

Meeting of the

STRATEGIC DEVELOPMENT COMMITTEE

Tuesday, 20 April 2010 at 7.00 p.m.

A G E N D A

VENUE

Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

Members:	Deputies (if any):
Chair: Councillor Shafiqul Haque Vice-Chair: Councillor Marc Francis	
Councillor Stephanie Eaton	Councillor Harun Miah, (Designated Deputy representing Councillor Dulal Uddin)
Councillor Dulal Uddin	Councillor Tim O'Flaherty, (Designated Deputy representing Councillor Stephanie Eaton)
Councillor Shahed Ali	Councillor Abjol Miah, (Designated Deputy representing Councillor Dulal Uddin)
Councillor Rupert Eckhardt	Councillor Abdul Munim, (Designated Deputy representing Councillor Dulal Uddin)
Councillor Alibor Choudhury	Councillor Tim Archer, (Designated Deputy representing Councillor Rupert Eckhardt)
Councillor Shiria Khatun	Councillor Peter Golds, (Designated Deputy representing Councillor Rupert Eckhardt)
Councillor Rania Khan	Councillor Denise Jones, (Designated Deputy representing Councillors Shafiqul

Haque, Shahed Ali, Alibor Choudhury, Shiria Khatun, Marc Francis and Rania Khan)

Councillor Shirley Houghton, (Designated Deputy representing Councillor Rupert Eckhardt)

Councillor Helal Abbas, (Designated Deputy representing Councillors Shafiqul Haque, Shahed Ali, Alibor Choudhury, Shiria Khatun, Marc Francis and Rania Khan)

[Note: The quorum for this body is 3 Members].

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Alan Ingram, Democratic Services, Tel: 020 7364 0842, E-mail: alan.ingram@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS
STRATEGIC DEVELOPMENT COMMITTEE

Tuesday, 20 April 2010

7.00 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. UNRESTRICTED MINUTES

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Strategic Development Committee held on 16th March 2010 and the extraordinary meeting held on 4th March 2010.

**PAGE
NUMBER WARD(S)
AFFECTED**

3 - 20

4. RECOMMENDATIONS

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee. **21 - 22**

6. DEFERRED ITEMS

6 .1 Former Beagle House, Braham Street, London E1 8EP 23 - 68 Whitechapel

;

7. PLANNING APPLICATIONS FOR DECISION

7 .1 Hammond House, Tiller Road, London, E14 8PW 69 - 90 Millwall;

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.

- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 16 MARCH 2010

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Shahed Ali
Councillor Alibor Choudhury
Councillor Rupert Eckhardt
Councillor Shiria Khatun

Other Councillors Present:

Nil

Officers Present:

Jerry Bell – (Strategic Applications Manager Development and Renewal)
Megan Crowe – (Legal Services Team Leader, Planning)
Stephen Irvine – (Development Control Manager, Development and Renewal)
Mary O'Shaughnessy – (Planning Officer)
Owen Whalley – (Service Head Major Projects, Development & Renewal)

Alan Ingram – (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dulal Uddin.

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:-

Councillor	Item(s)	Type of Interest	Reason
Shahed Ali	6.1, 6.2, 6.3, 7.1	Personal	Correspondence received from concerned parties.

	6.1, 7.1	Personal	Ward Member for the area of the applications.
Shiria Khatun	6.1, 6.2, 6.3, 7.1	Personal	Correspondence and phone calls received from concerned parties.
Alibor Choudhury	6.1, 6.2	Personal	Correspondence and phone calls received from concerned parties.
Shafiqul Haque	6.1, 6.2, 6.3, 7.1	Personal	Correspondence received from concerned parties. Ward Member for the area of the application
	6.3	Personal	
Rupert Eckhardt	6.1, 6.2, 6.3, 7.1	Personal	Correspondence and phone calls received from concerned parties. Ward Member for the area of the application
	6.2	Personal	

3. UNRESTRICTED MINUTES

The minutes of the meeting held on 2 February 2010 were agreed and approved as a correct record.

4. RECOMMENDATIONS

The Committee **RESOLVED** that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions /informatives/ planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

5. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections and those who had registered to speak at the meeting.

6. DEFERRED ITEMS

6.1 Former Goodmans Fields, 74 Alie Street (Land North of Hooper Street and East of 99 Leman Street, Hooper Street) London (PA/09/965)

Mr Jerry Bell, Strategic Applications Manager, introduced the report regarding the application for planning permission concerning the redevelopment at Former Goodmans Field, 74 Alie Street, London, which had been deferred at the meeting of the Committee held on 15 December 2009.

Mr Bell then commented on the amendments to the proposal that had been proposed by the developers in order to address the concerns raised by Members. These included reductions in the height of the perimeter blocks with a concurrent reduction in the number of inhabitable rooms, increase in the percentage of affordable units and a revised S106 package which provided an additional sum of £2m towards mitigating the impacts of the development.

He added that the report included suggested reasons for refusal, should Members be minded to refuse the application.

Members then put questions regarding the allocation of car parking spaces and proposals for support of local businesses, which were answered by Mr Bell.

Councillor Shahed then Ali proposed an amendment to the terms of the legal agreement, as shown in resolution (2) below, which, on being put to the vote, was declared carried three for and nil against. The substantive motion was then put to the vote and declared carried four for and nil against. Accordingly, it was –

RESOLVED

- (1) That planning permission be **GRANTED** for the redevelopment of the Former Goodmans Fields, 74 Alie Street (Land north of Hooper Street and east of 99 Leman Street, Hooper Street), London, to provide four courtyard buildings of 5 -10 storeys incorporating 6 buildings of 19 – 23 storeys, erection of a 4 storey terrace along Gower's Walk, change of use to residential, and construction of an additional storey to 75 Leman Street. Overall, scheme comprises 754 residential units, student accommodation, hotel, primary care centre, commercial uses, public open space, landscaping, car parking and associated works (as amended by the supplemental report tabled at the meeting) and subject to any direction by the Mayor of London and subject to the prior completion of a legal agreement and to the conditions and informatives set out in the report.

- (2) That the terms of the legal agreement to be completed prior to development be amended to reflect the following;
 - The contribution to the Skillsmatch service to be reduced to the former proposed level of £204,640.
 - The local youth, sport and culture contribution of £1,909,325 to be augmented accordingly by an additional sum of £960,000, to give a total sum of £2,869,325 overall, but from that amount there shall be contributions made of £150,000 to the new Berner Community Centre and £50,000 to the Children's Education Group at Harkness House, leaving a total of £2,669,325.
 - From the above sum of £2,669,325 for local youth, sport and culture, the sum of £1,669,325 be ringfenced for local projects based in Whitechapel Ward, leaving £1,000,000 for generic Borough projects.
- (3) That the Corporate Director Development and Renewal be delegated power to negotiate the legal agreement indicated above. If by the date nominated in the Planning Performance Agreement the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.
- (4) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives on the planning permission to secure the matters listed in the amended report.

6.2 40 Marsh Wall, London E14 9TP (PA/09/01220)

Mr Stephen Irvine, Development Control Manager, introduced the report regarding the planning application for development of the site at 40 Marsh Wall, London, E14 9TP that had been deferred after consideration by the Committee at its meeting on 15 December 2009.

Mr Irvine, presented details of the suggested reasons for refusal of the planning application, based on concerns voiced by Members at that meeting. However, Members commented that the reference to parking issues should be broadened to include inadequacy of provision for coach parking.

Members then confirmed that the report adequately reflected the matters raised, subject to additional wording to take account of coach parking and, on a vote of nil for and three against the original Officer recommendation, it was

RESOLVED that planning permission for the demolition of the existing office building at 40 Marsh Wall, London, E14 9TP and erection of a 39 storey building (equivalent of 40 Storeys on Manilla Street) with three-level basement, comprising a 305 bedroom hotel (Use Class C1) with associated ancillary hotel facilities including restaurants (Use Class A3), leisure facilities (Use Class D2) and conference facilities (Use Class D1); serviced offices (Use Class B1); together with rooftop plant, associated landscaping and the formation of a taxi drop-off point on Marsh Wall be **REFUSED** subject to any direction from the Mayor of London, for the following reasons:

1. The proposed development, by virtue of its excessive height and bulk, would appear out of character with the surrounding area. As a result, it is considered that the proposal would be out of keeping with the existing urban form. The proposal is therefore contrary to policies 4B.1, 4B.8, 4B.9, and 4B.10 of The London Plan 2008, policies DEV1, DEV2 and DEV3 of the Unitary Development Plan (1998) and policies CP48, DEV1, DEV2, DEV27 and IOD21 of the Council's Interim Planning Guidance 2007 which seek to ensure development and tall buildings in particular are of an appropriate design, height, scale and mass.
2. The proposed development would result in unacceptable traffic and parking impacts and as such is contrary to Policies 2A.1, 3A.7, 3C.1, 3C.2, 3C.19, 3C.20 of The London Plan (Consolidated 2008), PPS1, PPG13, Policy ST25, ST28, ST30, T16, T18, T19, T21 of the LBTH UDP 1998, Policies DEV17, DEV18, DEV19 of the LBTH IPG 2007 which seek to ensure the proposal does not impact on the local road system. The coach parking facilities proposed in the application are considered inadequate.
3. The planning obligations are considered inadequate to mitigate against the impact of the development. As such, the proposal fails to comply with the requirements of Policy DEV4 of the adopted Tower Hamlets Unitary Development Plan (1998) which seeks to secure appropriate planning obligations which are reasonably related to the scale and nature of the proposed development and are necessary for the development to proceed.

NOTE: At 7.45 p.m. the Chair declared the meeting temporarily adjourned to allow members of the public to leave the public gallery. The meeting reconvened at 7.52 p.m.

6.3 Site at 82 West India Dock Road and 15 Salter Street London (PA/09/2099)

Mr Stephen Irvine, Development Control Manager, introduced the report regarding proposals of the development of the site at 82 West India Dock Road and 15 Salter Street that had been deferred by the Committee at its meeting held on 2 February 2010. Mr Irvine commented that the scheme had been reduced in terms of height bulk and mass, to address the concerns raised by Members. Additional heads of terms had also been negotiated to address their concerns about the wider impact of the scheme on the adjacent area.

Councillor Shahed Ali referred to information given at the meeting of the Committee on 2 February 2010 that there had been an in principle understanding between the hotel developers and Tower Hamlets College that apprenticeships would be arranged to equip local people for jobs. He asked if a suitable condition could be added to secure the matter and Mr Irvine confirmed that this could be delivered through the S106 agreement.

On being put to the vote, it was unanimously –

RESOLVED

- (1) That planning permission at the vacant site at 82 West India Dock Road and 15 Salter Street, London, be **GRANTED** for the erection of a part 3, 14 and 16 storey building to provide a 252 hotel and incorporating meeting/conference rooms, restaurant, café and bar as well as formation of a drop-off area and servicing access off Salter Street, subject to:
 - (a) any direction by the Mayor of London;
 - (b) the prior completion of a legal agreement to secure the planning obligations listed in the report and including the provision of a scheme for apprenticeships in partnership with Tower Hamlets College, for local people;
 - (c) the conditions and informatives listed in the report
- (2) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (3) That if by 3 May 2010 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director Development and Renewal be delegated power to refuse planning permission.
- (4) That the Corporate Director Development & Renewal be delegated power to impose the conditions and informatives listed in the report.

7. PLANNING APPLICATIONS FOR DECISION

7.1 33-35 Commercial Road, London, E1 1LD (PA/08/01034 and PA/08/01035)

Mr Stephen Irvine, Development Control Manager, outlined the proposals for the redevelopment of 33-35 Commercial Road, London, E1 1LD, as detailed in the report previously circulated.

Mr Patrick Kerr, a local resident, spoke in objection to the proposals and indicated that he was speaking on behalf of the Aldgate Triangle Residents' Association. He felt that the aims of the scheme were laudable but considered that the proposal as submitted was flawed and illogical. Considerable loss of light would affect residents and this had not been covered adequately in the proposal and assessments had been made on flats not affected by balconies. Ground floor flats had not been given enough consideration and would suffer a 63.3% reduction in light. Almost half of natural light would be taken from residents' properties, which was a considerable detriment. In addition, no consideration had been given to breaches of privacy, despite local people having issued invitations to view the effects on their properties. The S106 agreement also failed to address homelessness policies.

Mr Matthew Gibbs, of DP9, agents for the developers, stated that the report addressed the relevant considerations to loss of light and added that the Council and consultants had worked closely together, resulting in several amendments to the proposals. On the matter of privacy, the report also covered the proximity of buildings and their relationships to the Naylor North and West elements of the scheme. There had also been close work with the Council on the development of S106 proposals to provide suitable mitigation. Mr Gibbs continued that 250 jobs would be delivered in the new office space and the proposed student accommodation had been designed in accordance with Council policies. The management plan would deal with any issues arising from the buildings and two separate presentations had been held so that residents might comment on any issues.

Mr Jerry Bell, Strategic Applications Manager, then presented a detailed explanation of the proposed scheme, as set out in the report. He indicated that there had been much consideration given to the matter of loss of light but such losses in the context of a dense urban context were outweighed by the benefits of the scheme, which included the refurbishment of a listed building that would be brought back to an appropriate standard. He further referred to revisions to the S106 package, as detailed in the tabled update report.

Members then put questions that were answered by Mr Bell regarding the moving of the pedestrian crossing from outside the East London Mosque to Alie Street; the amount of S106 allocated to parks and open spaces; the possibility of gating off the access to the pathway between Assam Street and Altab Ali Park.

Councillor Alibor Choudhury proposed an amendment to the terms of the legal agreement, as shown in resolution (2) below, which, on being put to the vote, was declared carried three for and nil against. The substantive motion was then put to the vote and declared carried four for and one against. Accordingly, it was –

RESOLVED

- (1) That planning permission for demolition of all buildings on the site at 33-35 Commercial Road, London, E1 1LD (except the former St Georges Brewery and associated building on Assam Street Warehouse) be **GRANTED** for:
 - Erection of a building comprising one basement, ground plus 17 storeys (maximum) to be used as student accommodation (Sui Generis) and associated uses.
 - Erection of ground floor plus two and six storey buildings along Commercial Road for retail (Use Class A1) and/or offices (Use Class B1) and non residential institutions (Use Class D1).
 - Refurbishment of and alterations to the former St Georges Brewery for use as offices (Use Class B1) and/or non residential institutions (Use Class D1).
 - Refurbishment of and alterations to the Assam Street warehouse for use as student accommodation.

Provision of a total of 406 cycle parking spaces for student and commercial use.

Alterations to pedestrian accesses into the site and provision of a vehicular servicing access off Assam Street.

Works of hard and soft landscaping and other associated works.

All as shown on the plans (and as amended by the supplemental report tabled at the meeting), subject to any direction made by the Mayor of London and to the prior completion of a legal agreement and to the conditions, informatives and listed building conditions detailed in the report.

- (2) That the legal agreement for prior completion be amended to reduce the financial contribution of £400,000 towards parks and open spaces by £250,000, such sum to be used to enable the provision of a pedestrian crossing outside the East London Mosque and the remaining sum of £150,000 be used for projects to benefit the Aldgate Masterplan Area community.
- (3) That a further condition be applied to ensure the gating-off of the thoroughfare from Assam Street to Altab Ali Park.
- (4) That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.
- (5) That the Corporate Director Development & Renewal be delegated power to issue the planning permission and impose the conditions and informatives listed in the report.
- (6) That if within three months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

The meeting ended at 8.30 p.m.

Chair, Councillor Shafiqul Haque
Strategic Development Committee

LONDON BOROUGH OF TOWER HAMLETS

**MINUTES OF THE EXTRAORDINARY STRATEGIC DEVELOPMENT
COMMITTEE**

HELD AT 5.30 P.M. ON THURSDAY, 4 MARCH 2010

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Shafiqul Haque (Chair)

Councillor Shahed Ali
Councillor Alibor Choudhury
Councillor Stephanie Eaton
Councillor Marc Francis (Vice-Chair)
Councillor Rania Khan
Councillor Shiria Khatun

Councillor Peter Golds

Other Councillors Present:

Councillor Abdal Ullah

Officers Present:

Jerry Bell	– (Strategic Applications Manager Development and Renewal))
Megan Crowe	– (Legal Services Team Leader, Planning)
Aman Dalvi	– (Corporate Director, Development & Renewal)
Isabella Freeman	– (Assistant Chief Executive [Legal Services])
Stephen Irvine	– (Development Control Manager, Development and Renewal)
Ila Robertson	– (Senior Planner)
Devon Rollo	– (Strategic Applications Planning Officer)
Owen Whalley	– (Service Head Major Projects, Development & Renewal)
Chris Worby	– (Service Head, Housing Regeneration, Development & Renewal)
Alan Ingram	– (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Rupert Eckhardt, for whom Councillor Peter Golds deputised, and Councillor Dulal Uddin.

2. DECLARATIONS OF INTEREST

Members declared interests in items on the agenda for the meeting as set out below:-

Councillor	Item(s)	Type of Interest	Reason
Stephanie Eaton	6.1, 6.2	Personal	Correspondence received from concerned parties.
Shafiqul Haque	6.1, 6.2	Personal	Correspondence received from concerned parties.
Shiria Khatun	6.1, 6.2	Personal	Correspondence and phone calls received from concerned parties.
Rania Khan	6.1, 6.2	Personal	Correspondence received from concerned parties.
Alibor Choudhury	6.1, 6.2	Personal	Correspondence received from concerned parties and Ward Councillor for both applications.
Marc Francis	6.1, 6.2	Personal	Correspondence received from concerned parties
Peter Golds	6.1, 6.2	Personal	Correspondence received from concerned parties
Shahed Ali	6.1, 6.2	Personal	Correspondence received from concerned parties

At the request of the Chair, Mr A. Ingram, Democratic Services Officer, read out the following statement on behalf of Councillor Ahmed Hussain:-

“I refer to the statement that I made at Strategic Development Committee on the 15th December 2009 that the Labour members were whipped. The application we were discussing was controversial and as such I had a great deal to say in somewhat restricted times.

I completely withdraw my suggestion that Labour members were whipped. This claim is untrue.

I accept that in making the statement I have breached the Code of Member Conduct by not treating my fellow councillors with respect and behaving in a manner that may bring the council into disrepute.

I wish to unreservedly apologise to the Labour Members of the Strategic Development Committee for what I said at the Strategic Development Committee.

I would ask leave of the Chair of the Strategic Development Committee that this apology is read out by the clerk of the committee at the appropriate time at the next committee meeting in order to make this apology public.”

Councillor Ahmed Hussain’s statement was **noted**.

3. RECOMMENDATIONS

The Committee **RESOLVED** that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Development and Renewal along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions /informatives/ planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Development and Renewal is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee’s decision.

4. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections and those who had registered to speak at the meeting.

5. DEFERRED ITEMS

There were no deferred items for consideration.

6. PLANNING APPLICATIONS FOR DECISION

6.1 Ocean Estate and LIFRA Hall Site, London, (PA/09/02584)

NOTE: Councillor Shahed Ali entered the meeting at 5.45 p.m., prior to commencement of consideration of this agenda item.

Mr Owen Whalley, Service Head Major Projects, introduced the report concerning the regeneration of the Ocean Estate and LIFRA site, London, including five development areas.

The Chair referred to speakers who had been registered prior to the meeting in accordance with the Council's Constitution and invited them to address the Committee.

Mr Tom Ridge, a local resident speaking in objection to the application, indicated that he was a former teacher and, as a local historian and gave details of the buildings erected in Harford Street in 1845 as the Tower Hamlets division of the Schools Board. The buildings were not listed but no other Borough had a group of similar buildings and these should be preserved and continue to be used for educational purposes, to avoid them being demolished and the premises manager being relocated elsewhere. The decision of Tower Hamlets Schools to sell off the buildings for housing was unacceptable in the area of the largest and fastest growing school lists. There was no justification for the loss of the school and the Headteacher of Ben Jonson School had suggested alternative uses for the site, for a parents' centre and facility for the visually impaired, together with allotments. He expressed the view that Feeder Site 4 should be excluded from the plans and properly developed as part of the school estate.

Mr Shahanur Khan, a local resident speaking in objection to the application, stated that he was representing the views of the Ocean Estate Campaign to safeguard residents' rights. The proposed development would change the physical environment of the estate with a 10 storey building height. There would be adverse effects with the addition of a large number of people to the estate population and householders' sunlight would be restricted. He was a school governor and was concerned that the proposals would also place great pressure on local schools. A recent survey had indicated that there were already 3,000 patients on the Stepney Health Centre list and many more would have to be accommodated under the proposals.

He continued that problems would arise from parking and extra vehicular traffic. Car-free developments did not work and more vehicles would be inevitable. Children's play would consequently be affected and more facilities were needed for mothers and children. Residents' views would be obstructed and their privacy would be compromised. More community facilities should be provided.

Mr Geoff Pearce, Group Director of East Thames Housing Group, speaking for the application, stated that the housing association managed properties in East London and Essex only, including some 2,000 homes in Tower Hamlets. Work on the current proposals had been ongoing for 18 months and there had been several attempts over the last 10 years to have the Ocean Estate redeveloped. It was intended that residents would remain tenants and some 1,200 homes on the estate would be refurbished, with over £40m being spent. The funding was now all in place, including £41m Government grant for affordable housing. 819 new build homes were planned, 396 of which would

be affordable housing and 761 homes refurbished to Decent Homes standards. The association was under an obligation to give all displaced residents the right to return and all new homes would have a garden or generous balcony, would be of a higher standard than the London Mayor's requirements and would exceed current efficiency standards, resulting in much lower running costs. 10% of homes would be wheelchair accessible. There would be a new community centre in the light of objections relating to the LIFRA Hall and the new facility would be only yards from the present site. The centre would be much improved and form a community hub. Rental income from shops on Ben Jonson Road would be re-invested into the community and 85 Harford Street would be sensitively refurbished and converted.

Ms Brenda Daly, Chair of the Ocean Tenants' Association, spoke in favour of the application and commented that she had seen the original estate built and it should now be knocked down and refurbished. She made a plea for the residents to now have a nice place to live and bring up children. Ocean Estate had received no improvement works for years and a decision to provide improvements for people's lives was now in Councillors' hands.

Mr Whalley then gave a detailed presentation of the application, as detailed in the previously circulated report, with particular reference to the layout of the development: the scale, height and massing of the buildings in the context of the surrounding environment; affordable housing provision; and vehicular and pedestrian access to the site. He added that 25 further letters of representation and five further provisions had been received since the report had been prepared. Mr Whalley indicated that amendments to the original report recommendations were included in the supplemental report tabled at the meeting.

Members then put questions that were answered by Officers, relating to daylight/sunlight issues; car parking facilities in the context of proposals for car-free developments; proposals for the future of Ben Jonson Road shopkeepers; the nature and extent of public consultation; the anticipated child yield of the development and children's play space policies; effects of the development for the micro-environment; educational considerations including the effects on Ben Jonson School; access of current LIFRA Hall users to the proposed new community facility; the Essian Street former glassworks site and the effects of the development on the existing Conservation Area. Mr Whalley stressed that the report related to outline planning permission and matters of detail raised on the matters of parking provision, the future of shopkeepers and children's services could be addressed at a future meeting. Members expressed some dissatisfaction with the report and the Chair indicated that Officers had noted their concerns but a vote was now needed.

Councillor Alibor Choudhury proposed an amendment to add conditions to the legal agreement which, on being put to the vote was declared carried six for and two against. The terms of the resolution are shown in resolution (2) below. On a vote of six for and two against on the substantive motion, it was –

RESOLVED

(1) That outline planning permission be **GRANTED** as set out hereunder for a total of 819 residential dwellings (Class C3) and up to 1300 sq.m of built floorspace for flexible non residential uses (Classes A1, A2, A3 & D1) at the Ocean Estate and LIFRA Hall site, London, including the five following development sites:

- Land bound by Shandy Street, White Horse Lane, Trafalgar Gardens, Masters Street and Duckett Street, Ocean Estate, London (Site E)
- Land bound by Dongola Road, Duckett Street, Ben Jonson Road and Harford Street, Ocean Estate, London (Site F)
- Land at Essian Street, Ocean Estate, London (Feeder Site 2)
- LIFRA Hall site at the junction with Ben Jonson Road and Carr Street, London (Feeder Site 3)
- Land at 85 Harford Street, Ocean Estate, London (Feeder Site 4)

Such planning permission to be as shown on the plans and subject to the prior completion of a legal agreement and to the conditions and informatives set out in the report (as amended by the supplemental report tabled at the meeting), comprising:

- Site E – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 9 storeys in height, to provide for up to 462 residential dwellings (Class C3) with associated car parking, central heating plant, private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.
- Site F – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 7 storeys, to provide for up to 240 residential dwellings (Class C3) and up to 1300 sq.m of built floorspace for flexible non-residential uses (Classes A1, A2, A3 and D1) with associated car parking, central heating plant, private and communal amenity spaces, alterations to the existing highway networks and landscaping works in connection with the regeneration of the Ocean Estate.
- Feeder Site 2 – The demolition of existing buildings and redevelopment, involving the erection of a building up to 7 storeys, to provide for up to 24 residential dwellings (Class C3), with associated

car parking, private and communal amenity spaces and landscaping works in connection with the regeneration of the Ocean Estate.

- Feeder Site 3 – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 10 storeys, to provide for up to 70 residential dwellings (Class C3), with associated car parking, private and communal amenity spaces and landscaping works in connection with the regeneration of the Ocean Estate.
- Feeder Site 4 – The demolition of two existing buildings and the conversion of one building for the redevelopment, involving the erection of buildings up to 3 storeys, to provide for up to 23 residential dwellings (Class C3), with associated car parking, private and communal amenity areas and landscaping works in connection with the regeneration of the Ocean Estate.

(2) That the following conditions be added to the legal agreement:

- Officers will work to ensure that the reprovision of community services at the new centre on Harford Street is achieved within a reasonable timeframe so as to avoid CPO action and takes into account the service providers' requirements in terms of tenure, affordability and space.
- Officers will immediately work to support directly affected businesses through a proper consultation with options that include relocation, compensation and the right to return.

(3) That power be delegated to the Head of Planning and Building Control to impose the conditions and informatives.

(4) That, if by 21st of March 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, power be delegated to the Head of Planning and Building Control to refuse planning permission.

At 7.00 p.m. the meeting adjourned to allow members of the public to vacate the meeting room. The proceedings reconvened at 7.10 p.m.

6.2 Land Bound by Shandy Street, White Horse Lane, Trafalgar Gardens, Masters Street and Duckett Street, Ocean Estate, London (Site E) (PA/09/02585)

The Chair noted that Councillor Abjol Miah was present and indicated that he could deputise for Councillor Dulal Uddin, should he so wish.

Mr Owen Whalley, Service Head Major Projects, introduced the report concerning proposed full planning permission for Sites E and F regarding the regeneration of the Ocean Estate, London, as detailed in the report previously circulated.

Mr Shahanur Khan, a local resident, spoke in objection and stated that the proposals would significantly change the structure of the environment and could worsen overcrowding by increasing the local population. This created further concerns for education, health services and provision for children. The proposed car-free areas would not work and air pollution would increase. As a school governor, he expressed further concerns that education provision in the area was already over-subscribed and the anticipated increase in the number of children in the area was very much underestimated. He raised further concerns in connection with the future of current users of the LIFRA Hall and felt that social housing provision would be inadequate. Mr Khan further pointed out the large number of objections that had been raised regarding the application.

Mr Shopon Miah, a local resident, spoke in objection to the proposals, supporting the comments of the previous speaker and also raising concerns about increased CO2 emissions; likely overcrowding; parking problems and reduction in children's play space; compromised privacy for residents; the inability of local health services to cope with increased population levels and a general negative effect on the quality of life for residents.

Mr Geoff Pearce, Group Director of East Thames Housing Group, welcomed the amendment relating to the future of shopkeepers and LIFRA Hall users as agreed in the previous agenda item. He added that it had always been intended that the present retailers and users would have the opportunity to return after the scheme was implemented. With regard to the needs of families on the Ocean Estate, there were cases of severe overcrowding at present and the 131 new family homes that would be provided would address this. The scheme when delivered would deliver real transformational change for residents.

Ms Brenda Day confirmed that she did not wish to speak further on the application.

Mr Whalley referred to the detailed discussion that had taken place during consideration of the previous agenda item, which also related to the current application and stated that the architectural quality of the development for Sites E and F was high and would improve residents' quality of life.

Members then put queries regarding the matter of increased population density; public transport issues and the possible continuation of additional bus service frequencies after the initial three year agreement; the actual number of residential units proposed for both the sites; how the impact of the Shandy Street, White House Lane and Dongola Road elevations would be mitigated.

Members expressed further concerns and dissatisfaction regarding the figures quoted in the report relating to anticipated additional numbers of children and school places; the actual numbers of dwellings to be provided

and the nature of tenure. Mr Whalley apologised for the fact that confusion had arisen with regard to these elements of the report

The Chair expressed the view that Officers should be able to answer questions fully and indicated that a vote was now necessary. Accordingly, on a vote of five for and three against, it was –

RESOLVED

(1) That full planning permission be **GRANTED** as set out hereunder for the following sites:

- Land bound by Shandy Street, White Horse Lane, Trafalgar Gardens, Masters Street and Duckett Street, Ocean Estate, London (Site E),
- Land bound by Dongola Road, Duckett Street, Ben Jonson Road and Harford Street, Ocean Estate, London (Site F).

Such planning permission to be as shown on the plans and subject to the prior completion of a legal agreement and to the conditions and informatives set out in the report (as amended by the supplemental report tabled at the meeting), comprising:

Site E – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 9 storeys, to provide for 462 residential dwellings (Class C3) with associated car parking, central heating plant, private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

Site F – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 7 storeys, to provide for 240 residential dwellings (Class C3) and 1300 sq.m of built floorspace for flexible non-residential uses (Classes A1, A2, A3 and D1), with associated car parking, central heating plant, private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

- (2) That power be delegated to the Head of Planning and Building Control to impose the conditions and informatives.
- (3) That, if by 21st of March 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, power be delegated to the Head of Planning and Building Control to refuse the planning permission.

The meeting ended at 7.42 p.m.

Chair, Councillor Shafiqul Haque
Strategic Development Committee

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Agenda Item 5

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

Provisions in the Council's Constitution (Part 4.8) relating to public speaking:

- 6.1 Where a planning application is reported on the "Planning Applications for Decision" part of the agenda, individuals and organisations which have expressed views on the application will be notified by letter that the application will be considered by Committee at least three clear days prior to the meeting. The letter will explain these provisions regarding public speaking.
- 6.2 When a planning application is reported to Committee for determination the provision for the applicant/supporters of the application and objectors to address the Committee on any planning issues raised by the application, will be in accordance with the public speaking procedure adopted by the relevant committee from time to time (see below).
- 6.3 All requests to address a committee must be made in writing or by email to the committee clerk by 4pm on the Friday prior to the day of the meeting. This communication must provide the name and contact details of the intended speaker. Requests to address a committee will not be accepted prior to the publication of the agenda.
- 6.4 After 4pm on the Friday prior to the day of the meeting the Committee clerk will advise the applicant of the number of objectors wishing to speak.
- 6.5 The order of public speaking shall be as stated in Rule 5.3, which is as follows:
 - An objector who has registered to speak
 - The applicant/agent or supporter
 - Non-committee member(s) may address the Committee for up to 3 minutes
- 6.6 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.7 Following the completion of a speaker's address to the committee, that speaker shall take no further part in the proceedings of the meeting unless directed by the Chair of the Committee.
- 6.8 Following the completion of all the speakers' addresses to the Committee, at the discretion of and through the chair, committee members may ask questions of a speaker on points of clarification only.
- 6.9 In the interests of natural justice or in exceptional circumstances, at the discretion of the chair, the procedures in Rule 5.3 and in this Rule may be varied. The reasons for any such variation shall be recorded in the minutes.
- 6.10 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

Public speaking procedure adopted by this Committee:

- For each planning application up to two objectors can address the Committee for up to three minutes each. The applicant or his/her supporter can address the Committee for an equivalent time to that allocated for objectors (ie 3 or 6 minutes).
- For objectors, the allocation of slots will be on a first come, first served basis.
- For the applicant, the clerk will advise after 4pm on the Friday prior to the meeting whether his/her slot is 3 or 6 minutes long. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- Where a planning application has been recommended for approval by officers and the applicant or his/her supporter has requested to speak but there are no objectors or non-committee members registered to speak, the chair will ask the Committee if any member wishes to speak against the recommendation. If no member indicates that they wish to speak against the recommendation, then the applicant or their supporter(s) will not be expected to address the Committee.

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Agenda Item 6.1

Committee: Strategic Development	Date: 20 th April 2010	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director Development and Renewal.		Title: Deferred Items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 This report is submitted to advise the Committee of planning applications that have been considered at previous meetings and currently stand deferred. The following information and advice applies to them.

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
15/12/09	PA/09/01122	Former Beagle House, Braham Street, London E1 8EP	Demolition of existing building at Former Beagle House, Barham Street, London, E1 8EP and the erection of a 17 storey building comprising two ground floor retail units (Class A1, A2, A3, or A4), 1 st – 17 th floor office use (Class B1) and two basement levels plus associated servicing, landscaping, plant accommodation, parking, access and any other works incidental to the application.	The physical impact of the scheme on the surrounding area in terms of the bulk and massing of the proposed building. Inadequate financial contributions towards the local transport infrastructure. Inadequate financial contributions towards local employment training.

3. CONSIDERATION OF DEFERRED ITEMS

- 3.1 The following deferred applications are for consideration by the Committee. The original reports along with any update reports are attached.

6.1 PA/09/01122: Former Beagle House, Braham Street, London E1 8EP

- 3.2 Deferred applications may also be reported in the Addendum Update Report if they are ready to be reconsidered by the Committee. This report is available in the Council Chamber 30 minutes before the commencement of the meeting.

**LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 6**

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

4. PUBLIC SPEAKING

- 4.1 As public speaking has already occurred when the Committee first considered these deferred items, the Council's Constitution does not allow a further opportunity for public speaking. The only exception to this is where a fresh report has been prepared and presented in the "Planning Applications for Decision" part of the agenda. This is generally where substantial new material is being reported to Committee and the recommendation is significantly altered.

5. RECOMMENDATION

- 5.1 That the Committee note the position relating to deferred items and to take any decisions recommended in the attached reports.

Decision Level: Strategic Development Committee	Date: 20 th April 2010	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Stephen Irvine		Ref No: PA/09/1122	
		Ward(s): Whitechapel	

1. APPLICATION DETAILS

Location: Former Beagle House, Braham Street, London, E1 8EP
Existing Use: Offices (Class B1)
Proposal: Demolition of the existing building and the erection of an 17 storey building comprising two ground floor retail units (Class A1, A2, A3, or A4), 1st - 17th floor office use (Class B1) and two basement levels plus associated servicing, landscaping, plant accommodation, parking, access and any other works incidental to the application.

Drawing Nos: WE-434-098C; 099C; 100D; 101D; 197C; 199C; 200D; 202D; 208C; 209D; 212C; 200A; 221A; 222A; 223A; 224A; 225D; 226D; 227D; 300D; 301D; 302D; 303D; 310C; 311C; 312C; 313C; 320D; 321D; 322D; 323D; 400D; 401D; 402D; 403D; 404D; 405D; 600C; 601C; 602C; 603C; 605C; 606C; 607C; 608A; 609A; 610A; 611A

C354 D202, D905, SK-433, SK429

Design and Access Statement (Vol I)
Townscape and Visual Assessment (Vol II)
Impact Statement Pts 1 and 2 (Vol III)
Addendum to Visual Impact Study (Oct 09)
Television reception survey and Development Effects Investigation
Energy Strategy
Revised Area Schedule 28.10.09

Applicant: Aldgate Investment (General Partner) Limited
Owner: Aldgate Investment Nominee One Ltd; Aldgate Investment Nominee Two Ltd; TFL; EDF Energy Networks Ltd; Maersk Company Ltd; LBTH Corporate Property

Historic Building: No
Conservation Area: No

2. BACKGROUND

2.1 This matter was first presented at Strategic Development Committee on 15th December 2009.

2.2. Following consideration of the Officers report, the Members voted 4-3 to defer the matter for further consideration by Officers. The Committee indicated that they were minded to refuse the planning application as it stood because of concerns over:

- The physical impact of the scheme on the surrounding area in terms of the bulk and massing of the proposed building.

- Inadequate financial contributions towards local employment and training and local transport infrastructure.

2.3 Officers have considered these issues and this report is their findings.

3. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

3.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, Interim Guidance, associated supplementary planning guidance, as well as the London Plan and Government Planning Policy Guidance and has found that:

- a) In land-use terms, an office-led, mixed-use approach to the redevelopment of the site, including a complimentary commercial ground floor frontage, is appropriate and acceptable. As such, the proposal accords with Policies 2A.4, 2A.5, 2A.7, 5C.1 and CAZ1 of the Mayor's adopted London Plan (Consolidated 2008), Policy CP8 of the LBTH Interim Planning Guidance 2008, Policies CFR9, CFR11, CFR14 of the LBTH City Fringe Area Action Plan, as well as the provisions of the adopted Aldgate Masterplan 2007 which promote office-lead development and other complimentary uses in the Central Activity Zone.
- b) In employment terms, the substantial increase in office floorspace and additional of ground floor commercial uses is predicted to increase potential job opportunities in the order of 649-747 jobs including employment opportunities that potentially benefit local people. The proposal is therefore acceptable and accords with the provisions of the Mayor's City Fringe Opportunity Area Planning Framework as well as Policies EMP1, EMP2, EMP6 and EMP8 of the LBTH Unitary Development Plan 1998 and Policies CP1 and CP15 of the LBTH Interim Planning Guidance 2008, which seek to expand opportunities of employment, including those for local people.
- c) In terms of public open space provision and amenity, in addition to contributing 828sqm of publicly accessible space at ground floor, the proposal contributes to the delivery of an improved Half Moon Passage, Braham Street open space and Leman Street frontage. As such, the proposal accords with Policies 3D.8, 3D.11, 3D.12 and 4B.3 of the Mayor's adopted London Plan (Consolidated 2008), the provisions of the Mayor's City Fringe Opportunity Area Planning Framework, Policy ST12 of the LBTH Unitary Development Plan 1998, as well as the LBTH City Fringe Area Action Plan and adopted Aldgate Masterplan which seek sufficient provision of public open space to address the needs of the community.
- d) In terms of appearance and layout, the proposal is considered to have the makings of an architectural asset and a catalyst for regeneration. The development is of an acceptable appearance and potentially high quality finish, contributing positively to the architectural form and character of the area in a way that is distinctive, yet complimentary. The ground floor layout facilitates the Braham Street open space and connections to it, as well as providing an active frontage and contributing publicly accessible space in its own right. As such, the proposal accords with PPS1, Policies 4B.1, 4B.9 and 4B.10 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48 and DEV27 of the LBTH Interim Planning Guidance 2008 as well as CAFE/EH Guidance on Tall Buildings which seeks high quality design for developments.
- e) The proposal has considered a range of possible means to improve the energy efficiency and sustainability of the development with the most appropriate of these to be implemented to achieve reductions in energy consumption as well as minimum Carbon Dioxide (CO₂) emission reductions of 20%. The proposal achieves these

requirements and is therefore in accordance with PPS1 as well as the Policies 4A.3, 4A.4, 4A.5, 4A.6, 4A.7 of the Mayor's adopted London Plan (Consolidated 2008) and Policies CP1, CP38, DEV5 and DEV6 of the LBTH Interim Planning Guidance 2008, which variously seek to reduce energy demand and CO2 emissions whilst encouraging energy efficiency and renewable energy production.

- f) In term of strategic views, the proposal poses no significant detrimental impact to views of the World Heritage Site, The Tower of London, from Townscape View No. 25 (City Hall to the Tower of London) of the Mayor's adopted and draft London View Management Frameworks. Therefore, the proposal accords with the following policies which seek to protect strategic views of the Tower of London: Policies 4B.10, 4B.14, 4B.16, 4B.17 and 4B.18 of the Mayor's adopted London Plan (Consolidated 2007), the Mayor's adopted London View Management Framework 2007, the Mayor's revised draft London View Management Framework 2009, the provisions Mayor's City Fringe Opportunity Area Planning Framework, Policies CP50, DEV1, CON5 of the Interim Planning Guidance 2008, the provisions of the LBTH City Fringe Area Action plan as well as the provisions of Historic Royal Palace's Tower of London World Heritage Site Management Plan, English Heritage's draft SPG Seeing the History in View.
- g) In terms of the impact to the character and appearance of surrounding listed buildings and conservation areas, no significant impacts are posed. Therefore the proposal is considered to accord with PPG15, Policies 4B.1 and 4B.8 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48, CP49, DEV2 and CON3 of the LBTH Interim Planning Guidance 2008 and the LBTH Aldgate Masterplan which seek to preserve and enhance the character and appearance of listed buildings and conservation areas.
- h) For all the reasons set out above the proposal is considered to satisfy the criteria for consideration of tall buildings in accordance with PPS1 PPS1, PPG15, Policies 4.B1, 4B.9, 4B.10 and 3A.3 of the Mayor's adopted London Plan (Consolidated 2008), Policies CP48, DEV27 and Con 5 of the LBTH Interim Planning Guidance as well as the provisions of the LBTH City Fringe Area Action Plan and Aldgate Masterplan, and well as 'By Design' published by DETR/CABE, 'Guidance on Tall Buildings' published by CABE/EH.
- i) There are no significant impacts posed to future users or to neighbours. The proposal is therefore in accordance with PPS1, Policies 4A.3, 4B.1, 4B.5, and 4B.10 of the Mayor's adopted London Plan (consolidated 2008); Policies CP1, CP3, CP4 and DEV1 of the LBTH Interim Planning Guidance 2008 and DEV2 of the LBTH Unitary Development Plan 1998 which variously seek to protect the amenity of occupiers and neighbours of a development.
- j) In respect of transportation, no significant traffic and parking impacts are posed by the scheme. In addition, sustainable forms of transport are facilitated by this scheme including improved pedestrian environment and facilities for cyclists. As such, the scheme accords with PPS1, PPG13, Policies 2A.1, 3A.7, 3C.1, 3C.2, 3C.19 and 3C.20 of the Mayor's adopted London Plan (consolidated 2008), Policies ST28, ST30, T16, T18, T19 and T21 of the LBTH Unitary Development Plan 1998 and Policies DEV1, DEV18 and DEV19 of the LBTH Interim Planning Guidance 2008 which seek to variously encourage sustainable forms of development and mitigate impacts on the network.

4. RECOMMENDATION

4.1 That the Committee resolve to **grant** planning permission subject to:

A. Any **direction** by **The London Mayor**

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

- Public realm, open space and environmental improvements **£461,000**
- Open space maintenance **£70,000**
- Employment and training **£340,000**
- Sustainable transport **£250,000**
- Travel Plan monitoring **£3,000**
- Public art **£60,000**
- Small medium Enterprise **£45,000**
- Air quality monitoring **£10,000**
- Bus contributions **£109,350**
- Crossrail **£635,283**

Other:

- TV monitoring interference
- Travel Plan monitoring
- Commitment to participate in Council's local labour in construction initiatives.
- Considerate contractor scheme
- Car free agreement

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

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

4.4 **Conditions:**

- 1) Time limit for Full Planning Permission
- 2) Landscaping including CCTV, lighting, 14 bicycle spaces (in addition to basement provision)
- 3) Service bay door/gate/equivalent details
- 4) Car parking, incl. 2 x servicing and 4 x accessible space provision and 8 x motorcycle spaces
- 5) Bicycle spaces x 145 to be provided in basement and available at all times to users including visitors
- 6) Shower provision in accordance with the approved plans and made available at all times for users of the building including visitors
- 7) Implementation in accordance with BRE AAM assessment
- 8) Energy measures implemented in accordance with the energy strategy
- 9) Roof top terraces to be accessible and available for use by users of the development at all times
- 10) Mechanical ventilation details including extract ventilation for Class A3/A4
- 11) Noise mitigation measures in accordance with the Impact Statement
- 12) Details of provision for service dock master facilities
- 13) Scheme of highway works
- 14) Archaeology
- 15) Transparent glazing at ground floor
- 16) Electric vehicle charging provision in the basement
- 17) Servicing and delivery management plan including facilities for dock master
- 18) Construction management plan
- 19) Construction logistics plan

20) Any additional conditions as directed by the Corporate Director Development and Renewal

4.5 Informatives:

- 1) Consult with TFL and LBTH regarding planning and arrangements for construction access as well as crainage per Highways
- 2) Consideration of the following matters relevant to the Building Regulations per BC:
 - Advice not intended as a complete review or assessment
 - Notice of demolition prior to commencement
 - Section 20 application under the London Building Act applicable
 - Attention should be paid to Party Wall Act
 - Fire service access including shafts in accordance with B5 requirements
 - Fire mains in accordance with section 15
 - Means of escape in compliance with B1
 - Separate routes of escape for each use
 - Adequate separation to adjoining sites required
 - Solid waste storage and collection to be provided in accordance with part H
 - Means of access in accordance with part M
 - Safe cleaning of windows in accordance with part N
 - Recommendation for early consultation on building regulation matters
- 3) Bollards design to consider people with a disability including visually impaired per Access Officer
- 4) Cycle store to enable future adoption/provision of facilities for people with a disability per Access Officer
- 5) Single leaf rather than double leaf doors per Access Officer
- 6) Glazed doors and panels to comply with Part M per Access Officer
- 7) Other doorways with revolving doors to always be open per Access Officer
- 8) WCs to include left and right hand transfer for users per Access Officer
- 9) Coat hook and shelving to be provided in accessible cubicles as well as consideration of wheelchair user requirements per Access Officer
- 10) Lifts and stairs to comply fully with part M per Access Officer
- 11) 24hr reception per Crime Prevention Officer
- 12) Obtaining planning permission does not discharge any requirements under the Traffic Management Act 2004 per TFL
- 13) Demarcation of paving between TFL owned Leman Street and private land as per TFL
- 14) Tactile paving in basement instead of a ghost island in basement as per TFL
- 15) S278 required for Leman Street as per TFL
- 16) Suggest Travel Plan use the 'ATTrBute' tool as per TFL
- 17) crainage scaffolding should consider British Standard Institute 7121:part 1: 1989 (amended)
- 18) Archaeology per EH (archaeology)
- 19) Consult with LFEPA regarding fire service access and water supplies
- 20) Ground water management best practice per the EA
- 21) Oversailing licence for equipment over the public highway

5. MATERIAL PLANNING CONSIDERATIONS

5.1 The physical impact of the scheme on the surrounding area in terms of the bulk and massing of the proposed building.

Impact on Aldgate

5.2 Whilst Officers note concern about the bulk and mass of the scheme, they still feel that the proposal has a pleasing appearance, representing a distinctive and complimentary addition to the emerging Aldgate tall building cluster supported by the Council's planning policy and

masterplan. The proposal will:

- Contribute positively to the varied architectural character of Aldgate.
- Provide a suitable frame and active frontage to the Braham Street open space.
- Successfully contribute to establishing an enduring sense of place and identity for Aldgate in the future.

Impact on Views

- 5.3 In respect of views, the site lies within Townscape View 25 (City Hall to the Tower of London) which is defined in the adopted London View Management Framework (LVMF) (July 2007).
- 5.4 The Mayor as well as English Heritage, Historic Royal Palaces, London Borough of Southwark and LBTH were all involved in extensive discussions to secure revisions to the scheme to address possible impacts upon the Tower of London. Pre-application revisions, involving a reduction in height, were considered to suitably address the potential impact upon LVMF views. Further amendments to reduce the height have been undertaken since formal submission to address the more strict criteria of the revised draft LVMF (June 2009) and the subject application also deals comprehensively with night-time appearance, seasonal variations as well as the geometric definition associated with view 25A.1.
- 5.5 The revisions have overcome the previous concerns of the consultees. Consequently, the scheme is not considered to pose any significant harmful impact to the views of the Tower of London and therefore accords with policies which seek to protect the views of the Tower of London.

Impact to the setting of listed buildings

- 5.6 For the listed buildings in Alie Street and Lemman Street, English Heritage registered an objection on grounds of the impact of the proposal on their views and setting. However, this was somewhat surprisingly, particularly since English Heritage had no objection to the Council's award winning Aldgate Masterplan, which outlined that this site and the immediate area around it were areas suitable for tall buildings.
- 5.7 It was considered by the Council's Design and Conservation Team that there is not a detrimental impact to views and the setting of these buildings. Similarly CABI has raised no objection in this regard. Indeed they, amongst other things:
- Suggested that the scheme has the potential to be a high quality building within a cluster of tall buildings.
 - Considered that the massing is thoughtfully broken up, thereby appearing as a skilfully handled crystalline building form.
 - Welcomed the internal organisation at ground level which addresses the Braham Street park and provides an active frontage to Camperdown Street.
 - Were pleased that there is access to the roof gardens for the office users of the development which also offers the added benefit of improving visual amenity.
 - Recommended the support of the application.
- 5.8 Furthermore, following revisions, there is no indication that the GLA have issues with this scheme in terms of its design, bulk and massing or physical impact on the surrounding area.
- 5.9 It is considered that the proposal is far enough away from the listed buildings so that it poses no harm, since they appear in the backdrop. In addition, it should be noted that Alie Street and Lemman Street have a diverse range of buildings in terms of architecture, scale and use. As such, the setting of nearby listed buildings is by no means uniform, pristine and has changed with time. Consequently, this makes a case that this scheme has an impact on the setting of listed buildings almost impossible to sustain.

5.10 Moreover, considerable attention has been given to the treatment of facades, including revisiting the materials of the southern facade so as to ensure its relationships to and appearance within the street scene. The setting of adjacent listed buildings is positively preserved and enhances their character and appearance.

5.11 Finally, the bulk, scale and height of the building are considered appropriate to the area, particularly when taking into account nearby approvals in Aldgate. Additionally, the reduction in tower height lessens Beagle House's visual prominence.

Impact to the setting of conservation areas

5.12 In respect of concern for the scheme's impact to the setting and views of surrounding conservation areas, the Council's Design and Conservation Team do not consider there to be any impact posed. Notwithstanding, any potential impact is considered to be balanced by:

- Support for the tall building cluster promoted in the Masterplan and AAP;
- The existing approvals in the immediate vicinity;
- The benefits of the scheme identified in the original officer report
- The high quality design and positive contribution to the street scene, views and skyline in general of this building.

Furthermore, addressing the impact upon the Tower of London has lessened the height of the towers and their visibility in the setting and views of nearby conservation areas. No significant impacts are therefore believed to be posed as a consequence.

Neighbour Impacts

5.13 The scheme is acceptable in these terms because:

- Whilst the scheme will reduce outlook and increase the sense of enclosure, this is not considered to have any significant detrimental impact to any nearby residential occupiers. It also provides desirable framing to the southern edges of the Braham Street open space and compliments the emerging Aldgate Cluster. In general, in acknowledging that this is a central London location on the City Fringe, as well as responding to the area context and creating a pattern of development which establishes strong relationships to it, the increasing sense of enclosure is not considered undesirable, inappropriate or excessive in the area.
- No privacy, overlooking impacts are identified.
- No light issues are raised by this application.
- No significant overshadowing impacts are posed with transient overshadowing of the Braham Street open space being within reasonable limits, to the satisfaction of the Council's Environmental Health Team

5.14 In summary, there are no significant impacts to future users or to neighbours of the scheme. Rather, the scheme offers benefits to people's amenity. The proposal is therefore in accordance with Council policies which seek to protect the amenity of users and neighbours.

Inadequate financial contributions towards local employment and training and the local transport infrastructure

5.14 Following discussions with officers concerning local employment and training contributions the proposed contribution has been doubled in value from £170,000 to £340,000. The applicant and Officers hope this increase will be sufficient to meet the Members previous

concerns.

5.15 In relation to local transport infrastructure, the following financial contributions are already sought.

- Sustainable transport - £250,000
- Travel Plan monitoring - £3,000
- Bus contributions - £109,350
- Crossrail - £732,870

5.16 The Council's highways team considered the transport statement that supports this application. They consider that it gives good coverage to the transport issues raised by this application and assesses this schemes impacts on:

- all forms of public transport,
- pedestrian routes,
- cycle routes,
- access to and from the site,
- footways,
- parking and servicing,
- taxi drop off points,
- refuse,
- the developments impact on the transport network.

5.17 Additionally, Transport for London (TfL) have considered:

- Crossrail,
- car parking provision,
- impacts on the road network,
- paving,
- bus contributions,
- increasing in width of Camperdown Street,
- Half Moon Passage and Lemn Street improvements,
- bicycle parking spaces and cycle linkages,
- public realm improvements;
- use of the 'ATTrBute' modelling tool.

5.18 The requests both parties have made have either been met within the scheme directly or in the S106 agreement. Neither Highways nor TfL consider that further mitigation is required for this scheme and the assessment of the applicants transport statement does not justify further payments to mitigate or compensate for any impact this scheme has. As such, Officers do not consider that there are any grounds for requiring S106 contributions in relation to local transport infrastructure.

6. REASONS FOR REFUSAL

6.1 Should the Members still consider that reasons for refusal are justified, they may wish to consider one of the following reasons for refusal.

1. It is considered that the proposal, by reason of its height, bulk and scale, is excessive and out of scale with existing surrounding buildings and would have an adverse impact upon the appearance of the streetscene, contrary to PPS1, Policies 4B.1, 4B.9 and 4B.10 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48 and DEV27 of the LBTH Interim Planning Guidance 2008 as well as CABE/EH Guidance on Tall Buildings which seeks high quality design for developments.

2. It is considered that the proposal, by reason of its bulk, height and scale would adversely affect the setting of listed buildings in Alie and Lemn Street and the character of the nearby Tower, Whitechapel High Street, Fournier Street, Wentworth Street, Myrdle Street, London Hospital and Whitechapel market conservation areas and would fail to either preserve or enhance that character and appearance. As such the proposal is contrary to PPS5, Policies 4B.1 and 4B.8 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48, CP49, DEV2 and CON3 of the LBTH Interim Planning Guidance 2008 and the LBTH Aldgate Masterplan which seek to preserve and enhance the character and appearance of listed buildings and conservation areas.

3. Given the scale and density of the proposed scheme, the proposed S.106 obligations are considered unacceptable to mitigate against the impacts in relation to local transport infrastructure and local employment. The proposal is therefore contrary to the aims of PPS3; Policy DEV4 in the UDP 1998; Policy 6A.5 in the London Plan (Consolidated with alterations since 2004) 2008; Policy IMP1 of the Interim Planning Guidance (October 2007) and Policy SP13 of the Core Strategy (Submission Version 2009) which seek to ensure planning obligations are used to mitigate against the impact of development.

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Appendix 1

Decision Level: Strategic Development Committee	Date: 15 th December 2009	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Jason Traves		Ref No: PA/09/1122	
		Ward(s): Whitechapel	

1. APPLICATION DETAILS

Location: Former Beagle House, Braham Street, London, E1 8EP
Existing Use: Offices (Class B1)
Proposal: Demolition of the existing building and the erection of an 17 storey building comprising two ground floor retail units (Class A1, A2, A3, or A4), 1st - 17th floor office use (Class B1) and two basement levels plus associated servicing, landscaping, plant accommodation, parking, access and any other works incidental to the application.

Drawing Nos: WE-434-098C; 099C; 100D; 101D; 197C; 199C; 200D; 202D; 208C; 209D; 212C; 200A; 221A; 222A; 223A; 224A; 225D; 226D; 227D; 300D; 301D; 302D; 303D; 310C; 311C; 312C; 313C; 320D; 321D; 322D; 323D; 400D; 401D; 402D; 403D; 404D; 405D; 600C; 601C; 602C; 603C; 605C; 606C; 607C; 608A; 609A; 610A; 611A

C354 D202, D905, SK-433, SK429

Design and Access Statement (Vol I)
Townscape and Visual Assessment (Vol II)
Impact Statement Pts 1 and 2 (Vol III)
Addendum to Visual Impact Study (Oct 09)
Television reception survey and Development Effects Investigation
Energy Strategy
Revised Area Schedule 28.10.09

Applicant: Aldgate Investment (General Partner) Limited
Owner: Aldgate Investment Nominee One Ltd; Aldgate Investment Nominee Two Ltd; TFL; EDF Energy Networks Ltd; Maersk Company Ltd; LBTH Corporate Property

Historic Building: No
Conservation Area: No

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, Interim Guidance, associated supplementary planning guidance, as well as the London Plan and Government Planning Policy Guidance and has found that:

- a) In land-use terms, an office-led, mixed-use approach to the redevelopment of the

- site, including a complimentary commercial ground floor frontage, is appropriate and acceptable. As such, the proposal accords with Policies 2A.4, 2A.5, 2A.7, 5C.1 and CAZ1 of the Mayor's adopted London Plan (Consolidated 2008), Policy CP8 of the LBTH Interim Planning Guidance 2008, Policies CFR9, CFR11, CFR14 of the LBTH City Fringe Area Action Plan, as well as the provisions of the adopted Aldgate Masterplan 2007 which promote office-lead development and other complimentary uses in the Central Activity Zone.
- b) In employment terms, the substantial increase in office floorspace and additional of ground floor commercial uses is predicted to increase potential job opportunities in the order of 649-747 jobs including employment opportunities that potentially benefit local people. The proposal is therefore acceptable and accords with the provisions of the Mayor's City Fringe Opportunity Area Planning Framework as well as Policies EMP1, EMP2, EMP6 and EMP8 of the LBTH Unitary Development Plan 1998 and Policies CP1 and CP15 of the LBTH Interim Planning Guidance 2008, which seek to expand opportunities of employment, including those for local people.
 - c) In terms of public open space provision and amenity, in addition to contributing 828sqm of publicly accessible space at ground floor, the proposal contributes to the delivery of an improved Half Moon Passage, Braham Street open space and Leman Street frontage. As such, the proposal accords with Policies 3D.8, 3D.11, 3D.12 and 4B.3 of the Mayor's adopted London Plan (Consolidated 2008), the provisions of the Mayor's City Fringe Opportunity Area Planning Framework, Policy ST12 of the LBTH Unitary Development Plan 1998, as well as the LBTH City Fringe Area Action Plan and adopted Aldgate Masterplan which seek sufficient provision of public open space to address the needs of the community.
 - d) In terms of appearance and layout, the proposal is considered to be an architectural asset and a catalyst for regeneration. The development is of an acceptable appearance and potentially high quality finish, contributing positively to the architectural form and character of the area in a way that is distinctive, yet complimentary. The ground floor layout facilitates the Braham Street open space and connections to it, as well as providing an active frontage and contributing publicly accessible space in its own right. As such, the proposal accords with PPS1, Policies 4B.1, 4B.9 and 4B.10 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48 and DEV27 of the LBTH Interim Planning Guidance 2008 as well as CABE/EH Guidance on Tall Buildings which seeks high quality design for developments.
 - e) The proposal has considered a range of possible means to improve the energy efficiency and sustainability to achieve reductions in energy consumption as well as minimum Carbon Dioxide (CO2) emission reductions of 20%. The proposal achieves these requirements and is therefore in accordance with PPS1 as well as the Policies 4A.3, 4A.4, 4A.5, 4A.6, 4A.7 of the Mayor's adopted London Plan (Consolidated 2008) and Policies CP1, CP38, DEV5 and DEV6 of the LBTH Interim Planning Guidance 2008, which variously seek to reduce energy demand and CO2 emissions whilst encouraging energy efficiency and renewable energy production.
 - f) In term of strategic views, the proposal poses no significant detrimental impact to views of the World Heritage Site, The Tower of London, from Townscape View No. 25 (City Hall to the Tower of London) of the Mayor's adopted and draft London View Management Frameworks. Therefore, the proposal accords with the following policies which seek to protect strategic views of the Tower of London: Policies 4B.10, 4B.14, 4B.16, 4B.17 and 4B.18 of the Mayor's adopted London Plan (Consolidated 2007), the Mayor's adopted London View Management Framework 2007, the Mayor's revised draft London View Management Framework 2009, the provisions Mayor's City Fringe Opportunity Area Planning Framework, Policies CP50, DEV1, CON5 of the Interim Planning Guidance 2008, the provisions of the LBTH City Fringe Area Action plan as well as the provisions of Historic Royal Palace's Tower of London World Heritage Site Management Plan, English Heritage's draft SPG Seeing the History in View which seek to protect strategically important views.
 - g) In terms of the impact to the character and appearance of surrounding listed buildings

and conservation areas, no significant impacts are posed. Therefore the proposal is considered to accord with PPG15, Policies 4B.1 and 4B.8 of the Mayor's adopted London Plan (Consolidated 2008), Policy DEV1 of the LBTH Unitary Development Plan 1998, Policies CP4, CP48, CP49, DEV2 and CON3 of the LBTH Interim Planning Guidance 2008 and the LBTH Aldgate Masterplan which seek to preserve and enhance the character and appearance of listed buildings and conservation areas.

- h) For all the reasons set out above the proposal is considered to satisfy the criteria for consideration of tall buildings in accordance with PPS1 PPS1, PPG15, Policies 4.B1, 4B.9, 4B.10 and 3A.3 of the Mayor's adopted London Plan (Consolidated 2008), Policies CP48, DEV27 and Con 5 of the LBTH Interim Planning Guidance as well as the provisions of the LBTH City Fringe Area Action Plan and Aldgate Masterplan, and well as 'By Design' published by DETR/CABE, 'Guidance on Tall Buildings' published by CABE/EH which seek to ensure that tall buildings are appropriate to their context, high quality and minimise environmental impacts.
- i) There are no significant impacts posed to future users or to neighbours. The proposal is therefore in accordance with PPS1, Policies 4A.3, 4B.1, 4B.5, and 4B.10 of the Mayor's adopted London Plan (consolidated 2008); Policies CP1, CP3, CP4 and DEV1 of the LBTH Interim Planning Guidance 2008 and DEV2 of the LBTH Unitary Development Plan 1998 which variously seek to protect the amenity of occupiers and neighbours of a development.
- j) In respect of transportation, no significant traffic and parking impacts are posed by the scheme. In addition, sustainable forms of transport are facilitated by this scheme including improved pedestrian environment and facilities for cyclists. As such, the scheme accords with PPS1, PPG13, Policies 2A.1, 3A.7, 3C.1, 3C.2, 3C.19 and 3C.20 of the Mayor's adopted London Plan (consolidated 2008), Policies ST28, ST30, T16, T18, T19 and T21 of the LBTH Unitary Development Plan 1998 and Policies DEV1, DEV18 and DEV19 of the LBTH Interim Planning Guidance 2008 which seek to variously encourage sustainable forms of development and mitigate impacts on the network.

3. RECOMMENDATION

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

A. Any **direction** by **The London Mayor**

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

- Public realm, open space and environmental improvements **£461,000**
- Open space maintenance **£70,000**
- Employment and training **£170,000**
- Sustainable transport **£250,000**
- Travel Plan monitoring **£3,000**
- Public art **£60,000**
- Small medium enterprise **£45,000**
- Air quality monitoring **£10,000**
- Bus contributions **£109,350**
- Crossrail **£732,870**

Other:

- TV monitoring interference
- Travel Plan monitoring
- Commitment to participate in Council's local labour in construction initiatives.

- Considerate contractor scheme
- Car free agreement
- Access and Employment
- Air quality monitoring during construction

(For avoidance of doubt and as per advice in the 'transport' section of this report, s278 agreement pursuant to the Highway Act 1980, is a matter with financial obligations which is completely separate and in addition to the s106 planning agreement set out in this report)

That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above. If by the date nominated in the Planning Performance Agreement the legal has not been completed, the Corporate Director development & Renewal is delegated power to refuse planning permission.

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

Conditions:

- 1) Time limit for Full Planning Permission
- 2) Development in accordance with the approved plans
- 3) Landscaping including CCTV, lighting, 14 bicycle spaces (in addition to basement provision)
- 4) Service bay door/gate/equivalent details
- 5) Car parking, incl. 2 x servicing and 4 x accessible space provision and 8 x motorcycle spaces
- 6) Bicycle spaces x 145 to be provided in basement and available at all times to users including visitors plus additional parking to be agreed at ground floor
- 7) Shower provision in accordance with the approved plans and made available at all times for users of the building including visitors
- 8) Implementation in accordance with BREAAAM assessment
- 9) Energy measures implemented in accordance with the energy strategy
- 10) Roof top terraces to be accessible and available for use by users of the development at all times
- 11) Mechanical ventilation details including extract ventilation for Class A3/A4
- 12) Noise mitigation measures in accordance with the Impact Statement
- 13) Details of provision for service dock master facilities
- 14) Scheme of highway works
- 15) Archaeology
- 16) Transparent glazing at ground floor
- 17) Electric vehicle charging provision in the basement
- 18) Servicing and delivery management plan including facilities for dock master
- 19) Construction management plan
- 20) Construction logistics plan
- 21) Any additional conditions as directed by the Corporate Director Development and Renewal

Informatives

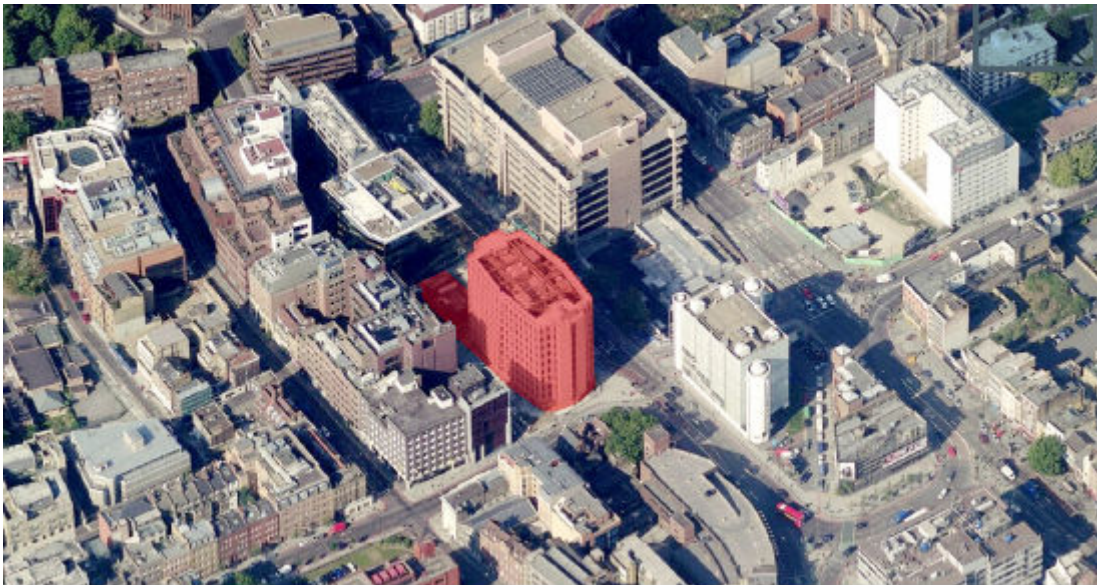
- 1) Consult with TFL and LBTH regarding planning and arrangements for construction access as well as crainage per Highways
- 2) Consideration of the following matters relevant to the Building Regulations per BC:
 - Advice not intended as a complete review or assessment
 - Notice of demolition prior to commencement
 - Section 20 application under the London building Act applicable
 - Attention should be paid to Party Wall Act
 - Fire service access including shafts in accordance with B5 requirements
 - Fire mains in accordance with section 15
 - Means of escape in compliance with B1

- Separate routes of escape for each use
 - Adequate separation to adjoining sites required
 - Solid waste storage and collection to be provided in accordance with part H
 - Means of access in accordance with part M
 - Safe cleaning of windows in accordance with part N
 - Recommendation for early consultation on building regulation matters
- 3) Bollards design to consider people with a disability including visually impaired per Access Officer
 - 4) Cycle store to enable future adoption/provision of facilities for people with a disability per Access Officer
 - 5) Single leaf rather than double leaf doors per Access Officer
 - 6) Glazed doors and panels to comply with Part M per Access Officer
 - 7) Other doorways with revolving doors to always be open per Access Officer
 - 8) WCs to include left and right hand transfer for users per Access Officer
 - 9) Coat hook and shelving to be provided in accessible cubicles as well as consideration of wheelchair user requirements per Access Officer
 - 10) Lifts and stairs to comply fully with part M per Access Officer
 - 11) 24hr reception per Crime Prevention Officer
 - 12) Obtaining planning permission does not discharge any requirements under the Traffic Management Act 2004 per TFL
 - 13) Demarcation of paving between TFL owned Lemman Street and private land as per TFL
 - 14) Tactile paving in basement instead of a ghost island in basement as per TFL
 - 15) S278 required for Lemman Street as per TFL
 - 16) Suggest Travel Plan use the 'ATTrBute' tool as per TFL
 - 17) crainage scaffolding should consider British Standard Institute 7121:part 1: 1989 (amended)
 - 18) Archaeology per EH (archaeology)
 - 19) Consult with LFEPA regarding fire service access and water supplies
 - 20) Ground water management best practice per the EA
 - 21) Oversailing licence for equipment over the public highway

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application proposes demolition of the existing 9 storey office block and the erection of an 17 storey building comprising two ground floor retail units (Class A1, A2, A3, or A4), 1st - 17th floor office use (Class B1) and two basement levels and associated servicing as well as landscaping, plant accommodation, parking, access and any other works incidental to the application.



View of the application site taken from the Design and Access Statement

- 4.2 The ground floor offers public amenity space, circulation and accessibility improvements to Half Moon Passage, Braham Street open space and the Leman Street pedestrian environment. The principle pedestrian entry for the offices is on the northern side through Braham Street park whilst commercial entries are at various points around the building. Vehicular access and servicing is to the south via Camperdown Street. A ramp services basement parking level. Three ground floor loading bays are also provided for.
- 4.3 Considerable attention has been given to the accompanying linkage with and layout of Half Moon Passage. The applicant has made considerable concessions to providing publicly accessible space around the curtilage of the building as well as generally encouraging connectivity and transparency.



Revised ground floor plan taken from the application drawings

- 4.4 The ground floor is recessed and offers a colonnade on the north and eastern sides to enhance the relationship to the surrounding area.



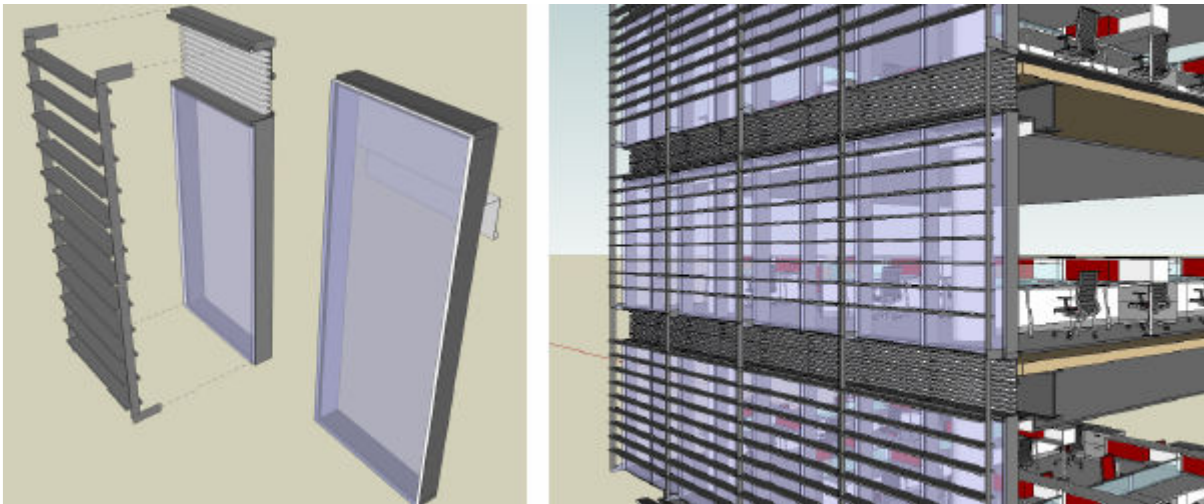
Impression of the ground floor appearance taken from the Design and Access Statement

- 4.5 The design of the upper floors intends on contributing a high quality and unique form to the Aldgate cluster. It also provides a transition to developments to south and west as well as framing the new Braham Street Public open space.
- 4.6 The roofscape comprises a series of angular cascading terraces. They will define the identity of the building in long views. It also breaks up the bulk and massing as well as providing relief with landscaped elements. They further serve a practical benefit for the future users as outdoor amenity space.



Views of the proposal taken from the Design and Access statement
(Note that height has been reduced in amended plans compared to these views – refer to addendum visual impact study)

- 4.7 The prismatic/crystalline/faceted façade of a glass/metal façade, including a ‘brise soleil’ aluminium cladding system, helps to break up the massing of the building as well as providing articulation, depth and visual interest.



The brise soleil aluminium cladding system – taken from the Design and Access Statement

4.8 Although, particular attention has been paid to the buildings relationship to the Braham Street open space to the north as well as the emerging Aldgate cluster, other facades and relationships have been given careful attention. This includes the south elevation with its relationships to listed buildings along Leman Street and relationship to the Tower of London, being within the Background Assessment Area of Townscape View 25 of the Mayor’s London View management Framework (LVMF) 2007 and draft revised LVMF 2009.



View from the south along Leman Street taken from the Addendum to the Visual Impact Study

4.9 The development specifics as reported in the Planning Statement and in supplementary clarification as follows:

- Total floor area of 31,507sqm gross external area (GEA) including basements (existing building is 11,167sqm GEA) and comprising of the following;
- 2 x basement levels with a total GEA of 3675sqm for car parking, bicycle parking as well as waste/recycling storage and other support servicing/storage facilities;
- Ground floor of 1568 sqm GEA comprising of 2 x commercial units (Class A1-2-3-4)

- and office servicing core;
- Floors 1 – 15 comprising of office space (Class B1) of 26059sqm GEA (includes servicing core);
- Floor 16 is plant area of 205sqm GEA;
- Provision in the basement of 14 car parking spaces which includes 2 x dedicated servicing spaces and 4 x spaces for people with a disability;
- Provision in the basement of 139 bicycle storage spaces;
- Provision in the basement of eight (8) motorcycle bays;
- Provision in the basement seven (7) showers including one (1) shower/toilet combination that is accessible for people with a disability;
- Provision at the ground floor of three (3) dedicated servicing bays accessible from Camperdown Street;
- Advice of future potential provision of extract ventilation ductwork for the ground floor commercial units via the service core;
- Provision of 5 rooftop terraces of 989sqm;
- Provision of 828sqm of publicly access area surrounding the building within the red line of the application site; and
- Potential employment generation estimated at 649-747 jobs.

Site and Surroundings

- 4.10 The application site is 0.26Ha and is bound by Braham Street (north), Leman Street (east), Camperdown Street (south) and Half Moon Passage (west).
- 4.11 The application site is occupied by Beagle House, a 9-storey commercial office building of approximately 11,167sqm gross external area (GEA). Although designed by the late architect Richard Seifert, the building is not listed and not within a conservation area.



Existing building – taken from the Design and Access Statement

- 4.12 Pursuant to regional Policy, the Mayor’s adopted London Plan (Consolidated 2008), as well as the City Fringe Opportunity Area Planning Framework (OAPF), the application site is within the Central Activities Zones (CAZ), an Opportunity Area, an Area for Regeneration. Also, it is located on the edge of a Major Centre and is identified as part of the Aldgate Major Development Site.
- 4.13 In pursuance to the Mayor’s adopted London View Management Framework (LVMF) July 2007, the north-west corner of the site falls within the background assessment area for Assessment Points 25A.1 and 25A.2 which are within the Viewing Place of Queens Walk, known as Townscape View No. 25, ‘City Hall to Tower of London’. Assessment Point 25A.1 is protected by a Geometric Definition and Qualitative Visual Assessment (QVA). It is also

the subject of a Secretary of State direction for management of that view. Assessment Point 25A.2 is protected by a Qualitative Visual Assessment (QVA) only.

- 4.14 On the 5th June 2009, the Mayor published a revised draft LVMF. The north west corner of the scheme remains in the background assessment area of Townscape View. Although, three assessment Points 25A.1, 25A.2 and 25A.3 are proposed. 25A.1 remains protected by a Geometric Definition.
- 4.15 Pursuant to local Policy, the Tower Hamlets Unitary Development Plan (UDP) 1998, the application site is located within the Central Area Zone and is also within an area of archaeological importance or potential. Pursuant to the Interim Planning Guidance 2008, as well as the City Fringe Area Action Plan (AAP) 2006 (both of which are a means of implementing regional policies at a local level to respond to local needs and issues), the subject site is allocated for development, being identified as part of site CF12e 'Aldgate Union South'. It comprises of the following intended uses: Employment B1, Retail A1/A2/A3/A4 and public open space.
- 4.16 The site is not listed nor within a conservation area. However, there are conservation areas and listed buildings in close proximity. They include:
- The Tower conservation area, located to the south east;
 - Whitechapel High Street, Fournier Street and Wentworth Street conservation areas, located to the north;
 - Myrdle Street, London Hospital and Whitechapel market conservation areas, to the east;
 - Nos 19a, 62, 66, 68, 70 and 99 Leman Street which are Grade II listed buildings;
 - St Georges Lutheran Church, Alie Street which is Grade II* listed;
 - The German and English School, Alie Street which is Grade II listed; and
 - Two warehouses on Back Church Lane which are each Grade II listed.
- 4.17 In addition to being listed, The Tower of London is a UNESCO World Heritage site.
- 4.18 The surrounding area is very diverse in its architectural style and building scale. It covers a diverse spectrum, from small-scale commercial/residential uses in terraces of several stories to modern commercial office towers with substantial floorplates. The development of Aldgate is being progressed through the masterplan including the closing of the gyratory to the north and realisation of the Braham Street public open space.

Planning History

Application site

- 4.19 A variety of applications including those for minor works have been submitted over the course of time. The more recent and noteworthy applications are referred to below:
- 4.20 PA/05/260 On 29 March 2005 planning permission was given for construction of a single storey brick extension at the corner of Half Moon Passage and Comperdown Street to accommodate an electrical transformer.
- 4.21 PA/01/1524 On 19 June 2002 Landscaping works including replacement of existing steps and terrace by new steps, terrace and planting at corner of Leman Street and Camperdown Street and replacement of 15 metres of paving in Braham Street with planted area.

Surrounding sites

- 4.22 The following planning decisions on surrounding sites are noted:

99 Leman Street

- 4.23 PA/04/01916 On 15 May 2008, planning permission was granted for amendments to Phase 1 of the Goodmans Fields Masterplan to form 252 residential units with associated works. Also, a reduction in the basement car park to 108 car parking spaces from 150 was agreed.
- 4.24 PA/05/01396 On 19 September 2006, a further application for 99 Leman Street was granted for a change of use of offices to 40 residential units and 860 sq.m. of A1/A2/A3/A4/B1/D2 floorspace in the basement together with external alterations (Amendments to Phase 1 of the Goodmans Fields Masterplan).
- 4.25 PA/07/01246 On the 3 September 2007, the agent withdrew an application for minor amendments to the application PA/05/01396, comprising sub-division of a single residential unit into three duplex units, approved 19 September 2006 for change of use from office to 40 residential units and 860 sq.m. of A1/A2/A3/A4/B1/D2 in the basement together with external alterations (Amendments to Phase 1 of the Goodmans Fields Masterplan).

61-75 Alie Street, 17-19 Plough Street and 20 Buckle Street

- 4.26 PA/07/01201 On 14 March 2008, planning permission was granted for demolition of existing buildings and erection of two buildings of 7 and 28 storeys in height to provide 235 residential units, A1/A3 (retail/restaurant/cafe) and B1 (business) floorspace, formation of associated car and cycle parking and highway access, hard and soft landscaping and other works associated to the redevelopment of the site.

Aldgate Union 3 & 4, land bound by Whitechapel High Street, Colchester Street, Buckle Street and including car park of Braham Street

- 4.27 PA/07/1201 On 14 August 2007, outline planning permission was granted for the demolition of existing buildings and redevelopment of three buildings ranging from 4 to 22 storeys in height to provide 84,305sq.m. of offices (B1) and 2,805sq.m retail (A1) floorspace, new pedestrian route to Drum Street, closing off Braham Street for the purpose of a new park, new entrance to Aldgate East Underground Station, basement car park for 40 vehicles and associated plant accommodation.

Aldgate Union 1 & 2, Former Sedgwick centre, 27, 28 & 29 Whitechapel High Street and 2-4 Colchester Street

- 4.28 PA/04/01190 On 13 December 2004, planning permission was granted for the refurbishment and extension of the existing Marsh Centre Building, demolition of other remaining buildings and redevelopment of the site to provide new office accommodation.

52-58 Commercial Road

- 4.29 PA/03/00766 On 22 December 2005, planning permission was given for demolition of the existing buildings and redevelopment of the site to provide a mixed-use complex of four buildings comprising of a 17 storey tower and a thirteen storey tower on the Commercial Road frontage, a six storey block and a five storey block either side of Gowers Walk, along with the provision of linear public open space. The scheme proposed a total of 136 x 1, 2 and 3 bedroom flats, including 38 affordable units; six live/work units; 25 parking

spaces, storage and plant space in the basement; café (A3), retail (A1), health club (D2) and office space (B1) on the ground floor along with six reinstated car parking spaces from the social housing, west of Gowers Walk; offices, flats and live / work units on the second and third floors; offices, flats, live/work units and a health club on the third floor and flats on all of the floors above. The two blocks, either side of Gowers Walk, were to provide 22 of the affordable housing units only. The proposal included the redevelopment of the "triangle" site west of Gowers Walk and supersedes the previous application ref: PA/02/1111 received 29th July 2002. (Development affecting the setting of a Listed Building).

- 4.30 PA/07/1180 On 11 June 2007, condition 13 (elevation treatment for 5 storey block of flats to either side of Gower's Walk) of the abovementioned consent was discharged. Amongst other drawings submitted as part of the application, of note on the western elevation is a light-well servicing bedroom windows from ground to fifth floor.

Former Goodman's Fields, 74 Alie Street (Land north of Hooper Street and east of 99 leman Street, Hooper Street) London

- 4.31 PA/02/00678 On 26 September 2005, outline planning permission was granted for consideration of siting and means of access for a change of use from offices to mixed development including residential (class C3); financial and professional (class A2), restaurant/public house (class A3), retail (class A1), offices (class B1), live/work (sui generis) and ancillary services.

- 4.32 PA/08/1634 On 05 March 2009, the applicant withdrew a proposal for redevelopment to provide four courtyard buildings of 5-10 storeys incorporating 6 tower elements of 22-28 storeys, erection of a 4 storey terrace along Gower's Walk, change of use to residential (Class C3) and construction of an additional storey to 75 Lemman Street. The overall scheme comprises of 822 residential units (Class C3), student accommodation (Sui Generis), hotel (Class C1), primary care centre (Class D1), commercial uses (Classes A1, A2, A3, A4, A5, B1 & D2), public open space, landscaping, servicing, plant accommodation, car parking, access and associated works.

- 4.33 PA/09/965 This is a current application, also for consideration at this Dec 09 SDC meeting, being for redevelopment to provide four courtyard buildings of 5-10 storeys incorporating 6 buildings of 19-23 storeys, erection of a 4 storey terrace along Gower's Walk, change of use to residential (Class C3) and construction of an additional storey to 75 Lemman Street. The overall scheme comprises of 772 residential units (Class C3), student accommodation (sui generis), hotel (Class C1), primary care centre (Class D1), commercial uses (Class A1, A2, A3, A4, A5, B1 and D2), public open space, landscaping, servicing, plant accommodation, car parking and access and associated works.

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Proposals:	Central Area Zones; area of archaeological importance or potential
Policies:	ST1 Core Objectives
	ST15 Central Area Zones

ST17	Central Area Zones
ST 28	Transport
ST30	Transport
ST34	Shopping
ST35	Shopping
ST37	Open Space, Leisure and Recreation
ST41	Arts, Entertainment and Tourism
ST43	Arts, Entertainment and Tourism
ST47	Education and Training
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Developments
DEV4	Planning Obligations
DEV8	Protection of Local Views
DEV12	Provision of Landscaping in Development
DEV15	Retention and Replacement of Mature Trees
DEV50	Noise
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV69	Efficient Use of Water
CAZ1	Developing London's Regional, National and International Role
EMP1	Promoting Employment Growth
EMP6	Access to Employment
EMP7	Work Environment
EMP8	Small Businesses
T16	Traffic Priorities for New Development
T18	Pedestrians
T19	Pedestrians
T21	Pedestrians
ART1	Promotion and Protection of Arts and Entertainment Uses
ART6	Arts, Culture and Entertainment (ACE) Area

Interim Planning Guidance for the purposes of Development Control

Proposals:	'CF12e'	<i>'Aldgate Union South'</i> - Employment B1, Retail A1/A2/A3/A4 and public open space Archaeological Priority Area Central Activity Zone
Core Policies:	CP1	Creating Sustainable Communities
	CP2	Equality of Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP7	Job Creation and Growth
	CP9	Employment Space for Small Businesses
	CP11	Sites in Employment Use
	CP30	Improving the Quality and Quantity of Open Spaces
	CP31	Biodiversity
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
	CP41	Integrating Transport and Development
	CP42	Streets for People
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings
	CP49	Historic Environment

Policies:	CP50	Important Views
	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency and Renewable Energy
	DEV7	Water Quality and Conservation
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance and Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV14	Public Art
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routed and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity for Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV23	Hazardous Development and Storage of Hazardous Substances
	DEV25	Social Impact Assessment
	DEV27	Tall Buildings Assessment
	EE2	Redevelopment/Change of Use of Employment Sites
	RT3	Shopping Provision Outside of Town Centres
	RT4	Retail Development and the Sequential Approach
	CON1	Listed Buildings
	CON3	Protection of World Heritage Sites, London Squares, Historic Parks and Gardens
	CON4	Archaeology and Ancient Monuments
	CON5	Protection and management of Important Views

Supplementary Planning Guidance/Documents

Designing Out Crime Pts 1 and 2 (2002)
Sound Insulation (1998)
Archaeology and Development (1998)
Residential Space (1998)
Landscaping Requirements (1998)
City Fringe Area Action Plan (2006)
Aldgate Masterplan (2007)

Spatial Development Strategy for Greater London (London Plan)

2A.1 Sustainability Criteria
2A.4 The Central Activities Zone
2A.5 Opportunity Areas
2A.7 Areas for regeneration
2A.8 Town Centres
3A.17 Addressing the Needs of London's Diverse Population
3A.28 Social and Economic Impact Assessments
3C.1 Integrating Transport and Development
3C.2 Matching Development to transport Capacity
3C.23 Parking Strategy
3D.8 Realising the Value of Open Space and Green Infrastructure
3D.14 Biodiversity and Nature Conservation

4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.7	Renewable Energy
4A.11	Living Roofs and Walls
4A.13	Flood Risk Management
4A.14	Sustainable Drainage
4A.17	Water Quality
4A.19	Improving Air Quality
4B.1	Design Principles for a Compact City
4B.2	Promoting World Class Architecture and Design
4B.3	Enhancing the Quality of the Public Realm
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.8	Respect Local Context and Communities
4B.9	Tall Buildings – location
4B.10	Large-scale Buildings – Design and Impact
4B.12	Heritage Conservation
4B.14	World Heritage Sites
4B.15	Archaeology
4B.18	Assessing Development Impact on Designated Views

Draft City Fringe Opportunity Area Planning Framework (2008)
London View Management Framework (LVMF)(July 2007)
Revised Draft London View Management Framework (LVMF)(June 2009)

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPS25	Development and Flood Risk
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG24	Planning and Noise

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

A great place to live
A prosperous community
A safe and supportive community
A healthy community
One Tower Hamlets

Other

CABE/EH 'Guidance on Tall Buildings'
CABE 'By Design'
EH 'Seeing the History in the View: A Method for Assessing Heritage Significance within Views' (Draft for Consultation, April 2008)
HRP 'Tower of London World Heritage Site Management Plan'
DCMS White Paper 'Heritage Protection for the 21st Century' (2007)
RTPI/RICS/IHBC 'Response to the heritage White Paper...' (June 2007)
DCLG 'Protection of World Heritage Sites Consultation Paper' (May 2008)

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 Environmental Health – Contaminated Land

6.3 Appropriately worded standard contamination condition recommended.

(Officer comment: The condition is recommended if the Council resolves to grant planning permission.)

LBTH Environmental Health – Daylight and Sunlight

6.4 Advice that there are no concerns nor significant impact to neighbouring properties including the residential property, No. 19 Leman Street. In addition, the permanent and transient overshadowing to Braham Street open space is considered to meet the Building Research Establishment (BRE) guidelines and is considered acceptable.

LBTH Environmental Health – Hazardous substances & additional comments

Extract ventilation details for the potential Class A3/A4 food premises at ground floor

6.5 Details of the extract ventilation are needed

(Officer Comment: The architect/agent advise that there is potential for the extract ductwork to be conveyed internally through the servicing core and exiting at roof level. On this basis, it is considered that there is no environmental impact posed in terms of appearance/aesthetics, noise, odour or vibration. Consequently, this matter can be reasonably secured by an appropriately worded condition for the details to be provided prior to commencement)

TV reception

6.6 The assessment report is acceptable

(Officer comment: Standard planning obligations in the s106 planning agreement for testing, monitoring and mitigation will be negotiated if the Council resolves to grant planning permission).

LBTH Environmental Health – Noise and Vibration

6.7 The noise and vibration assessment by ARUP as part of the impact statement is acceptable, noting that this is a predominantly office scheme and not residential.

(Officer comment: An appropriately worded condition is recommended for the noise mitigation measures to be implemented in accordance with the Impact Statement.)

LBTH Strategic Transport

6.8 Recommends improvements to the cycling network and connectivity in the Aldgate as well as Travel Plan monitoring and a planning contribution of 3k for electric car charging facilities

(Officer comment: The above matters form part of the recommended package of planning contributions if the Council resolves to grant planning permission)

LBTH Transportation and Highways

- 6.9
- Good coverage of transport issues
 - Parking: welcomes reduction in car parking and provision of bicycle and motorcycle spaces as well as a Travel Plan. Amongst other matters, recommends charging points for all car spaces and condition for bicycle parking to be retained
 - Servicing: arrangements acceptable although, details of the provision for servicing dock master facilities needed
 - Pedestrian access/improvements: Half Moon Passage considered an improvement with details of landscaping and stopping up needed in due course and also, £70k

towards public realm

- Concern regarding insufficient footpath provision at Camperdown Street
- Refuse: Waste team should be consulted
- Travel Plan: Comments to be provided by Strategic Transport Team
- Construction: Welcomes the Code for Construction Practice in the impact statement; further details regarding crainage would be needed prior to construction and recommendation that construction access should be agreed with LBTH and TFL

(Officer comment: Appropriately worded conditions and informatives are recommended to address the abovementioned matters where relevant. In respect of the Camperdown Street footpath width, this is not considered an issue to warrant amendments on balance, noting that this will not be a principle point of connectivity around the development, given the discouragement to this by the servicing point. Also, the pavement will be widened to 1.5m which is considered adequate noting that the more desirable and likely pedestrian connectivity is via Half Moon Passage and Braham Street open space.)

LBTH Waste

- 6.10 Advice that the team has no objections to the application. Notes that a private waste collection service will be needed to undertake collections from this premises given that it involves the use of a waste compactor.

LBTH Landscape

- 6.11 Satisfied with the arrangements for Half Moon Passage.

LBTH Access Officer

- 6.12
- Design and Access Statement is comprehensive and refers to relevant legislation
 - Would like to see accessible parking bays on Camperdown Street
 - Any bollard design should to consider people with a disability
 - Cycle store to consider provision of space for mobility devices for people with a disability
 - Single leaf rather than double leaf doors
 - Glazed doors and panels to comply with Part M
 - Other doorways with revolving doors to always be open
 - WCs to include left and right hand transfer for users
 - Coat hook and shelving to be provided in accessible cubicles as well as consideration of wheelchair user requirements
 - Lifts and stairs to comply fully with part M
 - Fire lift and communication arrangements are welcomed

(Officer comments: Additional accessible bays on Camperdown Street could be given further consideration although as a matter separate to the planning merits of the subject application; other matters are suitably addressed as planning informatives if the Council was to resolve to grant planning permission.)

LBTH Crime Prevention Officer

- 6.13
- North, east and west sides are more active frontages than the south side of the proposal
 - The building overhang on north and east side could be a gathering point at night
 - 24hr reception/security is considered important as well as suitable CCTV and lighting
 - Expect delivery entrances to be gated/shut
 - Half Moon Passage to be kept open and active and with CCTV surveillance and for landscaping to maximise openness/surveillance

(Officer comment:

- The level of activity around the building and potential for gathering is noted but not considered to be a significant concern.

- Although not a planning issue, the recommendation for 24hr reception will be conveyed in an appropriately worded informative whilst CCTV and lighting form part of the details to be discharged as part of a landscaping condition
- The delivery entrance door/gating will be secured as part of an appropriately worded condition

LBTH Energy

- 6.14
- Recommends that the updated London Plan and revised Energy Hierarchy be followed
 - Recommended the fuel cell option be implemented as part of the development
 - Indicates that the BREAAAM assessment of office component achieves an 'excellent' rating

(Officer comment:

- The energy cell and BREAAAM requirements will for appropriate conditions of approval
- Other comments noted for the applicant's consideration in future discharge of the abovementioned conditions if the Council was to resolve to grant planning permission)

LBTH Ecology

- 6.14 No comments received

Greater London Authority (GLA)

Stage 1 comments

- 6.15
- The proposal complies with some London Plan policies for urban design, sustainable design and transport although there are matters requiring further consideration:
 - Landuse: the proposed uses are welcome and comply with policies 5G.2 and 3B.3
 - Urban design: the scheme is acceptable in terms of its potential impact on strategic views although, the impact on the Braham Street open space in terms of overshadowing is a concern as is the building line on Lemman Street; Queries are raised concerning the step-free access between Braham Street and Camperdown Passage and appropriateness of revolving doors. The GLA recommends a height reduction in the west end as well increasing the setback to Lemman Street
 - Transport: A Crossrail s106 planning contribution is sought. The GLA also recommends further information regarding trip generation and car parking; Agreement to demarcate the site boundary in pedestrian pavement materials is needed; Provision of street lighting around the site to benefit pedestrians is sought; sustainable transport related planning contributions should be offered; agreement to secure a Construction Logistics Plan and Delivery and Servicing Plan should be sought;
 - Energy: The proposed measures are generally supported and policy compliant although further information is needed to address policies 4A.5, 4A.6 and 4A.7. The GLA recommends further information about site-wide initiatives as well as details pertaining to the fuel cell absorption chillers and ground source heat pumps

(Officer comment: The application was revised and further information provided to address the issues above. These have been informally accepted by the GLA as addressing their concerns and as such, no further action is required prior to the Mayors Stage 2 consideration.)

Government Office of London (GOL)

- 6.16 No comments received

Transport for London (TFL)

- 6.17 No significant impact is posed although further details are required:
- A Crossrail s106 planning contribution sought;
 - TFL is supportive of car parking provision but recommend a car free approach;
 - There is unlikely to be any impact on the TLRN;
 - TFL requests demarcation in paving between Lemn Street and the private land [within the red line boundary];
 - A s106 planning contribution for buses is requested;
 - The increased width for the Camperdown Street footpath is welcomed;
 - Tactile paving in basement is recommended, instead of a ghost island;
 - The Half Moon Passage improvements are welcomed;
 - A separate S278 agreement is required for Lemn Street;
 - A query is raised in respect of the exact number of bicycle spaces provided;
 - A s106 planning contribution to fund a cycle link and consideration of linking the development is suggested;
 - TFL suggests a s106 planning contribution be secured for public realm improvements;
 - A suggestion that the Travel Plan use the 'ATTrBute' modelling tool.

(Officer comment: In respect of the s106, the above comments are subject to GLA advice. See also the planning contributions section of this report. Other points are noted and where applicable, are recommended as informatives if the Council resolves to grant planning permission.)

London City Airport (LCA)

- 6.18 There is no conflict with safeguarding criteria in respect of the completed development. However, construction crainage scaffolding should consider British Standard Institute 7121:part 1: 1989 (amended)

(Officer comment: Advice regarding crainage scaffolding is contained within an informative if the Council was to resolve to grant planning permission.)

National Air Traffic Services Ltd (NATS)

- 6.19 The proposal does not with conflict with safeguarding criteria.

English Heritage (Statutory)

- 6.20 The revisions to reduce the height and absence of any impact upon views of the Tower of London is welcomed. However, EH continue to object in respect of local impacts upon the setting of locally listed buildings, particularly those illustrated in view 6 of the Addendum to the visual impact study (62, 66, 68 and 70 Lemn Street).

(Officer comment: See section 8 for discussion)

English Heritage (Archaeology)

- 6.21 Recommend an appropriately worded condition and informatives for investigation and monitoring of any significant remains during construction.

(Officer comment: The condition is recommended if the Council resolves to grant planning permission.)

Historic Royal Palaces (HRP)

- 6.22 Advice that the development as amended would have no effect on the setting of the Tower of London as seen from Queen's Walk and the vicinity of City Hall. Historic Royal Palaces therefore has no objection to the proposal.

City of London Corporation

- 6.23 No objection to the development although the potential impact to view of the Tower of

London is queried.

(Officer comment: Other statutory consultees are satisfied there is no impact as is LBTH.)

London Borough of Southwark (LBS)

6.24 No comments received.

Commission for Architecture and Built Environment (CABE)

- 6.25
- CABE acknowledges the revisions to the proposal, in response to concerns about the potential impact upon views from the Tower of London
 - CABE suggests that the scheme has the potential to be a high quality building within a cluster of tall buildings
 - CABE considers that the massing is thoughtfully broken up, thereby appearing as a skilfully handled crystalline building form
 - CABE welcomes the internal organisation at ground level which addresses the Braham Street park and provides an active frontage to Camperdown Street
 - CABE is pleased that there is access to the roof gardens for the office users of the development which also offers the added benefit of improving visual amenity
 - CABE recommends support of the application

London Fire and Emergency Planning Authority (LFEPA)

6.26 Although there is no information provided in respect of fire service access and water supplies, this should not be problematic as the Authority is aware that fire service access is maintained along the Braham Street open space.

(Officer comment: An appropriately worded informative is recommended for LFEPA to be consulted before building work commences.)

Environment Agency (EA)

6.27 The EA raise no objection to the scheme and recommend best practice regarding the management of groundwater-related issues.

(Officer comment: An appropriately worded informative is recommended to address this matter if the Council was to resolve to grant planning permission.)

London Underground Ltd

6.28 London Underground advises that it has no comment to make on this application.

7. LOCAL REPRESENTATION

7.1 A total of 136 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. No representations were received from neighbours or from local groups in response to notification and publicity of the application.

No of individual responses: Nil Objecting: Nil Supporting: Nil
No of petitions received: Nil

8. MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Design and Access
- Amenity

- Transport
- Planning contributions

Land Use

Demolition

- 8.2 It should be noted that the application site does not contain any listed buildings and does not lie within or adjacent to a conservation area.
- 8.3 Demolition is justified for the following reasons:
- The reuse of the building stock would have compromised the ability to deliver other positive aspects of the scheme (e.g. open space and pedestrian route connectivity/permeability improvements);
 - The new scheme's benefits in respect to design quality, sustainability and regeneration benefits.
- 8.4 Overall, the demolition of the existing buildings is considered acceptable.

Mixed-use

- 8.5 Mayoral and LBTH planning guidance promotes a residential-led, mixed-use redevelopment of the site.
- 8.6 Pursuant to the London Plan Policy 2A.4, the site is within the Central Activity Zone (CAZ) where policy generally promotes finance, specialist retail, tourist and cultural uses and activities. The site also lies within an Opportunity Area. This provides London's principle areas of opportunity to accommodate large scale development with employment floorspace and housing, assisted by good public transport accessibility.
- 8.7 In addition, Policy 2A.7 of the London Plan identifies the application site within an area for regeneration. It is one of the 20% most deprived areas of London and therefore, of the greatest socio-economic need.
- 8.8 In pursuance of the North East London sub-region of the London Plan and Policy 5C.1, the priorities for the sub-region include, amongst other things, to ensure substantial expansion of economic and population growth is appropriately accommodated in a sustainable way; ensuring improvements to open space; securing necessary financial resources to deliver improvements to public transport, walking and cycling connections.
- 8.9 The Mayor's draft City Fringe OAPF identifies the site as being within an area of opportunity and regeneration. The framework recognises the strategic need to accommodate the expansion of London as a world city, alongside the need to maintain economic and cultural activities, whilst accommodating intensification of residential development.
- 8.10 In general, the LBTH UDP 1998 identifies the site within the Central Area Zone. Policy ST12 seeks to encourage the availability of and accessibility to a range of recreational, cultural and leisure facilities within the CAZ. Policy CAZ1 states that a balance of central London core activities, of a scale and type that is compatible with London's role a financial, commercial and tourist centre, will be encouraged (courts, government departments, embassies, commodity markets/companies/corporations, media, galleries/museums, cinemas/stadia/halls/theatres, hotels and Educational establishments).
- 8.11 Also in general, the LBTH IPG 2008 identifies the application site as being within the CAZ. Policy CP8 recognises that parts of the borough play a strategic and international role as a global financial and business centre. Therefore, the Council will, amongst other things,

encourage office development on the fringe, and employment opportunities.

- 8.12 More specifically, the IPG as well as the City Fringe Area Action Plan (AAP) identify the application site within the larger development site CP12e 'Aldgate Union South' within the Aldgate and Spitalfields Market Sub-area. Policy CFR14 indicates that the larger area should come forward for redevelopment with the following uses, namely:
- Employment B1,
 - Retail A1/A2/A3/A4 and
 - Public open space
- 8.13 Within the Aldgate and Spitalfields Market Sub-area of the City Fringe AAP, Policy CFR9 states that, amongst other things, employment uses are dominant. Policy CFR11 promotes retail or leisure uses as active ground floor frontages, specifically making reference to frontages along Braham Street.
- 8.14 It is evident from the review of regional and local policy, that an office-led approach to the redevelopment of Beagle House, with complimentary commercial ground floor frontage, is appropriate and acceptable. The specific uses contained within the scheme are identified in more detail below.

Employment

- 8.15 Policy EMP1 'Encouraging New Employment Uses' of the adopted UDP 1998 promotes employment growth that meets the needs of local people. Whilst EMP 2 'Retaining Existing Employment Uses' opposes the loss of employment floorspace, it allows exceptions where quality buildings and a reasonable density of jobs will result.
- 8.16 The scheme proposes an increase in employment floorspace from 11,167sqm to 31,507sqm including office Class B1 (26,059sqm) and ground floor commercial Class A (1,512sqm). In consideration of Policies EMP1 and EMP2, the increase in floorspace will also increase the potential employment levels. The agent indicates that the proposal has potential to generate between 649-747 jobs.
- 8.17 Given the flexibility of the office floorplates as well as the ground floor commercial opportunities that could be potentially desirable for all kinds of occupiers in those sectors, the scheme is considered to accord with EMP 6 'Employing Local People', and EMP8 'Small Business' of the adopted UDP 1998, and CP1 'Creating Sustainable Communities', and CP15 'Provision of a Range of Shops and Services' of the Interim Planning Guidance which amongst other things, seek to encourage a range of job opportunities, that are supportive of the local community and small businesses.

Public open space

- 8.18 Public open space is not only welcomed, it is a requirement of regional and local policy. Public open space provision forms a key component of the redevelopment of the 'Aldgate Union South' site, which the application site lies within. This section of the report considers the principle whilst, consideration of the design and amenity of the public open spaces are discussed under 'Design' and 'Amenity for future occupiers' sections of this report respectively.
- 8.19 Pursuant to the adopted London Plan (Consolidated 2008), Policy 3D.8 indicates that all developments are expected to incorporate appropriate elements of open space that make a positive contribution to and are integrated with the wider network.
- 8.20 The creation of open spaces strategies is promoted in Policy 3D.12 of the adopted London Plan (Consolidated 2008). In addition, Policy 4B.3 Enhancing the Quality of the Public Realm states that amongst other things, boroughs should work to ensure the public realm

(which includes open space) is accessible, useable and safe.

- 8.21 The Mayors draft City Fringe OAPF identifies an opportunity to provide open space in the Braham Street area of the Aldgate. Open space would have the purpose of providing amenity for the community. The importance of existing and new open spaces as well as linkages between is noted by the framework, given that the City Fringe is some distance away from any designated green space. In Chapter 2, the provision of open space within a network of spaces is seen as part of the process of creating a sustainable community in the City Fringe, given the focus in this area for potential employment and population growth of London.
- 8.22 The LBTH City Fringe AAP states that, in the current context, public space is limited in this area and does not meet the Borough's targets. It indicates that publicly accessible open space in this area is lower than the borough target and is considered to be poor quality, inaccessible and poorly interconnected. The AAP suggests that there are likely to be limited opportunities to create major green spaces due to density and prevailing locality character. Clearly, this is one of the key challenges for the City Fringe to tackle. Part of the vision for the City Fringe is for innovative and well connected public realm and open spaces. In terms of quantity and quality of provision, the Council proposes a range of measures including the realisation of new open spaces in major development schemes. The Braham Street public open space is one of the key components of redevelopment in Aldgate. In general, Policy CFR 1 states that that the Council will seek to create and enhance open space and links between them. Policy CFR5 seeks to maximise open space provision as part of developments and also in key locations, specifically including the Aldgate and explicitly Braham Street.
- 8.23 In the context of this discussion about the importance of open space to Aldgate, it is important to emphasise that the open space provision is intended to be in Braham Street itself. The expectation for the Beagle House redevelopment is merely that it will not prejudice the delivery and contribute positively to the success of it. The proposal does so in key ways including:
- Contributing to a publicly accessible area at ground floor (828sqm) surrounding the building within the application site boundary (the red-line boundary);
 - Providing active ground floor frontages;
 - Providing improved security with a transparent and active ground floor;
 - A built form that provides as strong edge of interesting and high quality architecture to frame and define the Braham Street open space;
 - Improves upon linkages and connectivity into the park specifically at Lemn Street and Half Moon Passage;
 - In providing for the above, the scheme has secured appropriate access for people with disabilities to encourage a more inclusive environment;
 - Considerable pre-application testing and reduction of the scheme to minimise permanent and transient overshadowing to levels acceptable to the Council's Environmental Health Team in consideration of the Building Research Establishment (BRE) guidance;
 - In providing for the above, the scheme contributes soft landscaping to enhance the amenity of the environment.
- 8.24 As such, the scheme is considered to compliment and enhance the Braham Street open space, as well as connections via Half Moon Passage and Lemn Street. The proposal therefore accords with Policies CP30 of the LBTH Interim Planning Guidance, as well as the site specific guidance of Policies CFR1 and CFR5 of the LBTH draft City Fringe Area Action Plan 2007, as well as the LBTH Aldgate Masterplan which seek sufficient provision of open space to address needs of the community.

Design

Appearance and layout

- 8.25 As one of its objectives, PPS1 states that planning should facilitate and promote high quality development through good and inclusive design.
- 8.26 Pursuant to The London Plan (Consolidated 2008), Policy 4B.1 requires schemes, amongst other criteria, to create and enhance the public realm, respect local context and character, as well as being attractive to look at. Policy 4B.9 outlines related Plan policies and considerations for the siting of tall buildings which includes tall buildings as a “*catalyst*” for regeneration. Policy 4B.10 provides further guidance on design considerations including context, attractiveness and quality. CABE and English Heritage ‘Guidance on Tall Buildings’ also informs the consideration of tall buildings as well as ‘By Design’ by DETR/EH.
- 8.27 In consideration of the LBTH UDP 1998, Policy DEV1 indicates development should be sensitive to the area, the capabilities of the site and be visually appropriate. Policy CP4 of the IPG states that buildings and spaces should be high quality, attractive, safe and well integrated. Policy CP48 confirms that tall buildings must contribute to a high quality, attractive environment, as well as responding to context and contributing to vitality. These considerations also form part of the criteria of Policy Dev27, Tall Buildings Assessment, of the LBTH Interim Planning Guidance.
- 8.28 It is considered that the appearance of the development is one of its strengths. This building is the product of a thoughtful and skilful approach to the development potential of the site. The proposal has a pleasing appearance, representing a distinctive and complimentary addition to the emerging Aldgate cluster. Notwithstanding the range of considerations discussed in later sections including ‘*views*’, ‘*Impact to setting of listed buildings and conservation areas*’ and ‘*Tall buildings*’, the proposal will nonetheless appear as a welcome addition and contribute positively to the varied architectural character of Aldgate. Furthermore, the building will provide a suitable frame and active frontage to the Braham Street open space. Provided the final selection of materials and their application to the façade have longevity it is believed that this building will successfully contribute to establishing an enduring sense of place and identity for Aldgate in the future.

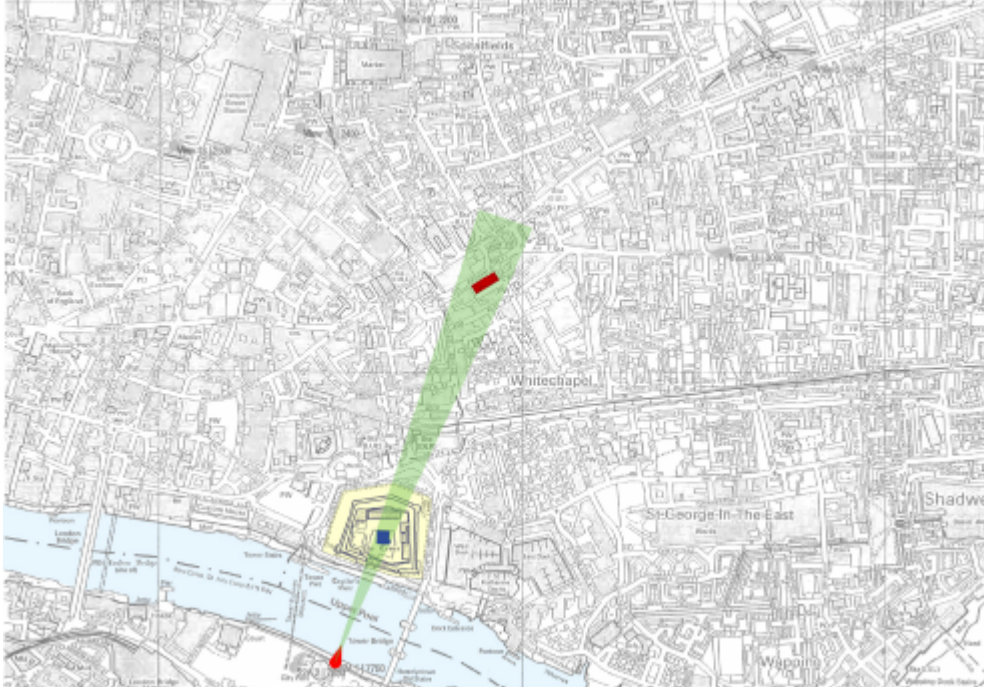
Sustainability

- 8.29 Central, regional and local policy promotes sustainable development including the prudent use of resources, energy efficient design and decentralised energy production by renewable means
- 8.30 The potential measures to be incorporated into the scheme are as follows:
- Either, a 100kw fuel cell (natural gas and to change to Hydrogen once available in London) with potential to reduce annual CO₂ by 29.68% (the preferred); or
 - A ground source heat pump (GSHP) with potential to reduce annual CO₂ by 20%
- 8.31 Other measures include:
- Thermally efficient building façade materials;
 - Solar shading on south facing facades;
 - Air permeability through the building;
 - Energy efficient lighting systems; and
 - Energy efficient mechanical systems e.g. choice of boiler, chillers and fan coils.
- 8.32 In addition, the design of the roof terraces address ecological sustainable development principles by devoting area to soft landscaping.
- 8.33 The above aspects demonstrate that the scheme will contribute positively to the Aldgate and is in accordance with the Central Government, Mayoral and Borough policies identified

above which seek to ensure developments are energy efficient and sustainable.

Views

- 8.34 In respect of views, the site lies within Townscape View 25 (City Hall to the Tower of London) which is defined in the adopted London View Management Framework (LVMF) (July 2007). Regional and local policy, plans and guidance refer impacts on the strategic views contained within the LVMF.



Site in relation to the LVMF protected view 25A.1 of the TOL – Taken from the Design and Access Statement

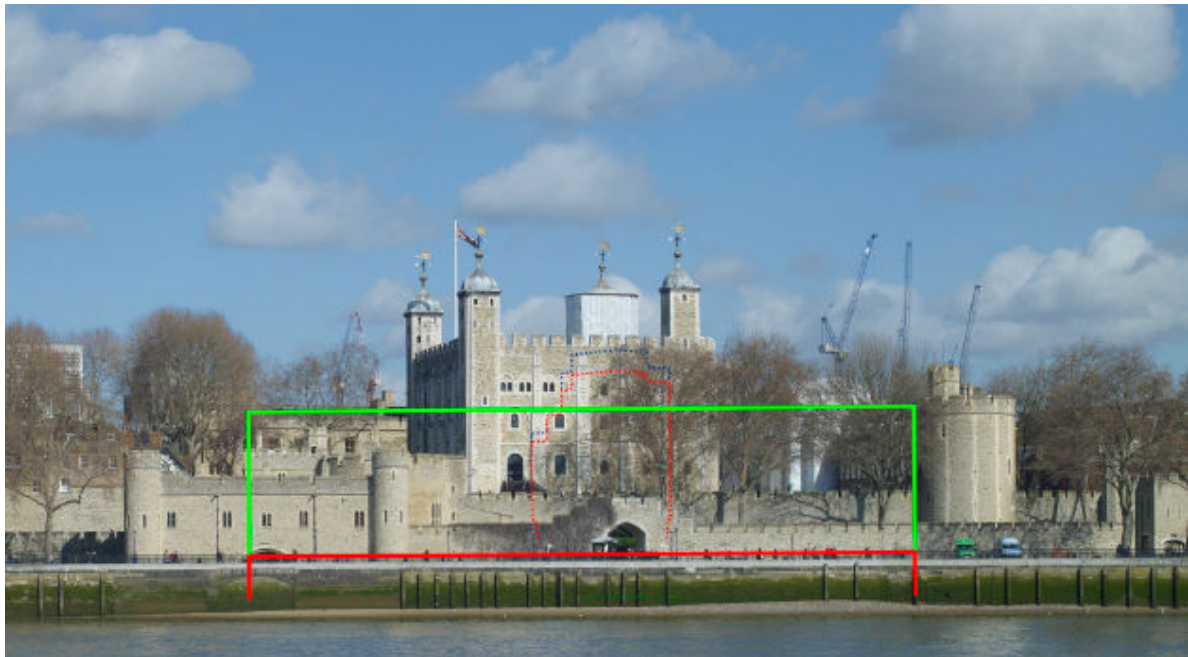
- 8.35 Policies of The London Plan (Consolidated 2008) requires schemes to meet requirements of the LVMF. Schemes should:
- be suited to wider context in terms of proportion and composition and in terms of their relationship to other buildings (Policy 4B.10)
 - give appropriate weight to the provisions of World Heritage Site Management Plans (Policy 4B.14).
 - Consider how proposals which fall within the background assessment area preserve or enhance the ability to recognise and appreciate the Strategic Landmark Building, the Tower of London.
- 8.36 In the time that the application was in the final stages of pre-application negotiation with LBTH and other agencies, the Mayor published the Revised Draft London View Management Framework (LVMF)(June 2009). The revision includes changes to the way in which Townscape View 25 will be assessed.
- 8.37 Local planning policies contained in the LBTH Interim Planning Guidance, City Fringe Area Action Plan and Aldgate Masterplan require development to preserve and enhance the ability to recognise and appreciate landmarks, as well as prevent impacts to strategic views.
- 8.38 In addition, the Historic Royal Palaces have produced the 'Tower of London World Heritage Site Management Plan' which guides the consideration of development affecting the TOL and refers to the townscape view and Mayoral policies concerning the LVMF.
- 8.39 The English Heritage draft SPG, 'Seeing the History in View', also provides guidance. It offers an approach to assessing heritage significance within a view and applies the

approach to a real example, specifically, the Townscape View 25 of the LVMF. Therefore, it is especially relevant.

8.40 The White Paper, 'Heritage Protection for the 21st Century' seeks to clarify and strengthen protection for world heritage sites, their Outstanding Universal Values and setting. The implication is that the management plan for a world heritage site will have added strength and weight in the planning process.

8.41 The Mayor as well as English Heritage, Historic Royal Palaces, London Borough of Southwark and LBTH have been involved in extensive discussions to secure revisions to the scheme to address possible impacts upon the Tower of London. Pre-application revisions, involving a reduction in height, were considered to suitably address the potential impact upon LVMF views. Further amendments to reduce the height have been undertaken since formal submission to address the more strict criteria of the revised draft LVMF (June 2009). The subject application also deals comprehensively with night-time appearance, seasonal variation as well as the geometric definition associated with view 25A.1. Additionally, supplementary information included an animation sequence showing the proposal within the kinetic (moving) view of the TOL.





AVR and magnified view of View 25A.1 of the TOL – Taken from the Addendum to Visual Impact Study

- 8.42 The considerable endeavour in revisiting and documenting the proposal's relationship to and potential impact upon views of the TOL in accordance with the LVMF has overcome the previous concerns of the consultees. The scheme is not considered to pose any significant harmful impact to the views of the TOL. Therefore, the scheme accords with Policies 4B.10, 4B.14, 4B.16, 4B.18 of the London Plan (Consolidated 2008), Policies CP50, DEV1 and CON5 of the LBTH Interim Planning Guidance 2006, Policies CFR1, and CFR12 of the LBTH draft City Fringe Area Action Plan 2006 and well as the provisions of the LBTH draft Aldgate Masterplan 2007, HRP Tower of London World Heritage Site Management Plan 2007, the Mayor's adopted London View Management Framework (July 2007), revised draft London View Management Framework (June 2009) LBTH draft City Fringe Opportunity Area Planning Framework 2008 and EH draft guidance 'Seeing the history in View' which seek to protect the views of the TOL.

Impact to setting of listed buildings and conservation areas

- 8.43 The statutory requirement to consider proposal's upon the impact to the setting of listed buildings and conservation areas is contained in central, regional and local policy and guidance. It includes PPG15, the London Plan (Consolidated 2008), the LBTH UDP, IPG and Aldgate Masterplan.
- 8.44 For consideration of the potential impacts upon the setting and appearance of the TOL as a series of individually listed items and falling within the Tower Conservation Area, the potential impacts have been considered in 'views'. Otherwise, there are no significant impacts identified to the setting and appearance of the TOL and conservation area that would be posed by this application.
- 8.45 For other listed buildings in particular, the listed buildings in Alie Street and Leman Street, EH has registered an objection on grounds of the impact of the proposal on their views and setting. However, it is considered by the LBTH Council's Design and Conservation Team that there is not a detrimental impact to views and the setting of these buildings. Similarly CABE has raised no objection in this regard. It is considered that the proposal is far enough away from the listed buildings so as to pose no harm, since they appear in the backdrop. In addition, it should be noted that Alie Street and Leman Street have a diverse range of buildings in terms of architecture, scale and use. As such, the setting of nearby listed buildings is by no means uniform, pristine and has changed with time. In addition, considerable attention has been given to the treatment of facades, including revisiting the

materials of the southern facade so as to ensure its relationships to and appearance within the street scene. The setting of adjacent listed buildings is positively preserved and enhances their character and appearance. Furthermore, the bulk, scale and height of the building is considered appropriate to the area, noting nearby approvals in Aldgate as outlined in section 4 of this report. Additionally, the reduction in tower height lessens the visual prominence, as seen in the visual representation below.



View from the south along Leman Street taken from the Addendum to the Visual Impact Study

- 8.46 In respect of concern for the scheme's impact to the setting and views of surrounding conservation areas, the Council's Design and Conservation Team do not consider there to be any impact posed. Notwithstanding, any potential impact is considered to be balanced by:
- the policy intent for redevelopment promoted in the Masterplan and AAP;
 - the existing approvals in the immediate vicinity;
 - the benefits of the scheme identified in this report
 - The high quality design and positive contribution to the street scene, views and skyline in general of this building.
- 8.47 Furthermore, addressing the impact upon the TOL has lessened the height of the towers and their visibility in the setting and views of nearby conservation areas. No significant impacts are posed as a consequence.

Tall buildings

- 8.48 Local and regional tall buildings policies advise on the relevant considerations for tall buildings. Moreover, there is a range of published national policy including PPS1, and PPG15 as well guidance that includes 'By Design' published by DETR/CABE in 2000 and 'Guidance on Tall Buildings' published by CABE/EH.
- 8.49 In respect of regional policy, The London Plan (Consolidated 2008), Policy 4B.9 states that boroughs should consider applications against criteria of 3A.3, 4B.1 and 4B.10. Policy 3A.3 indicates boroughs should ensure that proposals achieve a maximum intensity of use

compatible with local context & design principles in Policy 4B.1, which requires schemes to respect local context, history built heritage and character. Policy 4B.10 states that, amongst other criteria, tall buildings need to address the LVMF and consider context including relationship with other buildings.

- 8.50 Within the Mayor's City Fringe Opportunity Area Planning Framework, whilst potential for tall buildings are identified around Aldgate gyratory, the framework requires height and design of individual proposals to be tested against relevant London Plan Policy including 4B.1 (paragraph 4.4).
- 8.51 In respect of local policy including the LBTH IPG, Policy CP48 states that tall buildings are supported in principle in the Aldgate provided that they respond sensitively to the surrounding context. Policy DEV27 requires tall buildings to satisfy criteria including sensitivity to context, not adversely impacting on listed buildings and world heritage sites, as well as not impacting upon important London-wide views.
- 8.52 Within the LBTH City Fringe Area Action Plan, Policy CFR12 requires schemes to be in accordance with Policy CON5 of the IPG, it being noted that CON5 requires the consideration of the views, including Strategic Views.
- 8.53 The LBTH Aldgate Masterplan states that tall buildings are not appropriate where they would harm listed buildings or where they would not preserve or enhance the background setting of the TOL (page 47). It also refers to London Plan Policy in general for the criteria for consideration of their siting, design and impact (paragraph 2.5.24).
- 8.54 Although the site may be suitable for a tall building in terms of the high PTAL (Mayor's Policy 3A.3) and offer a high quality appearance (Mayor's Policies 4B.1 and 4B.9), Policies CP48 and DEV27 of the LBTH Interim Planning Guidance and the Mayor's Policy 4B.10 have additional criteria for consideration of acceptability, including:
- Suitability in the wider area context;
 - Not adversely impact on strategic London-wide views;
 - Consider environmental impacts wind, overshadowing, and privacy impacts;
 - Achieve internal and external noise standards; and
 - Provide high quality spaces including communal and private space.

The scheme is considered to satisfy the criteria for consideration of tall buildings, as contained in the abovementioned policies, and is therefore acceptable.

Summary

- 8.55 In conclusion, the benefits of the scheme are its appearance, ground floor treatment and consideration of sustainability. Furthermore, concerns including impacts to views of the TOL and its setting as a listed building have been addressed. Potential impacts to the setting of other listed buildings and conservation areas are not significant. As such, the scheme accords the policies identified and is recommended for approval.

Amenity

Future Users

- 8.56 The scheme is acceptable in these terms in the following ways:
- The scheme provides inclusive design, including consideration for people with a disability including access, facilities/services and parking
 - The development has considered noise and air quality to ensure a suitable internal environment
 - The development is provided with accessible outdoor roof terraces, in addition to Braham Street open space

8.57 As such, a satisfactory level of amenity is achieved.

Neighbour Impacts

8.58 The scheme is acceptable in these terms because:

- There are no significant noise or general disturbance impacts identified. Impacts during the construction phase have been addressed in the Code of Construction Practice chapter of the Impact Statement. In the operational phase, the intended uses are appropriate, compatible with the area and are not considered to pose concern;
- Whilst the scheme will reduce outlook and increase the sense of enclosure, this is not considered to have any significant detrimental impact to any nearby residential occupiers. It also provides desirable framing to the southern edges of the Braham Street open space and compliments the emerging Aldgate Cluster. In general, in acknowledging that this is a central London location on the city fringe, as well as responding to the area context and creating a pattern of development which establishes strong relationships to it, the increasing sense of enclosure is not considered undesirable, inappropriate or excessive in the area;
- No significant air quality impacts are posed. It is noted that this has been considered in the Code of Construction Practice of the Impact Statement. At the operational phase, the development itself, including traffic generation, will not contribute any significant effect upon air quality;
- No significant traffic impacts are identified by TFL or LBTH Highways Team. They consider that the local road system is capable of accommodating the additional increase traffic generated. Any damage to public roads during construction would be repaired pursuant to the s278 agreement;
- No privacy, overlooking impacts are identified
- No significant overshadowing impacts are posed with transient overshadowing of the Braham Street open space being within reasonable limits, to the satisfaction of the Council's Environmental Health Team
- The associated benefits of the scheme in respect of improved connectivity, permeability, security, potential employment opportunities and additional retail options.

8.59 In summary, there are no significant impacts to future users or to neighbours of the scheme. Rather, the scheme offers benefits to people's amenity. The proposal is therefore in accordance with the abovementioned policies which seek to protect the amenity of users and neighbours.

Transport

8.60 In consideration of national policy, PPG13 seeks to integrate planning and transport from the national to local level. Its objectives include: promoting more sustainable transport choices; promoting accessibility using public transport, walking and cycling; and reducing the need for travel, especially by car. PPS1 seeks, amongst other things, to create sustainable developments.

8.61 Pursuant to regional policy, The London Plan (Consolidated 2008), Policies 2A.1 and 3A.7, state that developments should be located in areas of high public transport accessibility. In addition to this criteria Policy 3C.1 seeks to promote patterns and forms of development that reduce the need for travel by car. Policy 3C.2 advises that, in addition to considering proposals for development having regard to existing transport capacity, boroughs should "...take a strategic lead in exploiting opportunities for development in areas where appropriate transport accessibility and capacity exists or is being introduced". Policy 3C.19 indicates that boroughs (as well as TFL) should make better use of streets and secure transport, environmental and regeneration benefits, through a comprehensive approach of tackling adverse transport impacts in an area. In respect of Policy 3C.20, the Mayor, TFL and boroughs will work together to improve the quality of bus services, including

consideration of the walkways *en route* to bus stops from homes and workplaces, to ensure they are direct, secure, pleasant and safe.

- 8.62 In respect of local policy, the UDP 1998, Policy ST28 seeks to reduce unnecessary dependency on cars. Policy ST30 seeks to improve safety and convenience for all road users including cyclists and pedestrians. Policy T16 states that the consideration of planning applications will take into account the requirements of the proposed use and any impact posed. Policy T18 indicates that priority will be given to pedestrians in the management of roads and the design and layout of footways. Improvements to the pedestrian environment will be introduced and supported in accordance with Policy T19, including the retention and improvement of existing routes and where necessary, their replacement in new management schemes in accordance with Policy T21.
- 8.63 Having regard for the IPG 2008, DEV17 states that all developments, except minor schemes, should be supported by a transport assessment. This should identify potential impacts, detail the schemes features, justify parking provision and identify measures to promote sustainable transport options. DEV18 requires a travel plan for all major development. DEV19 sets maximum parking levels pursuant to Planning Standard 3.
- 8.64 A transport, waste management and servicing management plan formed part of the Impact Statement which was submitted with the application. As noted in the consultees responses in section 6, the development is considered appropriately located within the capacity of the area and no significant impacts identified. In subsequent comments received TFL, they confirm that the level of car parking proposed is acceptable. In addition, appropriate planning contributions have been identified as well as a recommendation for the s106 to include a car free agreement.
- 8.65 In addition, a s278 agreement should be entered into with the Council's Highways Team pursuant to the Highway Act 1980. The s278 agreement and the financial obligations for which the developer is responsible for is completely separate and in addition to the s106 planning contributions secured.
- 8.66 Therefore, the scheme is considered acceptable on transport grounds having regard to the abovementioned policies.

Planning contributions

- 8.67 Circular 05/2005 outlines, among other things, the broad principles of Planning Obligations. Obligations can take the form of private agreements or unilateral undertakings given by a developer and are *'intended to make acceptable development which would otherwise be unacceptable in planning terms'*.
- 8.68 Planning obligations can be used in the following three ways: -
- (i) They may be used to *prescribe* the nature of the development to ensure it is suitable on planning grounds. For example by requiring a given proportion of housing is affordable;
 - (ii) Secondly they may require a contribution to *compensate* against loss or damage that will result from a development. For example loss of open space;
 - (iii) Thirdly obligations may be used to *mitigate* against the impact of a development. For example through increased public transport provision.
- 8.69 Planning Obligations should only be sought where they are found to meet the 5 key tests of the Secretary of States policy. The tests should be considered in conjunction with the guidance contained within the circular and can be summarised as follows: -
- (i) Relevant to planning;

- (ii) Necessary to make the proposed development acceptable in planning terms;
- (iii) Directly related to the proposed development;
- (iv) Fairly and reasonably related in scale and kind to the proposed development;
and
- (v) Reasonable in all other respects.

- 8.70 Circumstances may arise where it is not feasible for a development scheme to be both economically viable and compliant with all local, regional and national planning policy requirements. Guidance within the circular states that in such cases, *“where the development is needed to meet the aims of the development plan, it is for the local authority and other public sector agencies to decide what the balance of contributions should be”*.
- 8.71 Similarly the circular states that decisions on the amount of contributions *“should be based [on] negotiation with developers over the level of contribution that can be demonstrated as reasonable to be made whilst still allowing development to take place”*.
- 8.72 Policy DEV4 of the adopted UDP and Policy IMP1 of the Interim Planning Guidance clearly indicate that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

Overview of the package

- 8.73 The package of contributions requested was being based on the pro-rata contributions as recommended by the LBTH Planning Contributions Overview Panel (PCOP) of the pre-application version of the scheme and as such, the final figures vary as a consequence of changes in floorspace from pre-application to amended proposal as presented to committee:

- Public realm, open space and environmental improvements **£461,000**
- Open space maintenance **£70,000**
- Employment and training **£170,000**
- Sustainable transport **£250,000**
- Travel Plan monitoring **£3,000**
- Public art **£60,000**
- Small medium enterprise **£45,000**
- Air quality monitoring **£10,000**
- Bus contributions **£109,350**
- Crossrail **£732,870**

- **(Total: £1,911,220)**

Other additional contributions:

- TV monitoring interference
- Travel Plan monitoring
- Commitment to participate in Council’s local labour in construction initiatives.
- Considerate contractor scheme
- Car free agreement

- 8.74 For avoidance of doubt and as per advice in the ‘transport’ section of this report, s278 agreement pursuant to the Highway Act 1980, is a matter with financial obligations which is completely separate and in addition to the s106 planning agreement set out in this report

Other

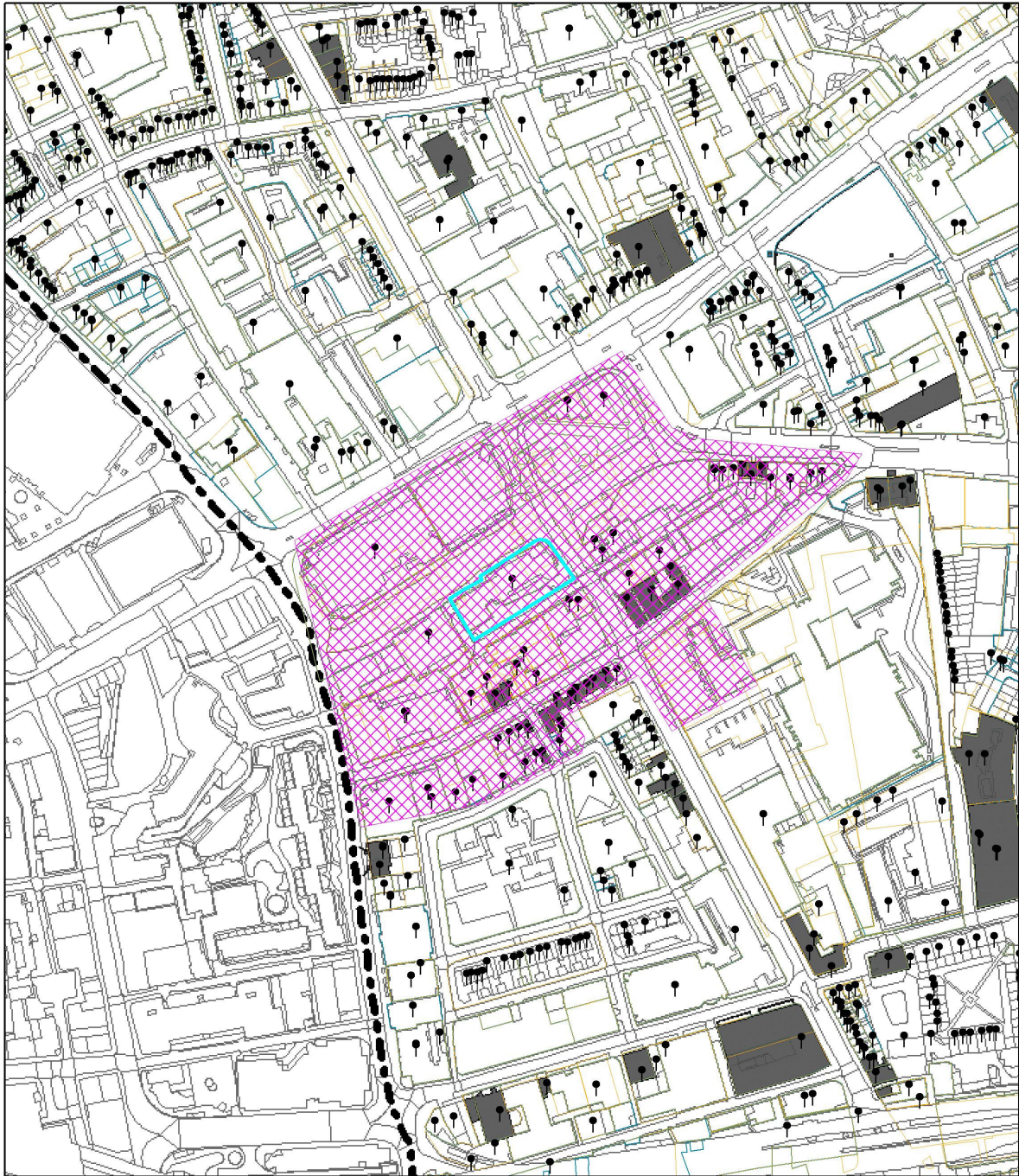
8.75 No other issues are identified.

9. Conclusions

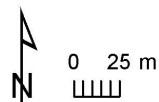
9.1 All other relevant policies and considerations have been taken into account. Planning permission should be refused for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Appendix 1 Site plan

Planning Application Site Map



-  Planning Application Site Boundary
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA086568

Agenda Item 7.1

Committee: Development	Date: 20 April 2010	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the development plan and other material policy documents. The development plan is:
 - the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
 - the London Plan 2008 (Consolidated with alterations since 2004)
- 3.2 Other material policy documents include the Council's Community Plan, "Core Strategy LDF" (Submission Version) Interim Planning Guidance (adopted by Cabinet in October 2007 for Development Control purposes) Planning Guidance Notes and government planning policy set out in Planning Policy Guidance & Planning Policy Statements.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

Brief Description of background papers:	Tick if copy supplied for register:	Name and telephone no. of holder:
Application, plans, adopted UDP, Interim Planning Guidance and London Plan	✓	Eileen McGrath (020) 7364 5321

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 Whilst the adopted UDP 1998 (AS SAVED) is the statutory development plan for the borough (along with the London Plan), it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework. As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 3.7 The reports take account not only of the policies in the statutory UDP 1998 but also the emerging plan and its more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 22 of the General Development Procedure Order 1995, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at Agenda Item 5.

5. RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

Committee: Strategic Development	Date: 20 th April 2010	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Ila Robertson	Ref No: PA/10/00123
	Ward: Millwall (February 2002 onwards)

1. APPLICATION DETAILS

Location:	Hammond House, Tiller Road, London, E14
Existing Use:	Residential (38 existing affordable units)
Proposal:	Demolition of existing residential building and development of a 6 storey building to provide 56 residential units (comprising 13 x one bedroom, 10 x two bedroom, 26 x three bedroom & 6 x four bedroom and 1 x five bedroom) with landscaping and boundary treatment.
Drawing Nos/Documents:	331-PL-100 Rev B, 331-PL-101 Rev C, 331-PL-110 Rev B, 331-PL-111 Rev B, 331-PL112 Rev B, 331-PL-113 Rev B, 331-PL-114 Rev B, 331-PL-115 Rev B, 331-PL-116 Rev B, 331-PL-117 Rev C, 331-PL-118 Rev C, 331-PL-010 Rev B, 331-PL-011 Rev B, 331-PL-014 Rev B, 331-PL-005 Rev A, 331-PL-006 Rev B, 331-PL-105 Rev C, 331-PL-106 Rev C and D1801.L.200 Rev A.
	Impact Statement
	Design and Access Statement
Applicant:	East Thames Group
Ownership:	East Thames Group
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), Tower Hamlets Core Strategy (Submission Version 2009), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- a) Given the sustainable location, the proposal would be acceptable in terms of density and would result in 670 habitable rooms per hectare. The proposed development is considered to be sensitive to the context of the surrounding area, by reason of its site coverage, massing, scale and height. The development is therefore in accordance with Policy 3A.3 London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004) which seeks to ensure the maximum intensity of use, compatible with local context.

- b) The proposal provides an acceptable amount of affordable housing (83% by habitable room) and mix of units overall. In particular, the proposal would provide high quality re-provision of a suitable level of family housing. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998, policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) and policy SP02 in the Core Strategy (Submission Version 2009) which seek to ensure that new developments offer a range of housing choices.
- c) The height, scale and design of the proposed buildings are acceptable and in line with policy criteria set out in 4B.1 within the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of the Council's Interim Planning Guidance (October 2007) and policy SP10 in the Core Strategy (December 2009) which seek to ensure buildings are of a high quality design and suitably located.
- d) The proposed development would improve the overall quality and quantum of amenity space provision for future residents. The development therefore accords with PPS3, policies 3A.6, 3D.13 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan 1998, policies OSN2, DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) and policy SP02 and SP04 in the Core Strategy (Submission Version 2009) which seek to improve amenity and liveability for residents.
- e) Transport matters, including parking, access and servicing are acceptable and in line with policies DEV1 and T16 of the Council's Unitary Development Plan 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) and policy SP08 in the Core Strategy (December 2009) which seek to ensure developments can be supported within the existing transport infrastructure.
- f) The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy, sense of enclosure and noise is acceptable given the urban context of the development. As such, it accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policy SP02 in the Core Strategy (Submission Version 2009) which seek to ensure development does not have an adverse impact on neighbouring amenity.
- g) Sustainability matters, including energy, are acceptable and accord with policies 4A.4, 4A.6, 4A.7, 4A.14 and 4B.2 of the London Plan (Consolidated with Alterations since 2004), policies DEV5 to DEV9 of the Interim Planning Guidance (October 2007) and policy SP11 in the Core Strategy (December 2009) which seek to promote sustainable development.
- h) Planning contributions have been secured towards community facilities, in line with Government Circular 05/2005, policy DEV4 of the Council's Unitary Development Plan 1998, policy IMP1 of the Interim Planning Guidance (October 2007) and policy SP13 in the Core Strategy (December 2009) which seek to secure contributions towards infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

Financial Contributions

- a) Provide a contribution of **£10,976** towards the provision of local community facilities

Non-financial Contributions

- b) Affordable Housing (83%) with a split of 71:29.
- c) Car Free Development for all new units, however existing residents that return will retain their entitlements to apply for parking permits.
- d) Employment Initiatives to use reasonable endeavours to employ local people during the construction of the development.
- e) Travel Plan
- f) TV reception
- g) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

- 3.4 That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.

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

Conditions

1. Time Limit
2. Contaminated land survey
3. Construction Management Plan
4. Scheme of Highways improvements (S.278 agreement)
5. Protection measures for existing street trees
6. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
7. Full details of external materials, including samples / pallet board of all external facing materials and typical details.
8. Full details of refuse stores
9. Full details of cycle parking
10. Secure by Design
11. Full landscaping details and treatment to be approved and Details of any fencing / boundary treatments prior to erection.
12. Scheme for communal satellite and aerials provision.
13. All residential accommodation to be completed to lifetimes homes standards
14. At least 10% of homes wheelchair accessible or easily adaptable
15. Code for Sustainable Homes Assessment (level 4)
16. Energy Strategy to be agreed.
17. Biodiversity enhancement measures
18. Flood Mitigation Measures
19. Piling
20. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

1. Contact Building Control
 2. S278 Highways Agreement
 3. Environment Agency information
 4. Any other informative(s) considered necessary by the Corporate Director Development & Renewal
- 3.6 That, if by 28th April 2010 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 This application is made by the RSL East Thames Homes. They seek consent to demolish the existing four storey residential block known as Hammond House. This existing building comprises of 38 residential units which comprise of 2 x 3 bedroom, 24 x 4 bedroom and 12 five bedroom units. These units are 100% social rent.
- 4.2 The proposal seeks to replace this existing building with a six storey residential block that would comprise of 56 units, being, 13 x one bedroom, 10 x two bedroom, 26 x three bedroom, 6 x four bedroom and 1 x five bedroom.

Site and Surroundings

- 4.3 Hammond House is located on the north side of Tiller Road. Tiller Road is located between Westferry Road and Millharbour on the Isle of Dogs.
- 4.4 The existing site comprises of a four storey brick building with a steep pitched roof. The building runs 120m along the length of the southern boundary and was constructed in the 1920's. The flats are accessed via shared walkways to the rear and the footprint of the building is in the form of a 'double T' that projects to the northern boundary.
- 4.5 To the north of Hammond House is Mellish Street which is defined by a set of two storey terraced houses numbered from 115-159 Mellish Street. To the north west is the Barkentine Docklands Medical Centre.
- 4.6 To the south of the site is Kedge House which is a ten storey residential tower block and Winch House which comprises a number of two to three storey dwelling houses located around the Omega Close cul-de-sac. Parts of these sites are under the ownership of East Thames Homes and recent works have been completed to upgrade the landscaping and children's play areas provided in these locations.
- 4.7 To the southwest of the site is the existing Tiller Centre which is a local leisure and community facility.
- 4.8 To the east of the site is 61 Millharbour which is a three to four storey residential building. To the west is Alexander House which is a four storey residential mansion block.
- 4.9 The site is not located within a Conservation Area nor are the buildings listed. However, it is located in close proximity to the Millennium Quarter Masterplan Area which is located 50-100m to the east on Millharbour.
- 4.10 The site has a PTAL of 2-3. It is located approximately 450m from the South Quay DLR station and 370m from the Cross Harbour DLR Station. It is well served by buses along Westferry Road which is approximately 330m from the site.

Background

4.11 The existing Hammond House is not fit for purpose and raises a number of management issues and concerns about the quality of accommodation, being,

- There is poor security as the existing flats are accessed from the rear by two cores and long rear access decks.
- There is limited amenity space provision on the site given the layout of the building with the majority of flats having nominal balconies or no provision.
- The internal arrangements for the existing flats result in substandard living conditions with poor internal spaces standards (below Council standards), limited wheelchair accessibility and limited storage.

The proposals being considered by the Committee seek to reverse this situation.

4.12 The applicant has undertaken a number of consultations events with the existing Hammond House residents on the 31st July 2007 and 12th August 2009. In addition, a wider community event was held at the Alpha Grove Centre on the 25th July 2009.

Planning History

4.13 No relevant planning history.

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:

Government Planning Policy Guidance/Statements

5.2	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPS22	Renewable Energy
	PPS23	Planning and Pollution Control
	PPG13	Transport
	PPG17	Planning for Open Space, Sport and Recreation

Spatial Development Strategy for Greater London (London Plan) Consolidated with alterations since 2004.

5.3	2A.1	Sustainability Criteria
	2A.2	Spatial Strategy for Development
	3A.1	Increasing London’s Supply of Housing
	3A.2	Borough Housing Targets
	3A.3	Maximising the Potential of Sites
	3A.5	Housing Choice
	3A.6	Quality of New Housing Provision
	3A.7	Large Residential Developments
	3A.8	Definition of affordable Housing
	3A.9	Affordable Housing Targets
	3A.10	Negotiating Affordable Housing
	3A.11	Affordable Housing Thresholds
	3A.13	Special needs and Specialist Housing
	3A.15	Loss of Housing and Affordable Housing

3A.17	Addressing the Needs of London's Diverse Population
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.20	Improving Conditions for Busses
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3D.11	Open Space Provision
3D.12	Open Space Strategies
3D.13	Play and Informal Recreation Strategies
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy; Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4A.12	Flooding
4A.13	Flood Risk Management
4A.16	Water Supplies and Resources
4A.18	Water Sewerage and Infrastructure
4A.19	Improving Air Quality
4A.20	Reducing Noise
4B.1	Design Principles for a Compact City
4B.3	Enhancing the Quality of the Public Realm
4B.4	London's Buildings: Retrofitting
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.8	Local context

Unitary Development Plan 1998 (as saved September 2007)

5.4	Proposals:	Flood Risk Zone 2 and 3
	Policies:	ST1 Deliver and Implementation of Policy
		ST12 Cultural and Leisure Facilities
		ST15 Encourage a Wide Range of Activities
		ST23 Quality of Housing Provision
		ST25 Provision of Social and Physical Infrastructure
		ST26 Protect existing residential accommodation
		ST28 Restrain Private Car
		ST30 Safety and Movement of Road Users
		ST37 Improve of Local Environment
		ST49 Provision of Social and Community Facilities
		ST51 Public Utilities
		DEV1 Design Requirements
		DEV2 Environmental Requirements
		DEV3 Mixed Use Development
		DEV4 Planning Obligations
		DEV12 Landscaping
		DEV15 Retention/Replacement of Mature Trees
		DEV50 Noise
		DEV51 Contaminated Land

DEV55	Development and Waste Disposal
HSG4	Loss of Housing
HSG7	Dwelling Mix
HSG13	Internal Standards for Residential Development
HSG15	Preserving Residential Character
HSG16	Amenity Space
T10	Traffic Management
T16	Impact on Traffic
T18	Pedestrians
T21	Pedestrians
OS7	Loss of Open Space
OS9	Children's Play Space

Interim Planning Guidance for the purposes of Development Control

5.5	Proposals:	Isle of Dog APP
		Flood Risk Zone 2 and 3
	Core Strategies:	IMP1 Planning Obligations
		CP1 Creating Sustainable Communities
		CP3 Sustainable Environment
		CP4 Good Design
		CP5 Supporting Infrastructure
		CP19 New Housing Provision
		CP20 Sustainable Residential Density
		CP21 Dwelling and Mix Type
		CP22 Affordable Housing
		CP23 Efficient Use and Retention of Existing Housing
		CP24 Special Needs and Specialist Housing
		CP25 Housing Amenity Space
		CP27 Social and Community Facilities to Support Growth
		CP29 Improving Education and Skills
		CP30 Improving the Quality and Quantity of Open Spaces
		CP31 Biodiversity
		CP38 Energy Efficiency and Production of Renewable Energy
		CP39 Waste Management Plan
		CP40 Sustainable Transport Network
		CP41 Integrating Transport with Development
		CP42 Streets for People
		CP43 Better Public Transport
		CP46 Accessible and Inclusive Environments
		CP47 Community Safety
	Policies:	DEV1 Amenity
		DEV2 Character and Design
		DEV3 Accessibility and Inclusive Design
		DEV4 Safety and Security
		DEV5 Sustainable Design
		DEV6 Energy Efficiency and Renewable Energy
		DEV7 Water Quality and Conservation
		DEV8 Sustainable Drainage
		DEV9 Sustainable Construction Materials
		DEV10 Disturbance from Noise Pollution
		DEV11 Air Quality and Air Pollution
		DEV12 Management of Demolition and Construction
		DEV13 Landscaping and Tree Preservation
		DEV15 Waste and Recyclable Storage
		DEV16 Walking and Cycling Routes and Facilities

DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capability of Utility Infrastructure
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing Provisions
HSG4	Varying the Ratio of Social Rented to Intermediate Housing
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating the Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN2	Open Space
PS1	Noise
PS2	Residential Water Refuse and Recycling Provision
PS3	Parking
PS4	Density Matrix
PS5	Lifetime Homes

Core Strategy Development Plan Document (Submission version December 2009)

5.6 Policies

SP02	Housing and sustainable communities
SP03	Healthy Lifestyles
SP04	Open Space
SP05	Waste Management
SP08	Transport Network
SP09	Pedestrians and Streets
SP10	Heritage and Good Design
SP11	Sustainability and Climate Change
SP12	Placemaking
SP13	Planning Obligations

Supplementary Planning Guidance/Documents

5.7

- Residential Space
- Designing Out Crime
- Landscape Requirements

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

5.8

- 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

6. CONSULTATION RESPONSE

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

The following were consulted regarding the application:

London Borough of Tower Hamlets - Environmental Health

- 6.2 Contaminated Land – The site and surrounding area have been subjected to former industrial uses. A contamination condition requiring contamination risk to be fully identified and appropriately mitigated prior to development should be attached to any permission granted.

Daylight and Sunlight – No objections raised the Daylight/Sunlight and Overshadowing Report by Drivers Jonas dated 24th November 2009 has been reviewed. The contents of the report show that it meets the BRE Criteria. Whilst there are a few marginal failures in winter sunlight these would not be noticeable. In addition, there are no overshadowing concerns.

Noise – No objections.

London Borough of Tower Hamlets - Highways

- 6.3 Raise the following relevant comments

1. The proposed disabled parking space will need to be agreed with the Parking services team under a separate application.
2. The proposed provision of 66 cycle spaces to be provided on site in connection with the 56 residential units is welcomed by the Highway Department. The design, location, maintenance and security of the store should be secured by condition.
3. A construction management plan should be conditioned to ensure that there are no adverse highways impacts during construction.
4. It is not clear from the submitted ground floor plan where the bin stores or collection points are located. It is recommended that a condition is included to secure this.
5. In respect to the existing sub station the gates should open inwards and a sufficient reservoir space should be provided so that vehicles can wait in an off-street position while the gates are opened. (Officer Comment: It is considered that the details of the treatment of this reservoir should be dealt with under the condition relating to the scheme of highways improvements).
6. The submitted Travel Plan should be included as part of the s106 agreement to ensure implementation.
7. A condition to secure a scheme of highway improvement works necessary to serve the development should be included.
8. The proposal should be subject to a s106 agreement to restrict parking permits for future residents.

London Borough of Tower Hamlets – Waste Management

- 6.4 No comments received.

London Borough of Tower Hamlets – Landscaping and Trees

- 6.5 No objections to work proceeding provided provisions of Arboriculture method statement are met.

London Borough of Tower Hamlets – Communities Leisure and Culture

- 6.6 Given the limited increase on the existing population the only contribution sought would be for £10,976 towards the provision of community facilities in the local area.

London Borough of Tower Hamlets – Education

- 6.7 No contributions required in this instance due to relatively small number of units net gain.

Tower Hamlets Primary Care Trust

- 6.8 No contributions required in this instance due to relatively small number of units net gain.

Environment Agency

- 6.9 No objections to the proposal, subject to the imposition of two conditions in respect of finishes floor levels and piling methodology.

7. LOCAL REPRESENTATION

- 7.1 A total of 204 neighbouring properties within the area shown on the map appended to this report were notified about the application. The application has also been publicised within the local press and on site via a number of site notices.

The following local groups/societies were consulted:

- Alpha Grove Tenants Association
- Association of Island Communities
- Mill Quay Residents Association
- Barkantine Residents Association
- Millwall Tenants Association

The total number of representations received in response to notification and publicity of the application were as follows:

No of individual responses:	2	Objecting:	2	Supporting:	0
No of petitions received:	0	objecting containing	0	signatories	
		0 supporting containing	0	signatories	

- 7.2 The following **objections** were raised in representations that **are material** to the determination of the application, and they are addressed in the next section of this report:

Amenity

- Loss of light to surrounding residents
- Overshadowing to surrounding residents

8. MATERIAL PLANNING CONSIDERATIONS

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

1. **Density** - The acceptability of the proposed density
2. **Housing** - The acceptability of the proposed housing mix and tenure and level of affordable housing.
4. **Design and scale** - Impact on the amenity of the surrounding area including amenity space.
5. **Amenity** - Impact on the amenity of the surrounding area.
6. **Highways and parking** - Transport and highways implications from the development.
7. **Sustainability** - Sustainability principles of the development.
8. **Impacts on local infrastructure / S106** - Any required mitigation from the additional population.

Land Use

- 8.2 The existing land use of the Hammond House site is residential. There are no specific land use designations in the adopted Unitary Development Plan 1998 (UDP) or Interim Planning Guidance October 2007 (IPG). The application proposes housing, which, in principle, is acceptable in land use terms as this is the existing land use on the site.
- 8.3 Council saved policy HSG4 of the UDP and IPG policy CP23 seek to prevent the loss of existing housing in particular family housing. This is supported by policy 3A.15 of the London Plan Consolidated with Alterations February 2008.
- 8.4 The Core Strategy Submission Document December 2009 (Core Strategy) policy SP02 of the Core Strategy sets Tower Hamlets a target to deliver 43, 275 new homes (2, 885 a year) from 2010 to 2025. An important mechanism for the achievement of this target is reflected in London Plan Consolidated with Alterations February 2008 (London Plan) policy 3A.2 and 3A.3 which seek to maximise the development of sites and thereby the provision of family housing to ensure targets are achieved.
- 8.5 The application proposes 56 new build residential units and the demolition of the existing buildings which would result in the loss of 38 existing affordable flats. However, 44 affordable units would be reprovided on the site. Therefore, it is considered that the proposal accords with UDP saved policy HSG4 and IPG policy CP23, which seeks to prevent the loss of housing in particular family housing. This point is also discussed further in the housing section.
- 8.7 Taking into account the demolition, a net gain of 23 units would actually be achieved on the site. The provision of private housing to facilitate the provision of higher quality affordable family housing is supported. This would provide two important benefits in that the new accommodation would be of a higher standard thereby providing improved living conditions for existing families and more importantly providing a more sustainable community by the provision of a mix of housing types and tenures.
- 8.8 These proposals accords with the aims of London Plan Policy 3A.3 and IPG policies CP19 and CP20, which seek to maximise the supply of housing; and the aims of IPG policy CP23, which seeks to improve all existing housing stock. This is further reinforced by policy SP02 of the Core Strategy. As such the proposed demolition and redevelopment in principle is considered acceptable and is supported by the London Plan and local policy objectives.

Density

- 8.9 London Plan density matrix within policy 3A.3 suggests that densities within urban sites with good transport links should be within the range 300-650 habitable rooms per hectare. This is reinforced by Policy SP02 (2) of the Core Strategy which seek to correspond housing density to public transport accessibility and proximity town centres.
- 8.10 The density of the proposal is very similar to the existing density of Hammond House, with the existing building comprising 610 habitable rooms per hectare and the proposed density of the scheme being is 670 habitable rooms per hectare. It is considered that the proposed density is appropriate to the site context and the scheme does not exhibit symptoms of over development.
- 8.11 The proposed density thereby accord with the policy 3A.3 of London Plan and IPG policies HSG1 and policy SP02(2) of the Core Strategy which seek to ensure that density is appropriate to a location.

Housing

- 8.12 Policy 3A.9 of the London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing, taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Boroughs' own affordable housing targets. IPG policies CP22 and HSG3 seek to achieve 50% affordable housing provision from all sources across the Borough, and specify that individual developments should provide a minimum of 35% affordable housing. This is further supported by policy SP02 in the Core Strategy which seeks between 35%-50% affordable home on sites providing 10 units or more.
- 8.13 The existing building provides 38 affordable units. The proposed scheme provides a total of 44 affordable units. This includes the provision of six more than presently provided on site by a unit basis. In respect to habitable rooms there is a slight reduction in terms of the existing provision. However, if one looks at the scheme as a stand alone building putting the existing situation the scheme provides 83% by habitable rooms. Though, if one only considers the additional units above the 38 existing then the uplift on a unit basis is actually 39% by habitable rooms. The scheme is therefore acceptable and exceeds the minimum 35% in both scenarios as required by policy CP22 and HSG3 in the IPG and policy SP02 in the Core Strategy.
- 8.14 Policy SP02 (4) in the Core Strategy seeks a tenure split of 70% social rented and 30% intermediate within affordable housing provision. Overall, the scheme delivers 71% social rented and 29% intermediate which is considered acceptable and closely in line with policy SP02 in the Core Strategy.
- 8.15 London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Saved UDP policy HSG7 requires new housing schemes to provide a mix of unit sizes including a substantial proportion of family dwellings of between 3 and 6 bedrooms. To reflect the local need for family sized accommodation within the borough, policies CP21 and HSG2 in IPG specify that a mix of unit sizes should be provided with 45% family sized (3 or more beds) accommodation within the social rented sector and 25% within the intermediate and market housing. Policy SP02 in the Core Strategy reinforces that 30% of new housing should be family sized, including 45% of new social rented homes.
- 8.16 The existing provision of family units on site equates to 38 flats and the proposal seeks to re-provide 33 family sized flats. This is a reduction in the provision of family sized units on site

despite it still achieving an impressive 59% of family units across the scheme.

- 8.17 It is considered that this application is an exceptional and unusual case, as the existing buildings are in a poor state of repair and the quality of accommodation whilst being dominated by larger family sizes is substandard and not fit for purpose. It is therefore considered that the benefits provided by improved family accommodation outweigh any slight loss, as the only other option is maintaining the status quo which would not benefit any residents given the poor quality of the accommodation.
- 8.18 Notwithstanding, the above East Thames Homes have secured HCA funding for the Hammond House project and have purchased on the open market 12 private family units for use as socially rented family dwellings in the Borough. This accommodation will be used to re-house any families decanted from Hammond House that do not choose to move back into the new development. Consequently, all existing families will either be re-housed in the new scheme or in the newly purchased dwellings.
- 8.19 The application proposes the following mix of unit sizes for the new build. The target percentages given reflect those specified by policy HSG2 in the IPG:

		Affordable social rent			Intermediate			Market		
Unit	Total units	Units	%	Target	Units	%	Target	Units	%	target
Studio	0	0	0	0	0	0	25	0	0	25
1 bed	13	1	4	20	7	44	25	5	42	25
2 bed	10	4	14	35	4	25	25	2	16	25
3 bed	26	16	57	30	5	31	25	5	42	25
4 bed	6	6	21	10	0					
5 bed	1	1	4	5	0					
Totals	56	28	100%	100%	16	100%	100%	12	100%	100%

- 8.20 Overall, the scheme provides 59% family sized units (3 beds or more) across the entire scheme. The proposal would provide 82% family sized social rented units and 31.25% of the proposed dwellings would be family sized within the intermediate sector. Given the quality of the 3 to 5 bedrooms houses with gardens or roof terraces that would be provided in the social rented sector, the overall housing mix is considered acceptable and responds to local need in accordance with policy HSG2 in Interim Planning Guidance (October 2007) and policy SP02 in the Core Strategy (Submission Version 2009).
- 8.21 Policy HSG13 in the UDP 1998 requires all new development to provide adequate internal space. Supplementary planning guidance note 1: residential space sets minimum internal flat and room sizes. The proposed residential units within this application have acceptable internal space standards in line with policy HSG13 in the UDP 1998 which is further supported by policy SP02 in the Core Strategy (Submission Version 2009).
- 8.22 Policy HSG7 in the Interim Planning Guidance (October 2007) and policy SP02 (6) in the Core Strategy (Submission Version 2009) seeks adequate external amenity space for new dwellings.
- 8.23 All units have balconies, terraces or rear gardens, which range from 6sqm to 88sqm. The total provision of private open space is 1,679sqm which exceeds Council standards. Given that the units have private amenity space and the provision of communal and play space to the rear of the site of 334sqm, the amenity space provision is considered acceptable in this instance.

- 8.24 Overall, taking into account the provision of communal amenity space and private amenity space provision, the proposal meets the requirement of policy HSG13 in the UDP 1998 which is further supported by policy SP02 in the Core Strategy (Submission Version 2009) and amenity space provision for the proposed units is acceptable.
- 8.25 The applicant has proposed a landscaped scheme for the rear communal areas and identified the provision of play space for under 5's. To ensure that the quality of these spaces is maintained and that the delineation between private and communal areas is appropriately treated it is recommended that a condition is included regarding the final design of these spaces and the long term management of the spaces.
- 8.26 London Plan policy 3A.5 and Interim Planning Guidance policy HSG9 require housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible. This is reinforced by policy SP02 (6) in the Core Strategy (Submission Version 2009).
- 8.27 In line with policy, a total of 6 fully wheelchair accessible units are proposed comprising 10.7% overall which is in accordance with the above policy. In addition, all of the units would be constructed to Lifetime Homes standards and the details of both of these requirements would be required by condition.

Design

- 8.28 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained in Chapter 4B of the London plan. Saved policy DEV1 in the UDP 1998 and Policy CP4 and DEV2 of the IPG states that developments are required to be of the highest quality design, incorporating the principles of good design. These principles are further supported by policy SP10 in the Core Strategy.
- 8.29 The principles of the design of the building have been based on preventing the problems and issues exhibited by the existing Hammond House buildings being recreated. As detailed in section 4.11 of the report the buildings suffer from poor security, poor levels of amenity and substandard living accommodation.
- 8.30 Consequently, the design brief for the scheme sought to achieve the following principles:
1. All entrances would front on Tiller Road.
 2. All ground floor dwellings facing Tiller Road would have their own individual private entrances.
 3. Access to upper floor units would be from individual cores shared by a modest number of dwellings.
 4. Maximise the number of ground floor units with a garden.
 5. Provide as much outdoor space as possible for upper level homes.
 6. Individual homes are to be easily identifiable from the exterior.
 7. The building would be laid out on a modular pattern to enable future reconfiguration.

The building has been designed to take account of these core principles in the evolution of the design. It is noted that the scheme has been subject to pre-application advice and the massing and bulk of the building has been significantly reduced during this process.

- 8.31 The building follows a linear block pattern similar to the existing Hammond Street that addresses Tiller Street. However, the layout of the building does not replicate the existing 'double T' shaped layout of the existing Hammond House, thereby it is pulled further away from the Mellish Street terraces to the north. The building line has taken account of the building lines of adjacent properties both to the front and rear.

- 8.32 All access to the building is to the front, with the upper floors accessed via four separate stair and lift cores and the garden dwellings having individual front doors. There is clear definition of the public realm and the private entrance along the street frontage to both delineate the ownership of the space and strengthen the street scene. These design measures and access arrangements would maximise the security of the building and make efficient use of the internal floor area.
- 8.33 The massing of the building is generally six storeys in height. However, roof terraces punctuate the height of the building at regular intervals along the elevation thereby reducing the height to five storeys in part. The height proposed is taller than the existing building by approximately 4.8 metres. It is considered that given the high quality of the design and fenestration pattern that this height is appropriate for the location and it would be a positive addition to the Tiller Road streetscape.
- 8.34 The design incorporates maisonettes for the majority of the family units, which allows for large spacious unit sizes and large private terraces or rear gardens.
- 8.35 The Council's design team have reviewed the proposal and have confirmed that they consider the scheme to be well designed, providing good quality residential accommodation for families. The proposed layout and unit plans reflect generous space standards, being both double aspect and providing private amenity space for family units. The scheme is considered to represent a significant enhancement to the street scene.
- 8.36 The proposed material palette for the building features white render with coloured reveals in part, dark grey eternity strip cladding and dark grey hewn masonry. Given the importance of the materials in terms of the success of the building in the street scene it is considered that conditions should be included to ensure that the materials are both of a high quality and robust.
- 8.37 Furthermore, given the importance of the fenestration of the façade for the design and appearance it is considered that conditions should be included to ensure that this quality is maintained during construction.
- 8.38 Overall, the proposal is acceptable in design terms. The proposal provides a high quality development that is an appropriate design and would contribute to providing high quality housing for local residents. A large number of family sized units would be maintained within the proposals and whilst a small proportion of units (12) would be for general market need, this helps to create a balanced community.

Amenity

- 8.39 Saved Policy DEV2 in the UDP 1998 and Policy DEV1 of the Interim Planning Guidance seek to ensure that development where possible protects and enhances the amenity of existing and future residents as well as the amenity of the public realm.

Overlooking

- 8.40 Given the location, distance and orientation of windows and the existing situation from Hammond House it is not considered that there would be any unacceptable overlooking or loss of privacy to neighbouring occupiers.

Loss of Daylight and Sunlight

- 8.41 A report carried out by Driver Jonas November 2009 has been submitted in support of the

application. This report considers the impact on the adjacent residential properties. This demonstrates that there would be no noticeable losses in daylight to any of the properties along Mellish Street, Kedge House or any other adjacent properties.

- 8.42 In terms of sunlight the report identifies that there would be some small losses in winter sunlight to properties along Mellish Street. However, the overall annual probable sunlight hours for all properties would exceed BRE Guidelines. Councils Environmental Health Officer has advised that these losses would be acceptable and are marginally in nature.

Overshadowing

- 8.43 The Driver Jonas November 2009 shows that the rear gardens of the terraced properties at Mellish Street would still receive a good level of direct sunlight to their rear gardens.
- 8.44 In addition, given the existing layout of Hammond House in terms of the depth of the block along the northern boundary a number of properties along Mellish Street would experience improved sunlight and daylight levels given the retraction of the rear building line.

Sense of enclosure

- 8.42 Given the location and orientation of the proposed buildings and the existing buildings on site, it is not considered that the proposals would result in an unacceptable sense of enclosure to neighbouring residential occupiers.

Noise

- 8.43 Given the scale of the development, the applicant would be required to adhere to an approved construction management plan to minimise noise and disturbance to nearby residents caused by construction noise, debris and traffic. A comprehensive construction management plan secured by condition, would ensure that the level of disturbance and disruption within the locality during construction is minimised and kept to an acceptable level.
- 8.44 It is not considered that the proposed residential uses would cause unacceptable noise and disturbance as they would be compatible with the existing character of the area.
- 8.45 Overall, the proposal is considered acceptable and would not cause unacceptable harm to residential amenity in terms of overlooking, overshadowing, loss of light and noise in accordance with policy DEV2 and DEV50 in the UDP 1998 and policy DEV1 and DEV10 in the Interim Planning Guidance (October 2007).

Transport & Highways

- 8.46 Both the Unitary Development Plan and the Interim Planning Guidance contain a number of policies which encourage the creation of a sustainable transport network which minimises the need for car travel, and supports movements by walking, cycling and public transport.
- 8.47 The existing Hammond House building has no on-site parking or formal cycle storage areas for residents. The proposal does not seek to introduce new parking on site, but does propose 66 cycle spaces for residents.
- 8.48 The provision of 66 secure cycle parking spaces represents a provision in excess of 1 space per residential unit, and is therefore in excess and in accordance with Planning Standard 3: Parking and policy DEV16 of the IPG.
- 8.49 The location and position of the refuse stores appears satisfactory. However, it is

recommended that a condition is included to ensure that the final detailed decision and proposed collection points are agreed by the Councils Waste Management Team.

- 8.50 The scheme is proposed by the applicant to be a car free development for all new units. However, existing residents that return will retain their entitlements to apply for on street parking permits. This is considered to be appropriate and in accordance with Council policies which seek to minimise journeys by car.
- 8.51 Given the small increase in the number of persons on site it is not considered that the proposed development would give rise to adverse highways impacts. It is recommended that during construction that an appropriate management scheme is secured by condition to ensure that there are no adverse impacts on the surrounding roading network.
- 8.52 The proposals are considered acceptable in highways terms in accordance with policies DEV1 and T16 in the UDP 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007 and policy SP08 in the Core Strategy (Submission Version 2009). A Travel Plan, Servicing Management Strategy, Construction Logistics Plan and the car free agreement are to be secure by planning conditions and via the S.106 agreement.

Sustainability

- 8.53 The London Plan has a number of policies aimed at tackling the increasingly threatening issue of climate change. London is particularly vulnerable to matters of climate change due to its location, population, former development patterns and access to resources. IPG and the policies of the UDP also seek to reduce the impact of development on the environment, promoting sustainable development objectives.
- 8.54 Policy 4A.3 (Sustainable Design and Construction) of The London Plan states that boroughs should ensure future developments meet the highest standards of sustainable design and construction, seeking measures that will among other matters will:
- Reduce the carbon dioxide and other omissions that contribute to climate change;
 - Minimise energy use by including passive solar design, natural ventilation and vegetation on buildings;
 - Supply energy efficiently and incorporate decentralised energy systems and renewable energy; and
 - Promote sustainable waste behaviour in new and existing developments, including support for local integrated recycling schemes, CHP and CCHP schemes and other treatment options.
- 8.55 Policies 4A.4 (Energy Assessment), 4A.5 (Provision of heating and cooling networks) and 4A.6 (Decentralised Energy: Heating, Cooling and Power) of the London Plan further the requirements for sustainable design and construction, setting out the requirement for an Energy Strategy with principles of using less energy, supplying energy efficiently and using renewable energy; providing for the maximising of opportunities for decentralised energy networks; and requiring applications to demonstrate that the heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Policy 4A.7 (Renewable Energy) of the London Plan goes further on this theme, setting a target for carbon dioxide emissions as a result of onsite renewable energy generation at 20%. Policy 4A.9 promotes effective adaptation to climate change.
- 8.56 The applicant submitted an Energy Strategy with the application. The applicant proposes two options for the reduction in carbon dioxide emissions to be achieved:

(1) Connection to the Barkantine district heating system that results in carbon savings of 44%

(2) A central gas boiler with Photovoltaic panel (PV) and solar thermal panels to produce 25% carbon savings.

8.57 Both of these options exceed the 20% requirement of the London Plan. However, the London Hierarchy places a higher importance on connecting to a local energy system. Consequently, it is considered that the energy strategy should be conditioned for further discussions with the applicant.

8.58 In addition, the applicant is seeking to achieve Code for Sustainable Homes 4 which is n welcomed by the Council. It is recommended that this is secured by condition.

S106 Contributions

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

8.60 The proposed heads of terms are:

Financial Contributions

a) Provide a contribution of £10,976 towards the provision of local community facilities

Non-financial Contributions

b) Affordable Housing (83%) with a split of 71:29.

c) Car Free Development for all new units, however existing residents that return will retain their entitlements to apply for parking permits.

d) Employment Initiatives to use reasonable endeavours to employ local people during the construction of the development.

e) Travel Plan

f) TV reception

8.61 The proposal is an exceptional case with the existing Hammond House Building catering for 250 occupants and the proposed new building designed to cater for 253 occupants. Therefore, any net gain in the population in this instance is very limited and therefore impacts on existing infrastructure would be almost negligible. Consequently, financial contributions are limited.

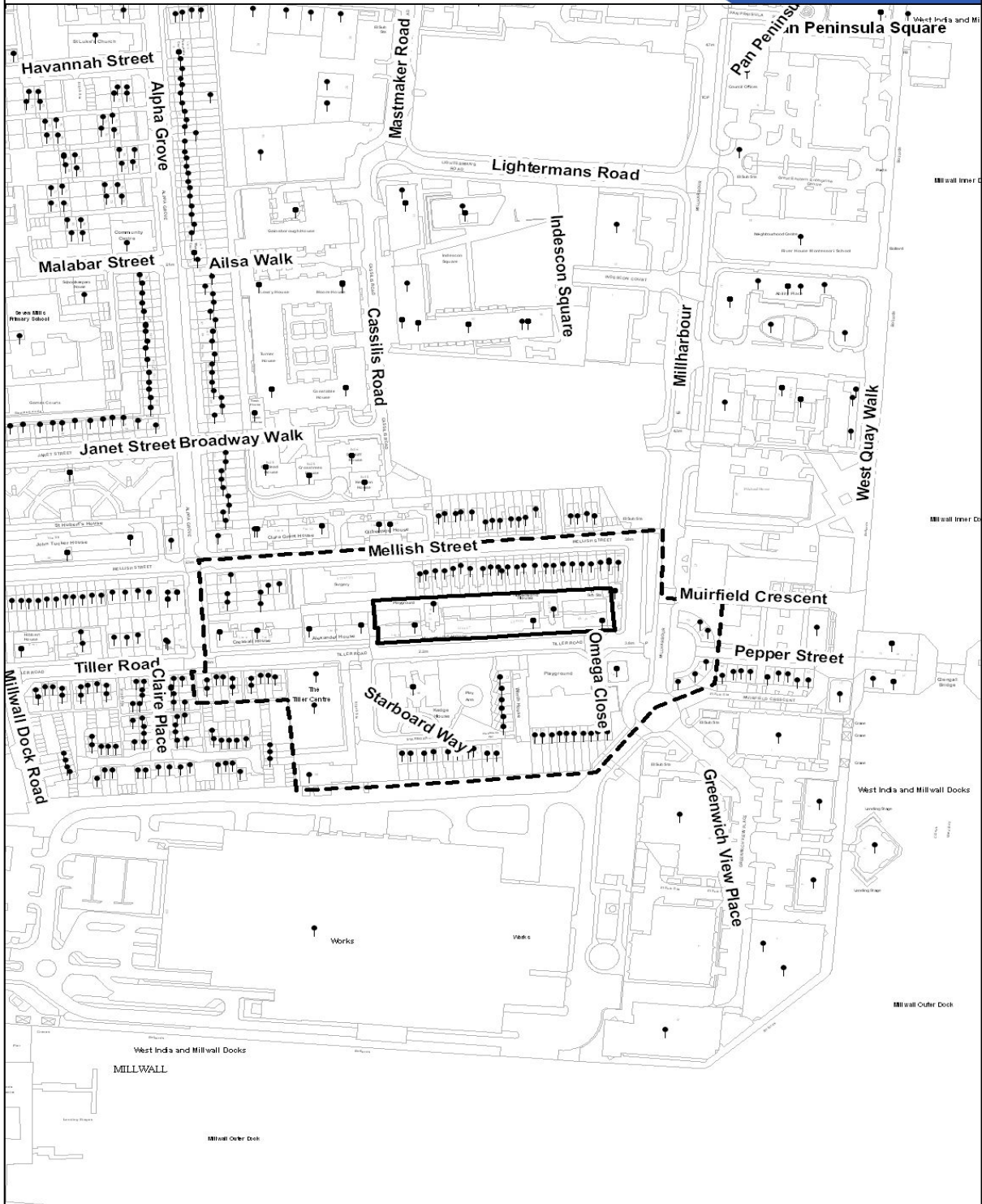
8.62 However, it is important to note that the offer of affordable housing on this site is exceptionally high at 83% which is well above the Council's policy requirements.






8.63 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 tests of circular 05/05 and the relevant statutory tests.


9.0 CONCLUSIONS

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

Planning Application Site Map



	Planning Application Site Boundary		Statutory Listed Buildings	 1:3,250
	Consultation Area		Land Parcel Address	

0 30 m


This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288