policy 3.3 of the LP seeks to increase London's supply of housing, requiring Boroughs to exceed housing targets, and for new developments to offer a range of housing choices, in terms of the mix of housing sizes and types and provide better quality accommodation for Londoners.
- 8.53 Policy SP02 of the CS seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the LP.
- 8.54 As this application is part of a wider estate regeneration scheme, policy SP02 of the CS, which seeks to ensure the Council works with our housing partners (which include the applicant) to support the regeneration of housing estates, and ensure that homes are brought up to at least Decent Homes Standard is also relevant.
- 8.55 Policy DM3(4) of the MDD, states that affordable housing will be calculated by using habitable rooms and based on the total housing provided on all sites and within all phases where a single development is proposed on more than one site and/or within different phases.
- 8.56 Given the existence of planning application PA/11/02004 which seeks to replace extant planning permission PA/06/00518 (the outline consent for the entire estate), it is also considered necessary to compare the main changes from the approved but unimplemented phase 2 of the outline consent with the housing proposed in the current scheme to give an understanding of the housing changes that are occurring within the estate. As such, the following are a list of sub-headings which form part of the housing assessment.
- 8.57 (1) This application in isolation referred to as Phase 2,
(2) The combined implications of the implemented Phase 1 and the current Phase 2,
(3) The estate wide implications of the development and also;
(4) The main changes within Phase II as currently proposed and Phase II as approved within the outline consent.
- 8.58 The estate wide impacts are based on works currently near completion under planning applications PA/06/00425 and PA/06/00632. As outlined in the relevant planning history, these consents refurbished existing dwellings and provided new

dwellings within infill sites. The breakdown in housing approved under the estate masterplan, phase 1 and refurbished units are all appended to this report for ease of reference.

- 8.59 *Appendix 1 - Approved Estate Master Plan Mix (PA/06/00518)*
Appendix 2 - Phase 1 as implemented (PA/06/00425)
Appendix 3 - Refurbished units (PA/06/00632)
*Appendix 4 – Housing change if the outline consent under PA/06/00518 is implemented**
**This application has been kept ‘alive’ under planning application PA/11/02004 which is yet to be determined.*

8.60 The following site plan illustrates the various phases referred to within this report. This current application refers solely to the area outlined as ‘Phase 2’ Whilst the entire area is referred to as the Leopold Estate.



1. Phase 2 (this application) in isolation

8.62 The following table provides a breakdown on the housing to be demolished within this phase.

Housing to be demolished

8.63

| | Market Sale | | Intermediate Housing | | Social Rent | | Total | |
|---------------|-------------|-----------|----------------------|-----------|-------------|------------|------------|------------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 24 | 24 | 24 | 24 |
| 1 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 bed | 3 | 9 | 0 | 0 | 33 | 99 | 36 | 108 |
| 3 bed | 9 | 36 | 0 | 0 | 76 | 304 | 85 | 340 |
| 4 bed | 5 | 25 | 0 | 0 | 2 | 10 | 7 | 35 |
| Totals | 17 | 70 | 0 | 0 | 135 | 437 | 152 | 507 |

8.64 From the table above, it is evident that the vast majority of housing to be demolished is social rented family sized accommodation. The decant process for Phase 2 was started in 2008 and carried out on a block by block. The applicant

has advised that it was largely completed by January 2013.

8.65 The housing proposed within Phase II to replace the 152 to be demolished is outlined in the following table.

Proposed replacement housing

8.66

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|---------------|-------------|------------|----------------------|------------|------------------------|------------|------------|-------------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 57 | 114 | 21 | 42 | 5 | 10 | 83 | 166 |
| 2 bed | 183 | 549 | 3 | 9 | 34 | 102 | 220 | 660 |
| 3 bed | 10 | 40 | 13 | 52 | 31 | 124 | 54 | 216 |
| 4 bed | 6 | 30 | 0 | 0 | 1 | 5 | 7 | 35 |
| Totals | 256 | 733 | 37 | 103 | 71 | 241 | 364 | 1077 |

8.67 It is clear that the main change within Phase II is the significant increase of market accommodation, and an increase of intermediate units to cross subsidise the affordable housing. The portion of rented accommodation falls within this part of the estate. Overall, 135 residential units are to be replaced with 364 units, and the number of habitable rooms within this part of the estate more than doubles from 507 to 1077.

2. The combined new housing from the implemented phase I and the current phase II.

8.68 The following table outlines the total new housing within the estate from the implemented Phase I with the proposed Phase II

Total replacement housing

8.69

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|---------------|-------------|------------|----------------------|------------|------------------------|------------|------------|-------------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 84 | 168 | 21 | 42 | 24 | 48 | 129 | 258 |
| 2 bed | 216 | 648 | 3 | 9 | 51 | 153 | 270 | 810 |
| 3 bed | 10 | 40 | 13 | 52 | 46 | 184 | 69 | 276 |
| 4 bed | 6 | 30 | 0 | 0 | 9 | 45 | 15 | 75 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | 3 | 21 | 3 | 21 |
| Totals | 316 | 886 | 37 | 103 | 133 | 451 | 486 | 1440 |

8.70 It is evident from the above table that the majority (316) of the 486 new homes proposed across the entire estate are for market sale. However, it must be made clear that the above table does not take into account the housing to be

| | | | | | | | | |
|---------------|----------|-----------|-----------|-----------|------------|------------|----------|------------|
| Totals | 8 | -1 | 14 | 44 | -16 | -62 | 6 | -19 |
|---------------|----------|-----------|-----------|-----------|------------|------------|----------|------------|

8.76 From this table, it is evident that whilst there is a net increase in total units proposed (6 units), the overall number of habitable rooms proposed within this phase falls by 19 rooms. In addition, there is an increase in 8 market units and 14 intermediate units and a net loss of 16 rented units proposed within this phase. This is primarily, due to the viability of the scheme which is discussed within the 'Planning Obligations section of this report. The loss of affordable housing including social rented units is discussed further within the housing section.

Affordable Housing

8.77 Policy 3.12 of the LP seeks to ensure boroughs negotiate affordable housing. Policy SP02 (3) of the CS sets an overall target of 50% affordable housing achieved partly by ensuring 35-50% affordable homes on sites providing 10 or more dwellings.

(1) Phase II (this application) in isolation

8.78 The proposed scheme delivers 32% affordable housing by habitable room. This falls outside the minimum 35% affordable housing required by policy.

8.79 When taking into account the existing affordable housing to be lost within Phase 2 (135 units, equating to 437 habitable rooms), the proposed scheme results in a net loss of 8.64% affordable housing within phase 2 by habitable room.

8.80 In addition, the scheme results in a 45% reduction of rented accommodation within this phase (*the existing 437 rented habitable rooms to be replaced with 241 habitable rooms*).

8.81 Lastly, it is important to note that only 19 of the 71 replacement units are to be at the social rented levels with the remaining at affordable rented levels. However, given the existing estate is vacant, with the previous residents, long since decanted and housed within alternative housing, the impact of this change is lessened to an extent.

8.82 For ease of reference, the following table provides a breakdown between the different affordable housing tenures proposed within this phase.

8.83

| Phase II Unit Size | Shared Ownership No. Units | Affordable Rented No. Units | Social Rent No. Units | Total Units |
|---------------------------|-----------------------------------|------------------------------------|------------------------------|--------------------|
| 1 bed | 21 | 5 | 0 | 26 |
| 2 bed | 3 | 34 | 0 | 37 |
| 3 bed | 13 | 13 | 18 | 44 |
| 4 bed | 0 | 0 | 1 | 1 |
| Totals | 37 | 52 | 19 | 108 |

8.84 (2) The combined implications of the implemented phase 1 and the current phase 2.

- 8.85 In accordance with policy DM3(4) it is necessary to assess the total affordable housing to be provided within the estate.
- 8.86 Phase 1 of the Leopold Regeneration delivered 57.8% affordable housing (under planning permission PA/06/00425), taking this into account the housing implemented within Phase I and currently proposed within this Phase II, the total affordable housing proposed equates to 38% across both phases. This does not take into account the housing to be lost within these phases which is discussed further within the following section of this report.
(N.B: The total housing for Phase 1 and Phase 2 is found at appendix 5)

(3) Estate Wide Implications

- 8.87 When taking into account the existing affordable housing to be demolished to make way for the new build, estate-wide the proposed scheme delivers a net increase of 3.32% affordable housing (rented and intermediate accommodation combined) by habitable room.
- 8.88 Whilst the overall affordable housing is to marginally increase, the estate wide rented tenure would reduce by 1.16%, which equates to 28 habitable rooms.
- 8.89 When taking the retained/refurbished units into account with the 122 new homes delivered under Phase 1, the tenure of the estate will shift from a mono-tenured social rented estate to an estate where 63% of all housing will be affordable by habitable rooms.

Analysis and Conclusions

- 8.90 Whilst the proposed level of affordable housing is not at the targeted 35% for the subject site above, and when taking into account the uplift actually results in a slight net loss (1.16%) of rented accommodation within the entire estate, officers consider it acceptable within the context of the estate, which also includes the refurbishment works that have already taken place, and the landscaping works that will take place within the scope of this application.
- 8.91 The Council within its MDD acknowledges within estate regeneration schemes there can be a net loss of affordable housing in exceptional circumstances. The policy states:
- 8.92 DM3(6). "Estate regeneration development that proposes a net loss of affordable housing will only be allowed in exceptional circumstances where:
a. development demonstrates that a limited loss of affordable housing is required to improve the tenure mix on site; or
b. public open space or a non-residential use will benefit the overall estate regeneration scheme."

The accompanying paragraph discusses the adopted approach further:

- 8.93 *"3.10 Part (6) seeks to ensure a better overall outcome for development within estate regeneration schemes, which leads to the net loss of affordable housing. Specifically, it looks to secure mixed and sustainable communities and high-quality housing, public open space, community infrastructure and services. Within estate regeneration schemes, the level*

of affordable housing provided within a new development may be varied to facilitate the delivery of market housing where this is demonstrated to be necessary to cross-subsidise improvements to the quality of existing affordable housing.”

8.94 In this instance, the applicant has undergone works to vastly improve the estate, from an almost entire social rented estate in need of vast refurbishment works to the current scheme which would complete the redevelopment of the estate, providing a mixed and sustainable community.

8.95 The works already taken place include the refurbishment of existing 335 social rented units, and 122 new dwellings of which 58% are at social rent levels.

8.96 The refurbishment planning application (PA/06/00632) centred on landscaping and environmental works, new windows and lift cores which required planning permission. The applicant has also confirmed that all the refurbished units within PA/06/00632 (335 units) have been brought up to Decent Homes Plus standards, which was one of the aims of the estate transfer.

8.97 A new community use building has been erected at a cost of £2.4million, and significant landscape works and public realm improvements have been undertaken, which officers have viewed on site and consider to be of high quality.

8.98 The following photographs are examples of the quality and detail of some of the landscaping works that have already taken place within the estate.

8.99



8.100



8.101 Moreover, this part of the estate has long been decanted and the proposal will complete the final phase of the regeneration of Leopold Estate.

8.102 As such, taking all of the above into account, on balance it is considered exceptional circumstances have been met to allow a loss of affordable accommodation on site in accordance with policy DM3(6) of the MDD (2013), in order to ensure that the scheme can viably carry out this later phase of development, and complete the estate regeneration works.

Conclusion

8.103 In accordance with policy SP02 of the CS and DM3 of the MDD, the proposed Phase II delivers 32% affordable housing and phases I and II both deliver combined affordable housing of 38%. The proposed amount of affordable housing has been scrutinised through the assessment of a viability appraisal, and it has been determined that this is the maximum reasonable amount of affordable housing that can be delivered and without making the scheme unviable. On balance, the provision of affordable housing is considered to be acceptable.

Housing Type and Tenure Mix

8.104 Policy 3.11 of the LP requires 60/40% split of affordable housing in favour of rented accommodation. Policy SP02(4) of the adopted CS requires a 70/30 split in favour of rented accommodation given Tower Hamlets greater need for rented units. The proposed scheme delivers a tenure split of 70% rented accommodation and 30% intermediate which is policy compliant.

Mix of units

- 8.105 The proposed scheme is considered to comply with Policy SP02(5) of the adopted CS and policy DM3(7) of the MDD which requires schemes to deliver a mix of units
- 8.106 The proposed scheme (Phase II) delivers 17% of all units for family sized accommodation. This is below the 30% target under policy SP02. However, given the scheme delivers 45% of the rented accommodation (by units) suitable for family sized accommodation against an LBTH target of 45% and that the mix including more one and two bedroom units are required to make the scheme more viability, it is considered acceptable on balance.

Rent Levels

- 8.107 Within the Affordable Housing tenure, the application proposes affordable rented, social rent and Intermediate housing.
- 8.108 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.
- 8.109 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% of the local market rent.
- 8.110 Intermediate affordable housing is defined as: Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. Home Buy), other low cost homes for sale and intermediate rent but does not include affordable rented housing.
- 8.111 The Council's Housing team are on balance supportive of the provision of affordable housing, given the level of estate regeneration that is necessary. Furthermore, the independent review of the applicants viability toolkit revealed that this is the maximum level that can be provided, whilst ensuring the proposal is deliverable.
- 8.112 The proposed affordable rent levels are in line with research POD undertook for the Council to ensure they are genuinely at affordable levels. Nineteen of the 71 units will be delivered at lower social rent levels, all of which are family sized units. The LBTH Housing team supports this approach, which is consistent with draft Affordable Housing SPD (engagement version 2013). The applicants rent levels shown below are inclusive of service charges.

| Proposed Rent Levels | | |
|-----------------------------|-------------|-----------------|
| Tenure | Type | Total |
| Affordable | 1B2P | £ 170.00 |
| | 2B4p | £ 198.00 |
| | 3B4P | £ 219.00 |
| Social | 3B5P | £ 182.70 |

| | | |
|--|------|----------|
| | 3B6P | £ 182.70 |
|--|------|----------|

8.113 Table 4: Proposed Rent Levels for Affordable Rented units.

Overall housing conclusions

8.114 The application as evidenced above has a number of shortfalls within this particular phase and estate-wide including the following:

- Proposed delivery of 32% affordable housing by habitable room does not meet the Council's minimum requirement of 35%;
- The proposal results in a loss of Social Rented accommodation within this phase, which is to be replaced with Affordable Rented levels;
- The proposal results in a minor net loss of 1.16% of rented accommodation across the entire estate;
- The proposal results in net loss of 20 family sized rented accommodation estate wide;
- The proposal results in a net loss of 16 social rented units estate wide;
- The proposal provides only 17% of all new housing for family size against a target of 30%.

8.115 However, in line with the presumption in favour of sustainable development these shortfalls are balanced against a number of benefits of the proposal some of which are listed below:

- 8.116
- The proposal aids the delivery of new homes within the borough;
 - The proposal contributes to the creation of mixed and balanced communities by creating a multi tenured community;
 - The existing blocks are vacant and the regeneration of this site will improve the housing stock within the borough;
 - The proposed works already taken place are of high quality and 335 homes have been refurbished to decent homes plus standards;
 - The proposal as outlined within this report is of high quality design;
 - The redevelopment has already improved the environment and streetscene;
 - The proposed development will complete the regeneration of the estate achieving the Council's aspiration of creating better places to live;
 - The scheme viability has been tested to ensure the affordable housing has been maximized on site.

8.117 Overall, it is considered that the benefits of the scheme in this instance outweigh the shortfalls and that the proposal would provide an acceptable mix of housing and would contribute towards delivering mixed and balanced communities across the wider area. Furthermore, the provision of 32% on site affordable housing is acceptable on balance. Therefore it is considered that the application provides an acceptable mix and percentage of affordable housing in accordance with policy 3.3 of the LP (2011), policy SP02 of the CS and policy DM3 of the MDD which seek to ensure developments provide an appropriate housing mix to meet the needs of the borough.

Standard of accommodation

8.118 LP policy 3.5 seeks quality in new housing provision, this is supported by policies SP02(6) and SP10(4) of the CS which supports high quality well-designed

developments.

Internal Space Standards

- 8.119 LP policy 3.5, policy DM4 of the MDD requires new development to make adequate provision of internal residential space.
- 8.120 The proposed development is designed to the Housing Design Guide standards and therefore is acceptable in terms of internal space standards.

Private and Communal Amenity Space

- 8.121 Policy DM4 of the MDD sets out standards for new housing developments with relation to private and communal amenity space. These standards are in line with the Mayor's Housing Design Guide (2010), recommending that a minimum of 5 sq. m of private outdoor space is provided for 1-2 person dwellings and an extra 1 sq. m is provided for each additional occupant. Each residential unit within the proposed development provides private amenity space in accordance with the housing design guide and policy requirements, in the form of balconies and gardens.
- 8.122 For all developments of 10 units or more, 50sqm of communal amenity space (plus an extra 1sqm for every additional 1 unit thereafter) should be provided. For a scheme of 363 units the minimum communal amenity space required would be 403sqm.
- 8.123 The proposal delivers approximately 1953sqm of usable communal amenity space within dedicated areas in each individual block. This exceeds policy requirements and is considered acceptable.

Public Open Space

- 8.124 The Core Strategy has a Strategic Objective to create a green and blue grid of well connected, high quality green spaces and water spaces. The Core Strategy sets out the spatial policies for achieving this objective including protecting all existing open space and wherever possible creating new open spaces. The Core Strategy notes that to achieve the 1.2 hectare per 1000 population standards the Council would need to provide 99 hectares of new open space, which would be difficult to achieve given the physical constraints in Tower Hamlets. The 1.2 hectare standard is therefore embedded as a monitoring standard to help justify local need, and secure financial contributions towards the improvement of public open space.
- 8.125 In this instance, a contribution of £747,413 has been requested towards Public Realm and streetscene improvements. This is discussed further within the 'Planning Obligations' section of this report.
- 8.126 To meet the 1.2 hectare per 1,000 population monitoring standard, the scheme would need to include 3936 sq metres based on a likely population yield of 328 new residents.
- 8.127 The scheme proposes 985sqm of designated public open space within the site, to be located within the proposed 'pocket-park'.

- 8.128 A further 3,408sqm has been allocated as a 'Homezone' environment which is to be designed as multi purpose space. Officers consider that given this space will contain car-parking spaces, turning spaces and spaces which will be used for driving vehicles it is not considered as public open space for the purposes of this assessment.
- 8.129 The accompanying text to policy DM10 states that in instances where public open space cannot be provided on-site then a contribution will be sought towards open space to deliver or improve existing open spaces within the borough. In this instance, using the Planning Obligations SPD as a basis, a contribution has been secured towards public open space. This is discussed further within the amenity section of the report.
- 8.130 Officers acknowledge that due to the site constraints it is not possible to deliver the full suggested open space amount. Given this figure is only guidance and taking the public space contribution into account along with the quality and design of the proposed pocket park, officers feel in this instance the provision of open space is acceptable.
- 8.131 In conclusion, the proposed development would make a significant contribution to delivering the Core Strategy objective of creating a blue and green grid. It would also deliver the spatial policies of protecting, creating enhancing and connecting open space, through an overall increase in the quantity and enhancement to the quality of local open space. As such, the proposal accords with policy SP04 of the CS and policy DM10 of the MDD.

Child Play Space

- 8.132 Policy 3.6 of the LP, Policy SP02 of the CS and Policy DM4 of the MDD seeks to protect existing child play space and requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Shaping Neighbourhoods: Play and Informal Recreation' (which sets a benchmark of 10 sq.m of useable child play space per child).
- 8.133 Using LBTH child yield calculations, the overall development is anticipated to accommodate 122 children and accordingly the development should provide a minimum of 1220sq.m of play space. In accordance with the London Plan standards and resulting child yield, the scheme is required to provide 1220sqm. The LBTH requirement is broken down as follows:

| | London Plan/SPG Policy Req't | % | Proposed within scheme |
|----------------------------|------------------------------|-----|------------------------|
| Child Play Space- Under 4 | 565sq.m | 46% | 1220sqm |
| Child Play Space- 5-10 | 405sq.m | 33% | |
| Child Play Space- 11-15 | 246sq.m | 20% | |
| Total | 1220sq.m | | |
| Shortfall Child Play Space | 0sq m | | |

Table 5: Child Play Space Details

- 8.134 The scheme proposes 1220sqm of child playspace which meets the LP and Tower Hamlets requirements.
- 8.135 In addition, the proposed child playspace and communal amenity space are to be designed flexibly and as such, the communal amenity space which exceeds policy requirement by 1550sqm can also be used for child play space purposes.
- 8.136 Overall, the provision of child playspace is considered acceptable in relation to policy DM4 of the MDD and policy 3.6 of the LP.
- 8.137 The child playspace is divided into 1070sqm of doorstep child playspace for under 4 year old and 150sqm for 5-10 year olds. Whilst this is not proportioned against the recommended values within the Mayor of London's SPG on 'Shaping Neighbourhoods: Play and Informal Recreation, the provision in this instance and in this location is considered suitable given the provision of play areas within the vicinity of the site which are likely to be more appealing to older age groups, as discussed below.
- 8.138 The Mayor's SPG identifies maximum walking distances to play areas for different age groups, this being 400m for those aged 5 to 11, and 800m for 12 and over. There are areas in the vicinity of the site listed below, including the Mile End Metropolitan park which provides a local area of designated amenity space for future residents
- 8.139
- The new St Paul's Way Community School;
 - Mile End Park;
 - Tower Hamlets Cemetery Nature Reserve;
 - Furze Green; and
 - Bartlett Park.
- 8.140 The scheme also delivers public open space and a new 'pocket park' area which has been discussed within the landscape section of this report.
- 8.141 Overall, officers are satisfied that adequate provision of child playspace has been provided for future children of the development.

Wheelchair Housing and Lifetime Homes Standards

- 8.142 Policy 3.8 of the LP and Policy SP02 of the LBTH CS require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 8.143 Across the development, 13.6% of all the units (54 units) are proposed to be provided as wheelchair accessible which is in excess 10% of all units. The excess in policy is to compensate for the lack of wheelchair accessible units delivered within phase 1 (Just 3 units out of 122 units). Overall, this results in a total provision of 10.8% across both phases and accords with Council policy.
- 8.144 If planning permission is granted a condition would be attached to ensure that the

13.6% of wheelchair accessible units are delivered within the scheme.

Daylight/ Sunlight for future occupiers.

Daylight

- 8.145 Daylight for future residents is calculated by Average Daylight Factor (ADF). ADF is a measure of interior daylight used to establish whether a room will have a predominantly daylit appearance.
- 8.146 BRE guidelines recommend the following values for dwellings. These are:
2.0% - Kitchens
1.5% - Living Rooms
1.0% - Bedrooms
- 8.147 The applicant has submitted a daylight and sunlight assessment which confirms that 941 of the 1112 rooms tested (84%) meet the required ADF values. The higher the rooms are located within the development the better the daylighting conditions are to be expected for future residents.
- 8.148 A total of 171 rooms fail to meet the recommended guidelines, and these are predominantly situated on the lower floors of all four blocks and as such, affecting a wide range of tenures and unit sizes.
- 8.149 The majority of the 171 failures are located on the lower levels of the development with 62% of the rooms at ground floor meet the recommended guidelines. At first and second floor levels 80% and 73% of the units accord with the guidelines.
- 8.150 With regards to the upper floors, the pass rate increases significantly from 89% at third floor level, 94% at fourth floor level and between 96-98% on fifth to seventh floors respectively. In most cases, especially on the upper floors the units that pass exceed the guidelines comfortably.
- 8.151 The applicant has suggested that there are a number of reasons why the failures are particularly high at ground floor level. These include the new accommodation being larger in size to meet the new GLA and MDD space standards, resulting in deeper units which reduce the level of light penetrating the rooms.
- 8.152 In addition, the applicant has suggested that the level of failures should be weighed against the need to provide private amenity space, often in the form of balconies. The provision of balconies directly above each room also reduces the levels of light reaching the relevant rooms below.
- 8.153 Officers have compared the failures at ground floor level with the corresponding layout at first floor level. The comparison shows a direct correlation exists between the rooms that fail the ADF and those that have balconies above.
- 8.154 As such, it is necessary to balance the shortfall in ADF for some of the ground floor units with the benefits of providing private amenity space for the units above.
- 8.155 In a dense urban setting, officers consider the balance in favour of the scheme, given the vast majority of units overall achieving the BRE Guidelines.

Sunlight

- 8.156 The BRE Report (2011) recommends that where possible all dwellings should have at least one living room which can receive a reasonable amount of sunlight. A reasonable amount of sunlight is defined in BS 8206:2008 as follows:

“Interiors in which the occupants have a reasonable expectation of direct sunlight should receive at least 25% of probable sunlight hours. At least 5% of probably sunlight hours should be received in the winter months, between 21 September and 21 March. The degree of satisfaction is related to the expectation of sunlight. If a room is necessarily north facing or if the building is in a densely built urban area, the absence of sunlight is more acceptable than when its exclusion seem arbitrary”

- 8.157 By virtue of the plot layout, a large number of units do not facing 90 degrees due south and as such, the natural expectation of receiving sunlight is greatly reduced.
- 8.158 For similar reasons to daylight impacts with overhanging balconies, only 66% of the south facing rooms would receive the recommended annual sunlight hours (531 rooms out of 808) and 62% (499 rooms out of 808) would meet summer and winter hours.
- 8.159 Officers agree with the applicant insofar as, it being difficult to achieve full compliance with the recommended hours in such a dense setting, especially with overhanging balconies. Notwithstanding this, despite the shortfall in some sunlight to some units, overall officers believe a high standard of design has been met within this scheme for future residents. It is also important to note 59 of the 155 rooms that do not meet the sunlight hours are bedrooms where sunlight is not as important as set out in the BRE Guidelines.

Noise and Vibration

- 8.160 Chapter 11 of the NPPF gives guidance for assessing the impact of noise. The document states that planning decisions should avoid noise giving rise to adverse impacts on health and quality of life, mitigate and reduce impacts arising from noise through the use of conditions, recognise that development will often create some noise, and protect areas of tranquillity which have remained relatively undisturbed and are prized for their recreational and amenity value for this reason.
- 8.161 Policy 7.15 of the LP, saved policies DEV2 and DEV50 of the UDP, policies SP03 and SP10 of the CS and policy DM25 of the MD DPD seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.162 The proposed development will be exposed to noise and some vibration from local road and railway transport in close proximity to the development.
- 8.163 The submitted noise report considers existing noise levels, noise from new plant, existing noise and vibration from trains, possible noise from Crossrail, noise from the nearby school and noise arising from the implementation of the scheme.
- 8.164 The Councils Environmental Health confirms they have no objections to the

scheme subject to adequate noise insulation and ventilation put in place. Officers consider these details can be controlled via the imposition of conditions attached to the consent.

Air Quality

- 8.165 Policy 7.14 of the LP seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality, Policy SP02 and SP10 of the CS and Policy DM9 of the MDD seek to protect the Borough from the effects of air pollution, requiring the submission of air quality assessments demonstrating how it will prevent or reduce air pollution in line with Clear Zone objectives.
- 8.166 The Air Quality assessment (Chapter 11 of the Environmental Statement) suggests there will be a negligible impact in relation to air quality. The report advises that during construction good site practices such as erecting solid site boundaries, using water as a suppressant, enclosing stockpiles, switching off engines, minimising movements and creating speed limits within the site all can mitigate against any impacts. Officers recommend and Construction & Environmental Management Plan to be secured via condition to ensure suitable measures are adopted to reduce any Air Quality impacts.
- 8.167 It is considered that the impacts on air quality are acceptable and any impacts are outweighed by the regeneration benefits that the development will bring to the area subject to conditions to ensure that dust monitoring during the demolition and construction phase are incorporated as part of the Construction Environmental Management Plan.
- 8.168 As such, the proposal is generally in keeping Policy 7.14 of the LP, Policy SP02 of the CS and Policy DM9 of the MDD which seek to reduce air pollution.

Amenity

- 8.169 Adopted policy SP10 of the CS and policy DM25 of the MDD seek to protect residential amenity by ensuring neighbouring residents are not adversely affected by a loss of privacy or a material deterioration in their daylighting and sunlighting conditions. New developments will also be assessed in terms of their impact upon resident's visual amenities and the sense of enclosure it can create.

Daylight, Sunlight and Overshadowing

- 8.170 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 8.171 The properties most likely to be affected by the development are those located in Leopold Estate Phase 1 to the south-west of the site. The remaining properties fall outside the 25% test as recommended by BRE guidelines and as such, are not required to be tested.

Daylight

- 8.172 For calculating daylight to neighbouring properties, the primary assessment is the vertical sky component (VSC) method. The 2011 BRE guidance emphasises the

VSC method as the primary method of assessment. The applicant has assessed the impact on adjoining residents in relation to VSC and also daylight distribution.

- 8.173 With regards to VSC, BRE Guidelines advise that a loss of vertical sky of more than 20% becomes noticeable to residents and can potentially be considered as an adverse impact from the development.
- 8.174 The submitted daylight and sunlight report assesses the impact of the proposed development upon neighbouring properties.

Neighbouring Properties

- 8.175 The report demonstrates that 95% of all windows tested (176 out of 186 windows) would see a VSC reduction well within the 20% tolerance levels set out within the BRE Guidelines.
- 8.176 Of the 10 windows that fail the VSC, 10 of the failures are considered marginal failures between 1-5% of the notable 20% and one failure is 29%. The rooms that fail are located within Block E of Phase 1 Leopold Estate and also at 1 to 28 Couzens House, Weatherley Close.
- 8.177 When analysed further, it is revealed that six of the ten failures are to rooms which are dual aspect. This includes the room with the greatest failure of 29%.
- 8.178 The applicant has also assessed these windows in relation to Daylight Distribution. This method of assessment takes into account other windows within the rooms and focusses on the level of light falling within the rooms.
- 8.179 In terms of daylight distribution, the information provided by the applicant confirms that all four of the rooms tested at Block E of Phase 1 would continue to see daylight reaching at least 83% of their former areas within the relevant rooms.
- 8.180 With regards to residents at Weatherley Close, the rooms tested for daylight distribution would continue to receive daylight, however the levels would be reduced between 50-72% of their former areas.
- 8.181 Officers feel, when taking the scale of the development proposed, the impacts of the development on adjoining properties is considered relatively minor and on balance can be supported in this instance.

Sunlight

- 8.182 The BRE report recommends that for existing buildings, sunlight should be assessed for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probable sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building will notice the loss of sunlight.
- 8.183 The submitted report outlines that 7 windows are within the vicinity face 90

degrees due south of the site and require to be tested for sunlight. All seven of the rooms tested would see no reduction in sunlight during winter and four of the seven tested would see no change in sunlight during summer. Of the three that would see a reduction in sunlight hours, it would only be a minor reduction during the summer. The greatest reduction would be from 11% to 7% and this would be to the ground floor room of Block E of the phase one development. Accordingly, exceed BRE requirements.

- 8.184 Overall, officers feel the proposed development does not have an unduly detrimental impact in terms of Daylight or Sunlight to existing residents.

Overshadowing

- 8.185 In terms of permanent overshadowing, the BRE guidance in relation to new gardens and amenity areas states that “it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least 2 hours of sunlight during 21 March”.
- 8.186 The report demonstrates that the majority of the amenity areas within the development would receive at least 2 hours of sunshine during 21st March. As such, the proposal is acceptable in accordance with the above BRE guidance.

Privacy

- 8.187 The proposed development has been sensitively designed to ensure acceptable separation distances between the new buildings and existing buildings, with many of the separation distances comfortably exceeding the suggested 18m distance.
- 8.188 The only distances that are within the 18m are those for the proposed blocks which are at oblique angles, thus positioned to avoid direct overlooking.
- 8.189 Overall, it is considered that the proposed development is suitably designed to ensure privacy is preserved in accordance with policy SP10 of the CS and Policy DM25 of the MDD (2013). These policies seek to protect residential amenity.

Visual amenity / sense of enclosure

- 8.190 These issues are considered to be subjective. Following an assessment of the application, officers consider that given the separation distances proposed between the application site and surrounding buildings the proposed development will not give rise to any adverse impacts in terms of visual amenity or increased sense of enclosure.
- 8.191 In conclusion, it is considered that there would be no unduly detrimental impact upon the amenity of the surrounding occupants, and the density and proximity of the building is appropriate for the character of an urban area such as this.

Landscaping and Biodiversity

- 8.192 The London Biodiversity Action Plan (2008), policy 7.19 of the LP, policy SP04 CS and policy DM11 of the MDD seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve a net gain in

biodiversity.

- 8.193 The applicant has submitted an Ecological Survey & a Tree Survey and Initial Arboricultural Implications Assessment in order to assess the impact of the proposal and any ecological measures proposed by the scheme.

Arboricultural Impacts

- 8.194 The submitted Arboricultural report outlines a total of 41 trees are to be removed. More than half of the trees (24) are considered to be of moderate quality and value as to make a significant contribution of a minimum of 20 years (Category B trees).
- 8.195 Fifteen trees are considered to be of low quality or are young trees of a stem diameter of 150mm (Category C trees). Lastly, two trees are of poor quality and recommended to be removed regardless of this application due to sound arboriculture practice (Category R trees).
- 8.196 In order to mitigate the loss of these trees, 46 new trees are proposed within the landscaping plan of the development. Once these trees are established it is considered that they will offset the loss of the existing trees.
- 8.197 The Arboricultural statement also outlines a number of measures aimed at protecting the roots of the existing trees that are to be retained from damage during the implementation of the development. These are recommended to be conditioned within the consent.

Ecological Impacts

- 8.198 The submitted report identifies local trees and shrubs to be of local ecological value.
- 8.199 All breeding birds are protected under the 'The Wildlife and Countryside Act 1981'. This Act ensures that any loss to nesting habitats is undertaken outside of the bird nesting season (March to August).
- 8.200 The provision of the above Act should ensure any loss of nesting habitats is not harmful to the nesting of any bird species. An informative is recommended on the consent advising the applicant of the need to comply with the above Act.
- 8.201 The ecological report confirms there are limited opportunities for bat roosting within the existing buildings. However, the report did identify four trees which had the 'medium' potential to support Bats which are a protected species under the Town and Country Wildlife Act. The report advises that if these trees are to be lost within the proposed development, then a detailed inspection of the tree cavities should be carried out for evidence of roosting bats before the trees are removed. Given, three of these trees are proposed to be removed, a condition requesting a cavity inspection for these trees is recommended.
- 8.202 The Council's Biodiversity officer is supportive of the proposal subject to conditions to secure the following:
- 8.203 -Full details of the landscaping

- Full details of the biodiversity enhancement measures
- Full details of bird and bat boxes
- Full details of the sedum/ brown roofs proposed

8.204 Council's Biodiversity officer is satisfied that with appropriate conditions the proposed development would result in a net gain in biodiversity. Accordingly, the proposal will serve to improve the biodiversity value as sought by policy SP04 of the CS .

Transport, Connectivity and Accessibility

8.205 The NPPF and Policy 6.1 of the LP 2011 seek to promote sustainable modes of transport and accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative capacity of the existing highway network.

8.206 CS Policies SP08 and SP09 and Policy DM20 of the MDD together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.

Transport Assessment

8.207 Policy DM20 of the MDD requires the submission of a transport assessment for major applications.

8.208 The submitted Transport Assessment containing a multi-modal trip rate assessment has been provided by the applicant, which has been reviewed by officers from the Councils highways department and Transport for London, both of which confirm that no additional mitigation is required and that the development is not envisaged to have a substantial impact on the local highway network.

Travel Plan

8.209 In accordance with policy DM20 of the MDD, the application has been accompanied by a draft Travel Plan, which has been reviewed by TfL and considered to fail the ATTrBuTE assessment. Officers consider this matter can be dealt with via an imposition of a condition, requiring a final Travel Plan for approval. The implementation of the Travel Plan is to be secured via a s106 legal agreement.

Car Parking

8.210 Policy 6.13 of the LP, Policy SP09 of the CS and Policy DM22 of the MDD seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.

8.211 The LP also seeks to ensure the maximum parking standards are not exceeding within all developments, with areas of high transport levels achieving significantly less parking.

8.212 Policy DM22 of the MDD requires 0.2 parking spaces for units less than 3

bedrooms and 0.3 parking spaces per unit which has more than three bedrooms within Public Transport Accessible Levels (PTAL) of 3.

8.213 The public accessibility levels for the site vary with a large portion of the site within low PTAL level of 2 to 3, the northern part of the site has a PTAL of 4 with the corner of the site having a PTAL rating of 6a which is the highest.

8.214 Based on an average PTAL rating of three, the proposed scheme could provide up to a maximum of 79 car parking spaces for future occupiers.

8.215 The application proposes 47 car parking spaces at ground level with 10 (20%) designated as disabled spaces. Under policy DM22, the proposal falls within the maximum number of parking spaces recommended for the development, and is acceptable.

Provision for Cyclists

8.216 Policy DM22(4) seeks to ensure developments meet, and preferably exceed, the minimum standards for cycle-parking.

8.217 The application proposes 420 cycle parking spaces in 13 secure storage areas around the site. A condition requiring a minimum of 425 cycle parking spaces is recommended in order to ensure the proposal complies with policy DM22 of the MDD and policy LP policy 6.13.

8.218 Accordingly, it is the view of officers that subject to securing the provisions outlined above, the proposed cycle parking on site is considered acceptable.

Servicing and Deliveries

8.219 LP Policy 6.13 states that developments need to take into account business delivery and servicing.

8.220 Full details of servicing and deliveries are recommended to be secured via conditions under a Delivery & Servicing Plan (DSP) which is to be submitted prior to occupation of the development. Subject to this condition, officers consider the proposal would comply with policy 6.13 of the LP

Waste, Refuse & Recycling

8.221 As per the estate, a number of underground refuse systems (URS) are proposed on privately owned land, a number of recycling locations are also proposed.

8.222 Full details of the waste, refuse and recycling would also be managed and coordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation of the development.

Energy & Sustainability

8.223 At a National level, the NPPF encourage developments to incorporate renewable energy and to promote energy efficiency.

8.224 The LP sets out the Mayor of London's energy hierarchy which is to:

- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green)
- 8.225 The LP includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2). MDD policy DM29 exceeds the LP and seeks a 35% CO2 reduction above the Building Regulations.
- 8.226 Policy SP11 CS requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation, which is supported by policy 5.7 of the LP.
- 8.227 Lastly, policies 5.5 and 5.6 of the LP and DM29(2) of the MDD promote the use of decentralised energy within development proposals through the use of Combined Heat and Power (CHP) systems.
- 8.228 The proposed development follows energy hierarchy, will utilise an existing decentralised CHP system built within Phase 1 of the estate regeneration and provide roof mounted PV panels to achieve the 35% reduction against building regulations 2010. As such, the proposed development complies with the above mentioned LP, CS and MDD policies.
- 8.229 Policy 5.3 of the LP and policy DM29(4) of the MDD seek to ensure sustainable design assessment tools are used to maximise climate change mitigation. The Accompanying text for the MDD states that the Council will seek Code for Sustainable Homes Level 4.
- 8.230 The proposed development aims for Code for Sustainable Homes Level 4 rated units which is in accordance with the above mentioned policies and supported by officers from the Energy Team. The details will be conditioned to ensure level 4 has been met.

Health and Safety

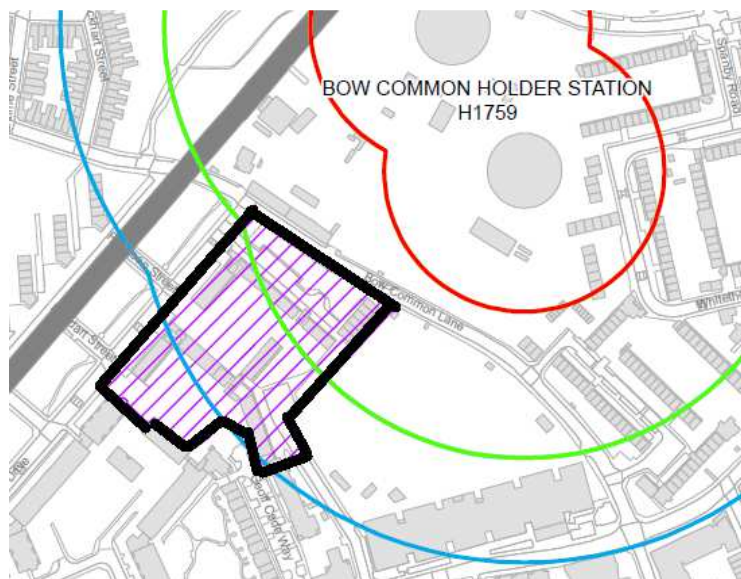
- 8.231 The Sevesco II Directive requires Member States (of the European Union) to introduce controls on establishments where dangerous substances are present above certain quantities. The aim of the directive is to prevent major accidents which involve dangerous substances and to limit their consequences for man and the environment.
- 8.232 Within England and Wales, the enforcement regulations of the Sevesco II directive is the Control of Major Accident Hazards Regulations (1999)
- 8.233 Within planning this is covered by the Planning (Hazardous Substances) Act 1990. This Act provides the mechanism for creating and revoking Hazardous Substance Consent (HSC) which are issued to sites which contain dangerous substances.
- 8.234 The application site is adjacent to the Bow Common Gas Holders which have a Hazardous Substance Consent in place.

- 8.235 Circular 04/00: Planning controls for hazardous substances provides guidance on who to consult with regards to planning applications in close proximity to sites with HSC consents in place. The circular advises local authorities to consult the Health and Safety Executive (HSE) outlining (at paragraph A.1 of the circular) that the '*HSE's role in the land use planning system is to provide local authorities with advice on the nature and severity of the risks presented by major hazards to people in the surrounding area so that those risks can be given due weight, when balanced against other relevant planning considerations, in making planning decisions.*'
- 8.236 The circular advises that the (A.3) '*HSE's role is an advisory one. It has no power to direct refusal of planning permission or of hazardous substances consent. Where HSE advises that there are health and safety grounds for refusing, or imposing conditions on, an application, it will, on request, explain to the local planning or hazardous substances authority the reasons for their advice. Where that advice is material to any subsequent appeal, it is prepared to provide expert evidence at any local inquiry*'
- 8.237 More importantly, the circular advises that '*A5. In view of their acknowledged expertise in assessing the off-site risks presented by the use of hazardous substances, any advice from HSE that planning permission should be refused for development for, at or near to a hazardous installation or pipeline, or that hazardous substances consent should be refused, should not be overridden without the most careful consideration.*'
- 8.238 Lastly paragraph 46 of the circular requires planning applications for development at or in the vicinity of sites at which hazardous substances are present, to have regard to the provisions of the development plan, so far as it is material to the application (s.9 of the 1990 Act).
- 8.239 In relation to the Councils development plan, policy 5.22 of the London Plan and policy DM30 of the Management Development Document are relevant.
- 8.240 Policy 5.22 of the LP requires site specific circumstances and proposed mitigation measures be taken into account when applying the Health and Safety Executive's Planning Advice Developments near Hazardous Installations (PADHI) methodology. Furthermore, the policy states the risks should be balanced with the benefits of development and should take into account of existing patterns of development.
- 8.241 Policy DM30(2) of the MDD states development will not be supported which involves the storage or use of hazardous substances or new developments in close proximity to hazardous installations where it would cause a significant hazard to health and the environment.
- 8.242 The accompanying text at paragraph 30.4 states, '*In combination with advice provided by the Health and Safety Executive, consideration will also be given to site specific circumstances and any proposed mitigation measures. If the HSE advise against development, planning permission will only be granted in circumstances where it can be demonstrated that the benefits that would be brought by the proposed development would significantly outweigh the potential risks to health and the local environment*'
- 8.243 The Bow Common Gas Works, has a site allocation (site allocation 8) to provide a

strategic housing development including family housing, a primary school and district facility and public open space within the Management Development Document plan period up to 2025.

- 8.244 The gasholders are currently disused, however the Hazardous Substance Consent has not been revoked, effectively meaning that they could potentially be used to store gas again in the future.
- 8.245 Applications close to gasholder sites are run through a programme called PADHI+ developed by the Health and Safety Executive.
- 8.246 PADHI+ is a tool used to give land use planning (LUP) advice on proposed developments near hazardous installations. PADHI+ uses two inputs to a decision matrix to generate the response, the zone in which the development is located out of three zones and the 'sensitivity level' of the proposed development. The matrix will generate either an 'Advise Against' or 'Do not Advise Against' response. In this case the matrix has generated a response 'Advise Against', which confirms there are sufficient health and safety grounds for the HSE to advise against the granting of planning permission.
- 8.247 The following plan shows the application site (shaded area to the south west). The site is located predominantly within the outer zone with part of the site within the middle zone.

8.248



- 8.249 The key concern is the density of housing, the resulting number of people and its proximity to the gas holders. In the event the gas holders were a) to be re-commissioned and b) may not function correctly, it may be difficult to organise people in the event of an emergency.
- 8.250 From the outline planning permission, the applicant has revisited the design which has resulted in a reduction in the number of dwellings within the middle zone of the development, effectively pushing the dwellings closer to the outer zone where the effect of the gas holders is reduced to an extent. The change in housing is shown in the following table.

| HSE Zones | Current Phase 2 Application (dwellings) | Outline Application (dwellings) |
|-------------|-----------------------------------------|---------------------------------|
| Inner Zone | 0 | 0 |
| Middle Zone | 92 | 128 |
| Outer Zone | 249 | 212 |

- 8.251 In addition, the overall heights of the buildings within the middle zone have reduced from ten to six storeys within the approved outline consent and nine to four storeys within this application. Despite these changes, the response from PADHI is to advise against.
- 8.252 In response to these concerns, the applicant has commissioned a gas holder risk assessment, the purpose of which is to provide further understanding of the risk to future occupiers.
- 8.253 The risk assessments have sought to demonstrate that while the PADHI consultation response has produced an 'advise against' response, the risk posed by the gasholders are within levels that may be deemed acceptable to the planning authority when balanced against all other material considerations.
- 8.254 The Renaissance Risk report (amended July 2013) emphasises that it does not seek to challenge the HSE land use planning process which it confirms is fit for purpose.
- 8.255 The reports have relied principally upon the assessment of society risk, which is based on the number of people who could potential be harmed by a single incident occurring from a site. The HSE has developed a methodology for assessing societal risk in situations where a PADHI consultation has resulted in a 'advise against' development known as Scaled Risk Integral (SRI). The SRI value is generated by the following equation: $P \times R \times T/A$. Each variable is as follows:
- P = population
 - R = risk based on chance per million
 - T = time the development is occupied
 - A = area of the development
- 8.256 The HSE's Criteria document for Land Use Planning cases of serious public safety concern states, in terms of SRI, that values between 500,000 and 750,000 will be given the most serious consideration in deciding whether to request the application be 'called in' for determination by the Secretary of State. In cases where the SRI value is in excess of 750,000, call in would be sought no matter the circumstances of the development. The application site received an SRI value of 200,000.
- 8.257 Risk is defined as the chance of specified level of harm occurring, such as the chance of fatality per year, or the chance of Dangerous Dose per year.
- 8.258 The Council has commissioned an independent review of the findings of the risk assessment which are briefly outlined below.
- 8.259 The reviewed report outlines that whilst the Gas Holders have been decommissioned, as long as the Hazardous Substances Consent (HSC) is in place, the HSE are compelled to advise against.

- 8.260 With regards to the SRI, the lower the resulting number the less the risk. For instance a SRI of lower 2,500 is not considered significant.
- 8.261 A figure of 35,000 represent a lower limit of substantial risk, and where the risk is significant for the HSE to normally advise against the granting of planning permission.
- 8.262 In this instance, the SRI value of the development has been generated at 200,000 which represents a 'substantial risk' to residents in the event the gas holders malfunction.
- 8.263 The findings of the independent review requires the local planning authority to be satisfied that the developer has fully taken into account the risks posed by the gasholders and attempted to minimise this risk. In this instance, the developer has commissioned its own review and sought to minimise risk by amending the scheme as discussed in paragraph 8.250.
- 8.264 Whilst this may be the case, the Councils position is the gas holders are currently in a decommissioned state, the current risk is considered to be much less (given the gas holders are not in use and as such the likelihood of them malfunctioning is almost negligible). The risk arises should the site not come forward for the development in line with the aspirations of the MDD, but rather be commissioned for use as gas holders again.
- 8.265 Whilst the Hazardous Substances Consent (HSC) is in place, there is a remote possibility of the gas holders being commissioned again still exists.
- 8.266 Officers are aware of discussions that have taken place in relation to the re-development of the gas holders site in line with the site allocation of the MDD and as such, are reasonably confident that the actual risk of the gas holders becoming in operation again and therefore, constituting a risk, are greatly reduced.
- 8.267 In addition, it is noted that the MDD went through extensive public consultation and following a meeting held at the Council, a statement of common ground was produced between the London Borough of Tower Hamlets and National Grid Property Holdings Ltd (the owners and managers of the Bow Common Gasworks) for the purposes of the Public Inquiry into the MDD.
- 8.268 The site allocation sought to create a comprehensive development to provide a strategic housing development, a primary school, a district heating facility and other compatible uses. The site is also expected to deliver open space and maintain the objectives of linking into existing walking and cycling routes, a green grid route, improved public realm and noise insulation to the railway line to the north.
- 8.269 The statement of common ground agreed the following:
- *The allocation of the site for strategic housing is agreed.*
 - *It is agreed that the density of housing will be developed during the development management process.*
 - *The walking/cycling routes and green grid route are acknowledged and are not in dispute and should be appropriately planned during the development management stage.*
 - *The improved public realm and noise screening are in agreement and should be*

appropriately planned during the development management stage.

8.270 The outstanding issues in the statement of common ground between the London Borough of Tower Hamlets and the National Grid Holdings related to the following issues:

- *LBTH maintains its position regarding:*
 - *the requirement for a local park with a minimum size of 1.2hectares;*
 - *the requirement for a primary school; and*
 - *the requirement to provide a District Heating System.*

8.271 The site allocation for Bow Common Gas Holders was subsequently adopted within the MDD.

8.272 It is clear from the statement of common ground, that the National Grid shared the Councils aspirations to redevelop the Bow Gaswork site for housing and with preliminary pre-application discussions taking place, officers are reasonably confident that a development will come forward at some stage on the Gas Holder site which will require the revocation of the HSC and remove the existing substantial risk on the application site.

8.273 With regards to site specific circumstances, the proposal as outlined within this report has substantial regenerative benefits both to the local environment and also to local residents, providing a significant level of housing of which there is a substantial demand for within the borough.

8.274 In deciding whether the risk of the Bow Common gasholder site outweighs the benefits presented by this scheme, Members should consider paragraph 8 of the HSE's Criteria document for Land Use Planning cases of serious public safety concern. This sets out the criteria against which the HSE will consider whether to request the Secretary of State call's in the application for determination. These criteria area:

- Any significant residential development or development for vulnerable populations in the inner zones;
- the risk of death from a major hazard exceeds the Tolerability of Risk (TOR) limit for a member of the public;
- there are substantial numbers of people in the proposed development exposed to a significant level of risk;
- the endangered population is particularly sensitive;
- It is a challenge to HSE's risk criteria for land use planning.

Taking each point in turn,

- no building is proposed within the inner zone
- it is accepted that the gasholder is within TOR limit
- the societal risk has been discussed within this report
- the subject population is not any more or less sensitive than average
- the HSE's own methodology has been used in assessing the risk.

8.275 As such, whilst officers are mindful of the substantial risks to local residents and the environment by virtue of having the HSC consent in place, for the reasons outlined above officers are minded to go against the recommendation of the HSE and recommend approval of the scheme.

- 8.276 When a planning authority in England and Wales proposes to grant planning permission against HSE's advice, HSE must be given 21 days' notice in which to consider whether to recommend that the Secretary of State call in the application and as such become the determining authority. As such, should members be minded to recommend approval of the scheme, the application will be referred to the HSE to consider whether they would like to call in the application.
- 8.277 To conclude, taking the above into account, it is considered that in this instance the substantial regenerative benefits of the scheme, including the provision of much needed housing and environmental improvements would significantly outweigh the potential risks to health and the local environment. As such, on balance the proposal accords with policy 5.22 of the LP (2011) which requires the risk to health and the environment to be balanced with the benefits of development. In addition, it is considered that subject to a condition requiring the submission and approval of a full evacuation plan, the proposed development is considered to mitigate the hazard to the health and environment, in accordance with Policy DM30(2) of the MDD (2013), which states development will not be supported which cause a significant hazard to health and the environment.

Contamination

- 8.278 In accordance with the requirements of the NPPF and policy DM30 of the MD DPD, the applicant has submitted various documents outlining the potential risk of contaminants to future residents.
- 8.279 The Council's Environmental Health Officer has reviewed the documentation, and noted that further characterisation of the risks are necessary via a remediation investigation. As such, a condition to secure remediation has been requested.

Health Considerations

- 8.280 Policy 3.2 of the LP seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.
- 8.281 Policy SP03 of the CS seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.
- 8.282 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:
- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
 - Providing high-quality walking and cycling routes.
 - Providing excellent access to leisure and recreation facilities.
 - Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
 - Promoting and supporting local food-growing and urban agriculture.
- 8.283 The applicant has agreed to a financial contribution of £56,840.00 to be pooled to allow for expenditure on health care provision within the Borough.

8.284 The application also proposes open spaces within the site which is to be delivered. This will also contribute to facilitating healthy and active lifestyles for the future occupiers of the development and existing residents nearby.

8.285 It is therefore considered that the financial contribution towards healthcare and the level open space will meet the objectives of LP Policy 3.2 and Policy SP03 of the Council's CS which seek the provision of health facilities and opportunities for healthy and active lifestyles.

Planning Obligations

8.286 Regulation 122 of the Community Infrastructure Levy Regulations 2010, brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:

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

8.287 Policy SP13 of the CS (2010) require the Council to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.288 The general purpose of s106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure. The monetary contributions are based on the Council Supplementary Planning Document (SPD) on Planning Obligations (adopted January 2012)

8.289 Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development (solely phase 2) would be approximately £1,233,520.10 This has been applied as follows through the SPD.

8.290 The requested financial heads of terms have been broken down as follows:

Financial Contributions

- a) Community Facilities £142,704.00
- b) Sustainable Transport £4,920.00
- c) Employment £87,957.83
- d) Health £226,338.00
- e) Public Realm/streetscene £747,413
- f) 2% Monitoring Fee £24,186.67

Total Financial Contribution: £1,233,520.10

To add to the non-financial contributions listed below:

Non-financial Contributions

- a) 32% affordable housing units
- b) 50 Wheelchair units within this phase

- c) Car and permit free agreement
- d) Commitment to utilise employment initiatives
- e) Travel Plan
- f) Provide a viability assessments on completion of Phase 2 where any overage would be allocated towards affordable housing within the ward boundary;

8.291 The outline planning permission for the entire estate was approved in 2008, with the following planning obligations:

- 8.292
- a) *A total of 392 affordable housing units, consisting of 220 existing social units, 149 new social units and 23 intermediate units.*
 - b) *Provide **£2,414,245** towards the construction of the replacement community facility as set out in the viability studies and objectives of the Design Statement;*
 - c) *Provide **£4,409,513** towards the environmental improvements (including improved open space) as set out in the viability studies and objectives of the Design Statement;*
 - d) *Provide **£445,000** towards the improvements and upgrades of the transport infrastructure to mitigate the requirements and pressures of the additional population on road network in the immediate area;*
 - e) *Provide viability assessments for the two remaining phases where overage would be allocated towards affordable housing within the ward boundary;*
 - f) *A Travel Plan (for both the commercial and residential component) which promotes sustainable transport by reducing dependency on the private motor car and implements a shift towards more environmentally sustainable means of servicing the travel requirements of occupants and visitors;*
 - g) *A car free agreement to restrict the occupiers of the new build units from applying for residents parking permits in the area;*
 - h) *Compliance with Environmental Management Plan;*
 - i) *Compliance with Energy Provisions in agreement with approved Energy Strategies (including scoping to incorporate 'existing' 335 residential units, connections to surrounding schools, community uses; 132 St Pauls Way and other sites in the immediate vicinity);*
 - j) *Secure arrangements with local schools to enable usage of play areas;*
 - k) *Provision of temporary ball court on site;*
 - l) *The use of Local Labour in Construction;*

8.293 The applicant has provided confirmation that the s106 contribution relating to the outline planning permission has been met and a sum of £449,175.00 (obligation D indexed) was paid to the Council on 1st July 2010 during the implementation of Phase 1.

8.294 Given this amount was for the outline consent as a whole, which includes the area covered by phase 2, based on the number of units the £449,175.00 contribution works out to £114,165.31 for the units within phase 1, and £335,009.69 for the units within this phase. Therefore, it could be argued that the applicant has already provided around £335,009.69 for transport infrastructure.

8.295 In relation to financial obligations, the applicant has also confirmed the community facility has been delivered on site, within the estate (obligation b) and £1,199,343

of the £4,409,513 towards environmental improvements have been spent on Phase 1 of the development.

- 8.296 The applicant has confirmed that the estimated cost of environmental works to Phase 2 equate to £3,250,000, with the total anticipated expenditure on environmental improvements £4,449,343.00.
- 8.297 With these costs previously agreed and implemented by the applicant, this application has been submitted with a viability appraisal, outlining why 32% affordable housing is the maximum that can be provided within this phase. The report outlines that no additional s106 contributions to those already agreed can be provided within this phase.
- 8.298 The submitted viability appraisal provides an assessment of the viability of the development by comparing the Residual Value against the Existing Use value. In broad terms, if the Residual Value equals or exceeds the Existing Use Value, a scheme can be considered as viable, as the requirements of paragraph 173 of the NPPF for competitive returns to the developer and the landowner have been satisfied.
- 8.299 In summary, the appraisal compares the potential revenue from the site with the potential costs of development. In estimating the potential revenue, the income from selling dwellings in the market and the income from producing specific forms of affordable housing are considered and in testing the development costs matters such as build costs, financing costs, developers profit, sales and marketing costs are considered.
- 8.300 The report establishes that it is not viable for the proposal to deliver the planning obligations as set out above. The applicant's viability report has been independently reviewed on behalf of the council and is considered to be robust in its findings.
- 8.301 There are a number of points to note within the viability report which influence the scheme viability and deliverability. These include the costs the developer has already incurred for the community facility (£2.4 million), and the costs for the Environmental work totalling £4.409 million.
- 8.302 In addition, the report outlines further exceptional costs totalling £3.648 million relating to freeholder and leaseholder buybacks, and homeloss & disturbance payments.
- 8.303 Moreover, a further CIL liability of £802,460 had originally been assumed within the viability review. All these factors have resulted in a scheme achieving a negative residual value, and thus being unable to provide any s106 contribution in addition to that previously approved.
- 8.304 Nevertheless, officers have managed to negotiate a section 106 contribution of £309,930.00 on the basis that the original CIL liability assumed the existing buildings would have been demolished before the implementation of planning permission, resulting in no discount from the existing floorspace. The applicant has decided to keep the existing buildings up until the point of implementation and as such, the CIL liability has been reduced.
- 8.305 Officers have sought to allocate the section 106 based on a pro-rata system.

However, should this approach be implemented in its entirety it would result in no education contribution. This is because within this part of the estate there is a net reduction in child yield based on the child yield tables within the Planning Obligations SPD.

8.306 However, estate wide the housing proposed within this phase, the total new housing provided within the entire estate generates a primary school yield increase of 6 and a secondary school yield of 2. This equates to an education contribution of £133,674.00.

8.307 Officers consider that whilst this contribution results from the housing approved and implemented under the original application and therefore technically does not relate to the development proposed, the current application presents an opportunity to mitigate against the wider estate impacts on education. As such, officers have sought to allocate £133,674.00 from the £309,930.00 solely to education.

8.308 It is considered that the limited 106 package should be proportioned against the various heads of terms and allocated as follows:

8.309 Financial Contributions

| | |
|-----------------------------------|--------------------|
| a) Employment Skills and Training | £22,100.00 |
| b) Community Facilities | £35,855.00 |
| c) Education | £133,674.00 |
| d) Health | £56,840.00 |
| e) Sustainable Transport | £3,100.00 |
| f) Public Realm | £52,284.00 |
| g) Monitoring (2%) | £6,077.00 |
| Total | £309,930.00 |

8.310 When applied rigidly, the section 106 contribution within this phase and application represents approximately 25% of the total s106. Therefore, it can be argued that the scheme does not mitigate against all of its impacts. However, as outlined above, the applicant has already demonstrated a commitment to deliver a vast amount of environmental improvement works, has provided a new community facility and has retained a commitment to the on-going regeneration of Leopold Estate. The applicant has already provided an equivalent contribution of £335,009.69 for Phase 2 under the outline masterplan consent.

8.311 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)

8.312 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:

8.313 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.

8.314 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.

8.315 In this context "grants" might include the new homes bonus and payment of the community infrastructure levy.

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

8.317 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 £513,095.00 which is based on the gross internal area of the proposed development. The scheme is proposed to provide 32% affordable housing and will therefore qualify for social housing relief on a proportion of this sum.

8.318 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.

8.319 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 £273,451.00 within the first year and a total of £1,640,706.00 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.

Human Rights Considerations

8.320 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-

8.321 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

- o Entitlement to a fair and public hearing within a reasonable time by an

independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;

- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "*regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole*".

8.322 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

8.323 Members need to satisfy themselves that the measures which are proposed to be taken to minimise, inter alia, the adverse effects of noise, construction and general disturbance are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

8.324 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.

8.325 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

8.326 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

8.327 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement to be entered into.

Equalities Act Considerations

8.328 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.329 The contributions towards various community assets/improvements and infrastructure improvements addresses, in the short-medium term, the potential perceived and real impacts of the construction workforce on the local communities, and in the longer term support community wellbeing and social cohesion.

8.330 Furthermore, the requirement to use local labour and services during construction enables local people to take advantage of employment opportunities.

8.331 The community related uses and contributions (which will be accessible by all), such as the improved public open spaces and play areas, help mitigate the impact of real or perceived inequalities, and will be used to promote social cohesion by ensuring that sports and leisure facilities provide opportunities for the wider community.

8.332 The contributions to affordable housing support community wellbeing and social cohesion.

9.0 CONCLUSIONS

9.0 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.

APPENDICES

Appendix 1 - Approved Estate Master Plan Mix (PA/06/518)

| Total new scheme (815 units) | | | | | |
|------------------------------|------------|------------|------------|--------------|------------|
| | Retained | | New build | | |
| units | social | private | social | Intermediate | private |
| bedsit | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 87 | 17 | 33 | 16 | 128 |
| 2 bed | 119 | 69 | 38 | 1 | 89 |
| 3 bed | 5 | 18 | 63 | 6 | 91 |
| 4 bed | 9 | 11 | 12 | 0 | 0 |
| 5 bed | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 3 | 0 | 0 |
| Total | 220 | 115 | 149 | 23 | 308 |

Appendix 2 - Phase 1 as implemented (PA/06/00425)

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|--------------|-------------|------------|----------------------|-----------|------------------------|------------|------------|------------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 27 | 54 | 0 | 0 | 19 | 38 | 46 | 92 |
| 2 bed | 33 | 99 | 0 | 0 | 17 | 51 | 50 | 150 |
| 3 bed | 0 | 0 | 0 | 0 | 15 | 60 | 15 | 60 |
| 4 bed | 0 | 0 | 0 | 0 | 8 | 40 | 8 | 40 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | 3 | 21 | 3 | 21 |
| Total | 60 | 153 | 0 | 0 | 62 | 210 | 122 | 363 |

Affordable 58%

Appendix 3 – Refurbished units (PA/06/00632)

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|--------------|-------------|-----------|----------------------|-----------|------------------------|------------|------------|------------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 0 | 0 | 0 | 0 | 104 | 208 | 104 | 208 |
| 2 bed | 0 | 0 | 0 | 0 | 188 | 564 | 188 | 564 |
| 3 bed | 0 | 0 | 0 | 0 | 23 | 92 | 23 | 92 |
| 4 bed | 0 | 0 | 0 | 0 | 20 | 100 | 20 | 100 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 335 | 964 | 335 | 964 |

Appendix 4 – Net change in housing if outline planning permission PA/06/00518 was implemented in full

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|--------|-------------|-----------|----------------------|-----------|------------------------|-----------|-------|-----------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | -24 | -24 | -24 | -24 |
| 1 bed | +128 | +256 | +16 | +32 | +33 | +66 | +177 | +354 |
| 2 bed | +86 | +258 | +1 | +3 | -9 | -27 | +78 | +234 |
| 3 bed | +82 | +328 | +6 | +24 | -13 | -52 | +75 | +300 |
| 4 bed | -5 | -25 | 0 | 0 | +10 | +50 | +5 | +25 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | +3 | +21 | +3 | +21 |
| Total | +291 | +817 | +23 | +59 | 0 | +34 | +314 | +910 |

Appendix 5- Total housing proposed within Phase 1 as built and Phase as considered within this application.

| | Market | | Intermediate | | Social/Affordable rent | | Total | |
|--------|--------|-----------|--------------|-----------|------------------------|-----------|-------|-----------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 84 | 168 | 21 | 42 | 24 | 48 | 129 | 258 |
| 2 bed | 216 | 648 | 3 | 9 | 51 | 153 | 270 | 810 |
| 3 bed | 10 | 40 | 13 | 52 | 46 | 184 | 69 | 276 |
| 4 bed | 6 | 30 | 0 | 0 | 9 | 45 | 15 | 75 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | 3 | 21 | 3 | 21 |
| Total | 316 | 886 | 37 | 103 | 133 | 451 | 486 | 1440 |

Appendix 6 - Total resulting housing within the estate if phase 2 is implemented

| | Market Sale | | Intermediate Housing | | Affordable/Social Rent | | Total | |
|--------|-------------|-----------|----------------------|-----------|------------------------|-----------|-------|-----------|
| | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms | Units | Hab Rooms |
| bedsit | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 84 | 168 | 21 | 42 | 128 | 256 | 233 | 466 |
| 2 bed | 216 | 648 | 3 | 9 | 239 | 717 | 458 | 1374 |
| 3 bed | 10 | 40 | 13 | 52 | 69 | 276 | 92 | 368 |
| 4 bed | 6 | 30 | 0 | 5 | 29 | 145 | 35 | 180 |
| 5 bed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 6 bed | 0 | 0 | 0 | 0 | 3 | 21 | 3 | 21 |
| Total | 316 | 886 | 37 | 108 | 468 | 1415 | 821 | 2409 |

Appendix 7- Consultation Map

