

Meeting of the

# DEVELOPMENT COMMITTEE

---

Tuesday, 13 July 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):
<b>Chair: Councillor Carli Harper-Penman</b> <b>Vice-Chair: Councillor Judith Gardiner</b>	
<b>Councillor Shelina Akhtar</b> <b>Councillor Peter Golds</b> <b>Councillor Ann Jackson</b> <b>Councillor Mohammed Abdul Mukit</b> <b>MBE</b> <b>Councillor Kosru Uddin</b>	Councillor Tim Archer, (Designated Deputy representing Councillor Peter Golds) Councillor Lutfa Begum, (Designated Deputy representing Councillors Carli Harper-Penman, Judith Gardiner, Shelina Akhtar, Ann Jackson, Mohammed Abdul Mukit, MBE and Kosru Uddin) Councillor Shafiqul Haque, (Designated Deputy representing Councillors Carli Harper-Penman, Judith Gardiner, Shelina Akhtar, Ann Jackson, Mohammed Abdul Mukit, MBE and Kosru Uddin) Councillor Dr. Emma Jones, (Designated Deputy representing Councillor Peter Golds)

**[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: Zoe Folley, Democratic Services, Tel: 020 7364 4877, E-mail: [zoe.folley@towerhamlets.gov.uk](mailto:zoe.folley@towerhamlets.gov.uk)

# LONDON BOROUGH OF TOWER HAMLETS

## DEVELOPMENT COMMITTEE

Tuesday, 13 July 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.

	<b>PAGE NUMBER</b>	<b>WARD(S) AFFECTED</b>
<b>3. UNRESTRICTED MINUTES</b>		

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of Development Committee held on 16 June 2010.

3 - 10

### 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 Development Committee.	11 - 12	
<b>6.</b>	<b>DEFERRED ITEMS</b>	<b>13 - 14</b>	
<b>7.</b>	<b>PLANNING APPLICATIONS FOR DECISION</b>	<b>15 - 16</b>	
<b>7 .1</b>	<b>Site At Car Park Adjacent to 31 Arrow Road, London (PA/10/00849)</b>	<b>17 - 36</b>	<b>Bromley-By-Bow;</b>
<b>7 .2</b>	<b>Hammond House, Tiller Road, London, E14 (PA/10/00123)</b>	<b>37 - 58</b>	<b>Millwall;</b>
<b>7 .3</b>	<b>16-24 &amp; 48-50 Bow Common Lane and site at Land South of 12 Furze Street (PA/09/1656)</b>	<b>59 - 88</b>	<b>Bromley-By-Bow;</b>
<b>7 .4</b>	<b>Fulneck, 150 Mile End Road, London (PA/10/925) (PA/10/926)</b>	<b>89 - 120</b>	<b>Mile End East;</b>
<b>8.</b>	<b>OTHER PLANNING MATTERS</b>	<b>121 - 122</b>	
<b>8 .1</b>	<b>744 Wick Lane And 46-52 Fairfield Road, Fairfield Road, London, E3 (PA/10/00797)</b>	<b>123 - 130</b>	<b>Bow East;</b>

This page is intentionally left blank

# 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 DEVELOPMENT COMMITTEE**

**HELD AT 7.30 P.M. ON WEDNESDAY, 16 JUNE 2010**

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

**Members Present:**

Councillor Carli Harper-Penman (Chair)

Councillor Judith Gardiner

Councillor Shelina Akhtar

Councillor Peter Golds

Councillor Ann Jackson

Councillor Mohammed Abdul Mukit MBE

Councillor Kosru Uddin

**Other Councillors Present:**

Councillor Marc Francis

**Officers Present:**

- |               |   |
|---------------|---|
| Bridget Burt  | – (Senior Planning Lawyer, Legal Services, Chief Executive's)         |
| Alison Thomas | – (Private Sector and Affordable Housing Manager)                     |
| Owen Whalley  | – (Service Head Major Projects, Development & Renewal)                |
| Ila Robertson | – (Applications Manager Development and Renewal)                      |
| Ann Sutcliffe | – (Service Head Building Schools for the Future, Children's Services) |
| Nasser Farooq | – (Planning Officer Development and Renewal)                          |
| Anne Canning  | – (Service Head Learning & Achievement)                               |
| Alan Ingram   | – (Democratic Services)   |

**COUNCILLOR CARLI HARPER-PENMAN (CHAIR) IN THE CHAIR**

**1. ELECTION OF VICE-CHAIR**

Councillor Ann Jackson nominated Councillor Judith Gardiner to serve as Vice-Chair of the Committee for the remainder of the current Municipal Year

and this was seconded by Councillor Mohammed Abdul Mukit MBE. There being no further nominations, the Chair **Moved** and it was –

## **RESOLVED**

That Councillor Judith Gardiner be elected Vice-Chair of the Development Committee for the remainder of the Municipal Year 2010/11.

## **2. APOLOGIES FOR ABSENCE**

The Committee received apologies for absence from Councillors Bill Turner and Amy Whitelock, Mile End and Globe Town Ward Members who were unable, due to work commitments, to attend in connection with agenda items 9.1 and 10.1.

## **3. DECLARATIONS OF INTEREST**

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

<b>Councillor</b>	<b>Item(s)</b>	<b>Type of interest</b>	<b>Reason</b>
Peter Golds	10.1	Personal	Had a long term involvement with measures for the preservation of Bancroft Road Library.
Carli Harper-Penman	9.2	Personal	Ward member for the area of the application.
Judith Gardiner	10.1	Personal	A member of English Heritage, which was a consultation partner for the application.

## **4. UNRESTRICTED MINUTES**

The Committee **RESOLVED**

That the unrestricted minutes of the meeting of the Committee held on 28 April 2010 be agreed as a correct record and signed by the Chair.

## **5. DEVELOPMENT COMMITTEE PROCEDURAL MATTERS**

### **5.1 Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings (DC001/011)**



Mr A. Ingram, Democratic Services Officer, introduced the report detailing arrangements agreed at the Annual General Meeting of the Council held on 26 May 2010, for the Terms of Reference, Quorum, Membership and Dates of Meetings for the current Municipal Year.

The Chair **Moved** and it was -

### **RESOLVED**

- (1) That the Terms of Reference, Quorum, Membership and dates of future meetings for the Committee be noted as set out in the appendices of the report.
- (2) That the start time for the remainder of meetings of the Committee in the Municipal Year be 7.00 p.m., rather than 7.30 p.m.

## **5.2 Development Committee Public Speaking Procedure (DC002/011)**

Mr A. Ingram, Democratic Services Officer, introduced the report concerning proposed amendments to the Public Speaking Procedure at meetings of the Committee. He indicated that the proposed changes to the Committee's own procedures, if agreed, would be reported to the Council Meeting on 14 July 2010.

The Chair **Moved** and it was -

### **RESOLVED**

- (1) That the proposed changes to the Council's Constitution in relation to the Public Speaking Procedure, as set out in Appendix 1 to the report, be noted.
- (2) That the proposed changes to the Committee's own procedures, as set out in Appendix 2 of the report, be agreed with effect from 14 July 2010.

## **6. 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.

## **7. PROCEDURE FOR HEARING OBJECTIONS**

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

## **8. DEFERRED ITEMS**

There were no deferred items.

## **9. PLANNING APPLICATIONS FOR DECISION**

### **9.1 Harpley School, 110 Globe Road, London, E1 4DZ (DC003/011)**

Mr O. Whalley, Service Head Major Projects, presented details of the site and proposal for the erection of a sports hall and other works at Harpley School, 110 Globe Road, London, E1 4DZ.

Mr Julian Cheyne, a local resident, spoke in objection to the scheme and commented that:

- Residents had already experienced severe behavioural problems with children from the school and were very concerned at how the addition of the sports hall would impact on their lives. This was not just a management issue but concerned the use of exits. The school had agreed there were serious problems with the Tollet Street entrance and had said it would not now be used in the afternoon as an exit because of the problems with the children's behaviour in the street but this was only a temporary solution. A long term solution to the entrance/exit needed to be found. There were alternative entrances off Massingham Street but the applicants had misstated which entrances were available.
- The scheme would have a seriously negative impact on street parking, which could be avoided by adopting alternative plans for the new parking area and the entrance. There was also some confusion over how delivery entrances would be used and their impact on parking. The proposed Tollet Street car park would have a negative visual impact on the Carlton Square Conservation Area. The Headmaster had also stated that he actually preferred the car park to be located off Globe Road.
- It was unnecessary to build the sports hall in a time of austerity, as the school was small and already had adequate facilities, some of which were underused. The scheme would be adding a fitness suite and a garden as an outdoor play area. Outdoors play was healthier.
- Contrary to what the applicants said, the school's facilities were not used by local residents and there were no concrete plans to alter this.
- The design of the sports hall was inappropriate to the fine school building and the Conservation Area. The school had already put up one inappropriate extension.

- The Headmaster had said he did not want the sports hall put on the Tollet Street side of the school and he had proposed putting the hall on the Globe Road frontage. There had to be a balance between the needs of the school and the concerns of residents, but the applicants had not paid attention to residents' objections.

Ms A. Canning, Service Head Learning & Development, stated that the school addressed the needs of some of the most very vulnerable children in the Borough and the plans for the school would give access to the full curriculum to prepare children for the future. Students there had experienced difficulties with mainstream education and the school would give them back self respect, with valuable opportunities for the future and an education suitable for the 21<sup>st</sup> century. The premises would be media rich with ICT facilities. Sympathetic internal and external landscaping would help them form positive relationships. The plans included improved facilities for evening use as a youth club. Members had to consider how the proposals would affect the young people and make a real difference in providing positive life opportunities.

Ms I. Robertson, Applications Manager, gave a detailed presentation of the proposals, as contained in the circulated report and commented that parking, design and amenity were key issues that had been addressed. She referred to points raised by local people on these matters as also included in the report, adding that the scheme was a high quality design for an improved learning environment.

Members then put forward questions that were answered by Planning Officers, relating to the expected number of pupils at the school; the use of the sports hall by local people in the evenings; staff car parking needs and management of the hall during evening use.

On a unanimous vote, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at Harpley School, 110 Globe Road, London, E1 4DZ, for the erection of a new sports hall and associated storage located to the north east of the site adjoining Tollet Street; construction of new six bay car park with new entrance from Tollet Street; refurbishment of existing building to include introduction of full height light well; provision of additional bicycle parking and new landscaping; installation of external seating at ground floor level facing Massingham Street, subject to the conditions and informatives set out in the report.
- (2) That Conservation Area consent be **GRANTED** at Harpley School, 110 Globe Road, London, E1 4DZ, for the demolition of the boundary wall to Tollet Street, subject to the conditions and informatives set out in the report.
- (3) That the Head of Development Decisions be delegated power to impose the conditions and informatives on the planning permission and Conservation Area consent set out above to secure the matters listed in the report.

## 9.2 Car Park to rear of 2 to 82 Russia Lane, off Robinson Road, London, E2 (DC004/011)

Mr O. Whalley, Service Head Major Projects, introduced the site and proposal relating to the scheme for provision of residential homes and associated landscaping at the car park to rear of 2-82 Russia Lane, off Robinson Road, London, E2.

Mr Oliver Mezger, a local resident, spoke in objection to the scheme, commenting that:

- Many old people and families would be adversely affected by the proposals, especially where they did not have access to a wide space between their homes and the proposed development.
- The development should not encroach on an area of public open space and privacy would be seriously impacted for existing residents. The local community had fought to retain the space over a period of years.
- The playspace was likely to attract anti-social behaviour.
- Other residents had wanted to speak but were prevented from doing so by the short notification period given.

The Chair queried the notice given and Mr Whalley commented that residents had been consulted in accordance with appropriate procedures. He added that the Council's Constitution did not allow for further written material to be introduced during the Committee meeting, in response to Mr Mezger's request to submit a further petition to the meeting .

Mr Gavin Redfern of Stock Woolstencroft, speaking for the applicant, commented that his organisation had worked on various sites around the Borough with the key objective of maximising the provision of larger houses without affecting existing residents' facilities. The scheme aimed to provide five-bed homes to standards of high sustainability. The technical details in the application showed that there would be no unacceptable effects on access to light and existing trees would be kept. There had been a formal consultation event for residents on 23 February 2010, and subsequently only green open space would be provided as requested by local people. Tarmac would be replaced by greenery and would meet Borough playspace requirements.

Councillor Marc Francis declared a prejudicial interest in the items due to his position as a Cabinet Member and indicated that he would leave the meeting after making his statement in support of the application. Councillor Francis then commented that:

- Members had to take account of tensions arising from the need to provide housing in the Borough and the requirements of existing residents but it was essential to provide good quality homes for children.
- He wanted to protect the Borough's heritage and would ensure that no unnecessary developments would be implemented on sites owned by the Council. However, people must be given better living

conditions. The proposals represented the first Council new build in 20 years and would help alleviate housing need in the East End.

- The play area, which had long been dead space, was now being renewed to provide better amenities for children.
- There were 1,000 families on the waiting list for larger homes and their needs had to be balanced against effects of the scheme on other residents.
- There was no reason to suspect that anti-social behaviour would arise.
- The north flank of the development was well away from other residents and the impact of the scheme was mitigated by the desperate need for additional houses.

Councillor Francis then left the meeting room.

Ms I. Robertson, Applications Manager, gave a detailed presentation of the proposals, as contained in the circulated report and commented that land use, design, amenity housing and transport were key issues that had been addressed. She referred to points raised by local people on these matters as also included in the report, adding that the scheme employed a number of sustainable measures such as green roofs and solar power and was far enough away from existing listed buildings so as not to have a detrimental impact. There was no adverse impact on daylight and made the best use of an underused car park.

Mr Whalley commented that use of obscure window glass ensured there would be no overlooking or loss of privacy for other residents.

Members then asked questions relating to the following matters, which were answered by Planning Officers: the advantages or otherwise of dedicating the scheme as a car free development; impact of the application on the views from residents' homes; separation distances between the new and existing houses; assessment of daylight impact; car park permits for existing residents; landscaping and provision of ambulance bays. During consideration of these issues, the Chair warned that continued disturbance from the public gallery might result in members of the public being asked to leave the meeting.

On a unanimous vote, the Committee **RESOLVED**

- (1) That planning permission be **GRANTED** at the car park to rear of 2 – 82 Russia Lane, off Robinson Road, London, E2, for the erection of four x five bedroom residential houses and associated landscaping on existing area of car parking/landscaping; amendments to entrance of Russia Lane Daycare Centre; associated works to existing hard landscaping and soft landscaping, subject to the conditions and informatives set out in the report and any other conditions considered necessary by the Corporate Director Development & Renewal.
- (2) 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 report.

**9.3 12-50 Bow Common Lane & Furze Street, E3 (DC005/011)**

Item withdrawn.

**10. OTHER PLANNING MATTERS****10.1 Bancroft Local History And Archives Library, 277 Bancroft Road, London, E1 4DQ (DC006/011)**

Mr O. Whalley, Service Head Major Projects, introduced the site and proposals for upgrade of fire escape and further fire safety works at Bancroft Local History and Archives Library, 277 Bancroft Road, London, E1 4DQ. He added that, as the library was Council-owned and the application had been made by the Council, it could not be determined by the Council.

Ms I. Robertson, Applications Manager, gave a detailed presentation of the proposals, as contained in the circulated report and noted that English Heritage had raised no objections to the proposals.

On a unanimous vote the Committee **RESOLVED**

That the application for works at the Bancroft Local History and Archives Library, 277 Bancroft Road, London, E1 4DQ, in connection with the upgrade of fire escape, works to doors and screens and fire compartmentalisation of basement; upgrade of mechanical and electrical services and fire alarms with emergency lighting and escape signage; provision of a new wc for disabled persons; alterations to front entrance consisting of a new lobby and rank; be referred to the Government Office for London with the recommendation that the Council would be minded to grant Listed Building consent subject to the conditions as set out below:

- Time limit.
- Completed in accordance with approved drawings.
- Samples of materials used for construction of ramp.
- Proposed brick to block up doorway to match existing.

The meeting ended at 8.45 p.m.

Chair, Councillor Carli Harper-Penman  
Development Committee

# DEVELOPMENT COMMITTEE **Agenda Item 5** 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 sent a letter that notifies them that the application will be considered by Committee. The letter will explain the provisions regarding public speaking. The letter will be posted by 1<sup>st</sup> class post on Wednesday in the week prior to the meeting.
- 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.
- 6.3** All requests from members of the public to address a Committee in support of, or objection to, a particular application must be made to the Committee Clerk by 4.00pm on Friday prior to the day of the meeting. It is recommended that email or telephone is used for this purpose. 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** Any Committee or non-Committee Member who wishes to address the Committee on an item on the agenda shall give notice of their intention to do so to the Committee Clerk by no later than 4:00pm on the Monday prior to the day of the meeting.
- 6.5** 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.
- 6.6** The order of public speaking shall be as stated in Rule 5.3.
- 6.7** Public speaking shall comprise verbal presentation only. The distribution of additional material or information to members of the Committee is not permitted.
- 6.8** 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.
- 6.9** 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.
- 6.10** 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.
- 6.11** 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.

This page is intentionally left blank



# Agenda Item 6

<b>Committee:</b> Development	<b>Date:</b> 13 July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 6
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Deferred items	
<b>Originating Officer:</b> Owen Whalley		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> 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.
- 1.2 There are currently no items that have been deferred.

## 2. RECOMMENDATION

- 2.1 That the Committee note the position relating to deferred items.

---

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

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

This page is intentionally left blank

# Agenda Item 7

<b>Committee:</b> Development	<b>Date:</b> 13 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Planning Applications for Decision	
<b>Originating Officer:</b> Owen Whalley		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> 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.

# Agenda Item 7.1

<b>Committee:</b> Development	<b>Date:</b> 13 July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b>
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Kamlesh Harris		<b>Ref No:</b> PA/10/00849	
		<b>Ward(s):</b> Bromley by Bow	

## 1. APPLICATION DETAILS

**Location:** Site At Car Park Adjacent to 31 Arrow Road, Arrow Road, London

**Existing Use:** Car park / open-space / pedestrian passage

**Proposal:** Erection of six three storey five bedroom dwellinghouses.

**Drawing Nos:** PL(00)01, PL(00)02A, PL(00)03A, PL(00)04B, PL(00)05B, PL(00)06B, PL(00)07A, PL(00)08A, PL(00)09, PL(00)10 and PL(00)11

**Documents**

- Archaeological Desk-based Assessment, Ref: 72560.01, dated October 2009
- Daylight and Sunlight Impact Assessment, Job No. 5832/2, dated 21 October 2009
- Design and Access Statement, revised February 2010
- Report on Sustainable Energy Proposals, Rev 00, dated October 2009
- Geotechnical Investigation, Report No. 09/8810/GO, dated October 2009
- Impact Statement, dated April 2010
- Planning and Regeneration Statement, dated April 2010
- Statement of Community Involvement, dated April 2010

**Applicant:** Poplar HARCA

**Owner:** Poplar HARCA

**Historic Building:** N/A

**Conservation Area:** N/A

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

1. The loss of the existing car-parking spaces and amenity land is acceptable as the proposal would provide additional housing, maximise the potential of the site and encourage the use of sustainable forms of transport. As such the proposal accords with the objectives of policies 2B.1, 3A.3 and 4B.1 of the London Plan (consolidated with alterations since 2004) 2008 and policies 0S7 and DEV1 of the adopted Tower Hamlets Unitary Development Plan, which seek to maximise the supply of housing, reduce reliance on the car and ensure development is compatible with the local context of the site.
2. The erection of six, five bedroom dwelling houses would increase the supply of larger housing units in the Borough and accords with an identified housing need. The proposed dwelling houses would offer an acceptable standard of accommodation with access to adequate amenity space. The proposal therefore accords with London Plan (consolidated with alterations since 2004) 2008 policy 3A.5 and saved policies HSG7, HSG13 and HSG16 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to ensure a mix of unit sizes, and a good standard of new housing provision.
3. The erection of a terrace of dwellings, incorporating elements of traditional architectural detailing and stock brickwork respects the form of existing development in the area. As such the proposal accords with the aims of saved policies DEV1 and DEV9 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to ensure development is sensitive to the character of the area in terms of design, scale, bulk and use of materials.
4. The scale of development, and separation distances to neighbouring properties, is such that the proposal would not result in any significant loss of daylight, sunlight, privacy or an increased sense of enclosure to the occupiers of neighbouring residential properties. As such the proposal accords with the aims of saved policy DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998, which seeks to preserve residential amenity.
5. The proposed development retains a north-south pedestrian link through the site. The scheme makes no provision for off-street car-parking, would be subject to a car-free agreement and makes provision for cycle parking. As such the proposal would accord with the requirements of saved policies T16 and T18 of the adopted Tower Hamlets Unitary Development Plan 1998, which seek to maximise convenience for pedestrians and ensure the operational traffic associated with a development is taken into account.

### **RECOMMENDATION**

3. That the Committee resolve to **GRANT** planning permission subject to conditions and informative.
  - 3.1 That the Corporate Director Development & Renewal is delegated power to impose conditions and informative on the planning permission to secure the following matters:
    - 3.2 **Conditions**
      1. Implementation within 3 years.
      2. Development completed in accordance with approved plans
      3. Completion of Contaminated Land Study
      4. Details and samples of all external facing materials used on proposed dwellings

5. Details of pedestrian passage including materials and security lighting
  6. Details of cycle parking. Retention thereafter.
  7. Details of proposed solar panels
  8. Details of compliance with lifetimes homes standards
  9. Car-free development
  10. Scheme of Highway Improvement Works
  11. Limitation on hours of construction:  
8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
  12. Removal of permitted development rights for new dwellings
  13. Retention of pedestrian passage, no fences or gates to be constructed.
- 3.3 Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal
- 3.4 **Informative:**
1. Section 278 (Highways) agreement required.
  2. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1 The application proposes the erection of a terrace of six new five bedroom dwelling houses. The dwellinghouses would front Arrow Road. The terrace would comprise a rectangular block 31.5m long x 11.5m deep. The terrace would be a maximum of 3 storeys (8.8m) in height. The 3<sup>rd</sup> storey is stepped in from the front and rear line of the terrace.
- 4.2 The dwellinghouses are designed as a modern interpretation of a traditional terrace. The terrace would predominantly be finished in a Yellow Stock facing brick. The recessed 3<sup>rd</sup> floor would be finished in a dark coloured fibre cement slate. The roof itself would be a 'green' roof of living plants. Windows would be set in reveals and frames would be powder coated a charcoal colour. Steel railings (1.4m high) would enclose the front gardens of the dwellings, and 2.4m high timber fencing to the side and rear.
- 4.3 At the western end of the site a 4.8m wide passage would be retained providing access from Arrow Road to the side entrance into 31b Arrow Road, and on to Henshall Point.
- 4.4 The ground floor of each dwellinghouse would comprise a kitchen, living room and bathroom. The two upper floors would provide 5 bedrooms, an additional bathroom and storage space.
- 4.5 The dwellinghouses would have a 1.25m deep front garden, and a 5m deep back garden. A south facing (overlooking Arrow Road) terrace is provided at second floor level. The dwelling at the eastern end of the terrace would also have an area of garden to the side.
- 4.6 Cycle storage would be provided in the rear garden. The application does not propose any car-parking spaces.

### **Site and Surroundings**

- 4.7 The application site has an area of 560 square metres and is roughly rectangular in shape. The site has a 41m frontage along Arrow Road, and at the maximum is approximately 18m deep.
- 4.8 The site can be broken down into three main areas. The first of these is a 28 space car-park. There is a separate entrance and exit to the car-park from Arrow Road. The car-park provides residential car-parking spaces and is owned and managed by Poplar HARCA, who currently issue 15 residents with parking permits.
- 4.9 The second area is the northern part of the site, which comprises a narrow strip (approximately 39m long x 2.5m deep) of grassland. This strip forms part of the larger area of amenity space around the base of the Henshall Point and Dorrington Point tower blocks.
- 4.10 The third part of the site is a pedestrian passageway located at the Western End. The path links Arrow Road to Henshall Point, and the other tower blocks behind. This path also provides access to 31b Arrow Road – an end of terrace dwelling that is accessed from the flank.
- 4.11 The area surrounding the site is predominantly residential. Arrow Road itself is an attractive street of 2 storey terrace dwellings.
- 4.12 To the West the site abuts 31/31b Arrow Road. This end of terrace property was constructed in the 1980s. The property has a deep plan form and covers the majority of the plot. An east facing courtyard allows light into the centre of the building, and is located on the boundary with the application site.
- 4.13 To the North the site abuts the grassed area of amenity space that surrounds the base of Henshall Point, Ballinger Point and Dorrington Point – multi-storey residential tower blocks. Henshall Point is the closest of these blocks to the new development. It would be separated by a distance of approximately 10m from the proposed house numbered H1 on the submitted plans.
- 4.14 To the East the site abuts the rear gardens of 4 - 12 Edgar Road, a terrace of 2 storey dwellings with habitable rooms in the loft space.
- 4.15 The site is approximately 45m from Bromley High Street which leads on to the main thoroughfare of Bow Road. The site has a public transport accessibility level of 5, which is categorised as 'high'. The closest stations are Bow Church (DLR) and Bow Road (District Line).
- 4.16 The site is not in a Conservation Area, nor is it close to any Listed Buildings. In common with many parts of the Borough the site is located in an area with a history of ground contamination. The site has no other specific designations in the Unitary Development Plan or any other emerging Council planning policy.

### **Planning History**

- 4.17 An application ref: PA/09/02523 was received on 23 November 2009 for the erection of six, three storey, five bedroom townhouses. This application was withdrawn on 24 March 2010.

## **5. POLICY FRAMEWORK**



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

**5.2 Unitary Development Plan (as saved September 2007)**

Policies:	ST1	Deliver and Implementation of Policy
	ST23	Quality Housing Provision
	ST28	Restrain Private Car
	DEV1	General design and environmental requirements
	DEV2	Development requirements
	DEV12	Landscaping in development
	DEV50	Noise
	DEV55	Waste recycling facilities
	HSG7	Housing Mix and Type
	HSG13	Residential Space Standards
	HSG15	Preserving Residential Character
	HSG16	Amenity space
	OS7	Loss of open space
	T16	Pedestrians
	T18	Pedestrians

**5.3 Core Strategy 2025: Development Plan Document**

- SO3: Achieving wider sustainability
- SO7, SO8, SO9 and SP02: Urban Living for everyone
- SO10 and SP02: Creating healthy and liveable neighbourhoods
- SO12, SO13 and SP04: Protecting Open Space
- SO14 and SP05: Dealing with waste
- SO19 and SP08: Making connected places
- SO20, SO21 and SP09: Street Hierarchy

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

Core Strategies	CP1	Creating Sustainable Communities	
	CP3	Sustainable Environment	
	CP4	Good Design	
	CP19	New Housing Provision	
	CP25	Housing Amenity Space	
	CP30	Improving the Quality and Quantity of Open Spaces	
	CP46	Accessible and Inclusive Environments	
	CP40	A sustainable transport network	
	Policies:	DEV1	Amenity
		DEV2	Character & Design
DEV3		Accessibility and inclusive design	
DEV5		Sustainable Design	
DEV15		Waste and Recyclables storage	
DEV19		Parking for Motor Vehicle	
HSG7		Housing Amenity Space	
OSN2		Open Space	
PS2	Refuse and Recycling Provision		

**5.5 Supplementary Planning Guidance/Documents**

Designing Out Crime  
Residential Space  
Landscape Requirements

**5.6 Spatial Development Strategy for Greater London 2008 (London Plan)**

- 2A.1 Sustainable development
- 3A.1 Increasing London's Supply of Housing
- 3A.2 Borough Housing Targets
- 3A.3 Maximising the potential of sites
- 3A.4 Efficient Use of Stock
- 3A.5 Housing Choice
- 3A.6 Quality of new housing provision
- 3C.1 Integrating transport and development
- 3C.3 Sustainable transport in London
- 3C.21 Improving conditions for walking
- 3C.22 Improving conditions for cycling
- 3C.23 Parking strategy
- 4A.1 Tackling climate change
- 4A.3 Sustainable design and construction
- 4A.7 Renewable energy
- 4B.1 Design principles for a compact city
- 4B.3 Maximising the potential of sites
- 4B.5 Creating an inclusive environment
- 4B.6 Sustainable Design and construction
- 4B.7 Respect Local context and communities

**5.7 Government Planning Policy Guidance/Statements**

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport

**5.8 Community Plan:**

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

**6. CONSULTATION RESPONSE**

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

**Crime Prevention Design Advisor**

- 6.2
- Approves the removal of one of the routes leaving a wide open route for residents.
  - Advised for proposed railings at front to be blunted rods to prevent seating and the rear fences to private gardens should be 2.4m to help reduce climbing.
  - Recommended windows to overlook alleyway to House 1 – on the west plus provision of defensible space along same elevation to protect wall.

6.3 *(Officer comment: The proposal was revised in the last submission to remove the alleyway on the eastern side of the site. Detailed design of fences would be considered during discharge of conditions.)*

#### **LBTH Environment Health (Contaminated Land)**

6.4 - No comments received.

6.5 *(Officer comment: The site is located in an area with a history of ground contamination. The application has been accompanied with a Contaminated Land study which includes the results of a desk top study and intrusive investigations. A condition would be imposed on any permission requiring any necessary further site investigation and completion of remediation works).*

#### **LBTH Environmental Health (Noise)**

6.6 - No comments received.

6.7 *(Officer comment: The site is not located in an area close to any particular sources of external noise. Noise impacts on neighbours during construction would be controlled by conditions controlling hours of work.)*

#### **LBTH Environmental Health (Daylight and Sunlight)**

6.8 - Submitted daylight / sunlight assessment has been reviewed and no objection is raised.

6.9 *(Officer comment: Amenity issues are discussed in more depth in the main body of the report.)*

#### **LBTH Highways**

6.10 The Highways Officer commented as follows:

6.11 - Site has a PTAL of 5, which demonstrates that a good level of public transport service is available within the immediate vicinity of the site.  
- Additional information requested detailing number of spaces currently used in car-park, together with information on how these spaces are allocated and managed.  
- The existing footway along Arrow Road in front of the site is currently in poor condition and will need to be replaced. The two redundant vehicle crossovers and bell mouths will also need to be stopped up and the kerb and footway reinstated. The applicant will need to enter into a s278 agreement for the replacement of the existing footway, kerbing and stopping up of crossovers with Tower Hamlets transportation and Highways.  
- recommend approval of application and request conditions requiring: Car-free development, details of cycle parking, forecourt drainage to occur within site, S278 agreement, footpaths / carriageway not to be blocked during construction.

6.12 *(Officer comments: Further information has been provided by the Applicant in response to these questions. Any additional comments from the Council's Highway Section will be reported to committee in an update. The loss of car-parking spaces is discussed in more detail under the Land-Use and Highways section of this report. Details of cycle parking would be required by condition. The drainage and construction matters raised would be conveyed to Applicant by way of informative.)*

#### **Olympic Delivery Authority**

6.13 - No objection.

## 7. LOCAL REPRESENTATION

7.1 A total of 172 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 on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2 No of individual responses: 1            Objecting: 0            Supporting: 1  
No of petitions received: 1- of support containing 410 signatories.  
1- of objection containing 99 signatories  
1- of support containing 10 letters

7.3 The letters and petitions of objection raised the following planning issues:-

- Obstruct natural sunlight to adjacent properties
- Overlooking
- Loss of car parking spaces and denying local children from a playground/enjoying greenery
- Infringe on right to privacy
- Loss of open space

7.4 The petitions of support raised the following planning issues:

- Additional housing needed to reduce overcrowding

7.5 The following are non material matters raised by the representations:

- Poplar HARCA has not discussed the development and no consultation has taken place with regards to car parking spaces; landlord does not listen to local residents.

7.6 *(Officer comment: The planning application has been subject to statutory consultation. The submitted Statement of Community Involvement details the steps taken by the developer to advise the local community of the proposals. This has included the circulation of leaflets and a drop-in discussion forum.)*

## 8.0 MATERIAL PLANNING CONSIDERATIONS

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

Land Use  
Design  
Housing  
Amenity  
Highways

### **Land Use**

8.2 The land use issues relate to the loss of the existing car-park and the small strip of open-land, and the principle of providing new housing.

8.3 Loss of car parking spaces

Policies 3C.1 and 3C.23 of the London Plan (Consolidated with Alterations since 2004) 2008 and saved policies T16 and ST28 of the Council's Unitary Development Plan 1998 seek to ensure developments minimise parking and promote sustainable transport options.

- 8.4 Interim Planning Guidance policy CP40 states that the council will seek to minimise car travel and support walking, cycling and the use of public transport.
- 8.5 The site is currently used as a car-park. The car-park is marked out with 28 spaces for residents / residents visitors. The car-park is owned and managed by Poplar HARCA (the applicant for this development). Poplar HARCA have advised that currently 15 residents have been issued with permits to park in the car-park.
- 8.6 The applicant has recently informed residents with valid permit holders of their options once their spaces are lost within the Arrow Road car park. Nine (9) residents have responded and they would want to be reallocated a space. Five (5) are to be relocated in Stroudley Walk Car Park, three (3) in Warren House Car Park and one (1) in Henshall Point Car Park. They have all been advised that this is likely to be a temporary move due to the redevelopment proposals along Stroudley Walk (see planning application reference PA/10/00373 which is currently being determined by the council).
- 8.7 It is recognised that residents place considerable value on access to safe and convenient car-parking spaces. However, it must also be recognised that the Council's adopted planning policies seek to promote more sustainable modes of transport, and discourage the use of the private car.
- 8.8 The Applicant has described what measures it will put in place to provide alternative car-parking for residents, and these are welcomed. Nevertheless, it should be noted that the areas of land identified for replacement parking fall outside of the application site. It would therefore not be possible for the Council to insist on this re-provision taking place. In land-use terms the loss of car-parking accords with policy objectives to promote sustainable transport, and as such is acceptable.

#### Loss of amenity space

- 8.9 Saved policy OS7 of the adopted Tower Hamlets Unitary Development Plan states that planning permission '*will not normally be given for any development that result in the loss of public or private open space having significant recreation or amenity value*'. The policy does also state that housing amenity land can be laid out as individual gardens for adjoining homes by agreement with residents. The aims of this policy are reflected in policies CP30 and OSN2 of the Council's Interim Planning Guidance.
- 8.10 The application encroaches onto the area of amenity land to the north of the car-park. The proposal would involve the loss of approximately 9.5 square metres of existing communal amenity space. This space would be incorporated into the site to provide larger rear gardens for the new dwellings.
- 8.11 The application includes a wider alleyway leading along the Western edge of the site. Although, this link is not considered as amenity space, it will improve the quality of access to the existing amenity spaces at the base of Henshall Point and has value in this regard. The Applicant has also stated that further improvements to amenity space provision around Henshall Point, Ballinger Point and Dorrington Point will be undertaken to improve the quality of spaces in the area for existing residents.

However, this falls outside the scope of the current application and could not be secured by planning condition or similar.

8.12 Officers consider that the loss of the amenity land is acceptable because:-

- i) the amenity space is being lost to provide private garden space,
- ii) the proposal will improve the quality of the link to Henshall Point, and
- iii) the proposal affects a relatively small amount of land, with the majority of land with significant amenity value retained.

8.13 Principle of additional housing

Policies 3A.1 and 3A.2 of the London Plan (consolidated with alterations since 2004) 2008 seek the maximum provision of additional housing in London. Policy SP02 of the Core Strategy 2025 Development Plan Document sets Tower Hamlets a target to deliver 43, 275 new homes (2, 885 a year) from 2010 to 2025.

8.14 The application proposes to use the land to provide six new five bedroom dwellinghouses. The site is in a predominantly residential area. The use of the site would respond to an identified priority on land-use in the Borough and is compatible with the character of the area. As such, the proposal is acceptable.

### **Design**

8.15 Saved Policy DEV 1 of the adopted Tower Hamlets Unitary Development Plan 1998 states that all development proposals should:-

1. Take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials;
2. Be sensitive to the development capabilities of the site, not result in over development or poor space standards; be visually appropriate to the site and its setting;
3. Normally maintain the continuity of street frontage, and take into account of existing building lines, roof lines and street patterns;
4. Provide adequate access for disabled people in respect of the layout of sites and the provision of access to public buildings;
5. Be designed to maximise the feeling of safety and security for those who will use the development; and
6. Include proposals for the design of external treatments and landscaping.

8.16 Policies DEV2 and DEV4 of the Interim Planning Guidance (October 2007) reinforce this position by requiring that all development is of a high quality design, is appropriate to local context and ensures that the safety and security of the development is maximised.

8.17 The proposal involves the erection of a three storey building to create six dwellinghouses. The six houses are similar in design and orientation; the ground floor will consist of a kitchen, lounge and utility area; a back door leads to the rear garden. The first floor will cater for three bedrooms and a bathroom and the second floor proposes two small bedrooms with a removable partition.

8.18 Each of the dwellings has a 1.25m deep front garden. This is enclosed with 1.4m high steel gates and railings. The rear gardens are 5m deep and enclosed with 2.4m high timber fencing. Each dwelling has a roof terrace at second floor level overlooking Arrow Road.

- 8.19 Proposed dwelling numbered H6 is located at the east end of the terrace, and would also include a side garden to the boundary with the dwellings fronting Edgar Road.
- 8.20 A 4.8m wide public pedestrian passage is retained (in a widened form) in-between proposed dwelling number H1 and 31/31a Arrow Road.
- 8.21 The development of terraced family dwellings is consistent with the existing form of development along Arrow Road. The proposed front building line follows the established line of development along Arrow Road. The development will remove the existing 'gap' along Arrow Road, it will re-enforce the traditional street pattern and is acceptable.
- 8.22 At three storeys the scale of the building is higher than the two storey dwellings found on the opposite side of Arrow Road, and further along to the West. However, the 3<sup>rd</sup> floor of the building has been recessed by 3.5m from the front of the building. This creates a strong parapet line, which ties in well with the parapet line of the existing built form along Arrow Road. The proposed block has been centred within the available site frontage along Arrow Road. This arrangement provides open-space, and a visual break, between the new and existing development and ensures the scale of the development is acceptable.
- 8.23 The proposal retains the pedestrian passage leading from Arrow Road to Henshall Point. This ensures the proposal does not reduce permeability in the area. The passage would be enlarged to 4.8m in width. This width, coupled with the short length of the passage, ensures that there is good visibility all the way through the passage from the road. A condition would be imposed on any permission requiring details of security lighting for this passage to ensure that it is a safe and inviting place, and with this safeguard this aspect of the development would be acceptable.
- 8.24 The design of the block appears as a modern interpretation of a traditional terrace. The terrace is predominately finished in yellow stock brick, with the set back 3<sup>rd</sup> storey finished in a dark cement slate. The design sets the windows in deep reveals and includes a small front garden enclosed by railings. The use of a relatively traditional pallet of materials and the incorporation of good architectural detailing of a form found in the area ensures the development would sit well in the streetscene. A condition would require the submission of samples of materials and with this safeguard the appearance of the development would be acceptable.
- 8.25 The proposed development aims to achieve a high level of sustainability (Code Level 3). The six houses would have 'green' roofs and would be fitted with solar panels. The detail or location of the solar panels is not known. A condition would require the submission of this detail, and with this safeguard Officers are satisfied that the development would meet the requirements of Interim Planning Guidance Policy DEV5, which requires development to minimise energy use.
- 8.26 The General Permitted Development Order 1995 (as amended) allows householders to carry out various works, including the construction of extensions, outbuildings and roof alterations to their property without the need for planning permission. The design of these terraced dwellings, and the constraints of this site, would mean that some of these works could have an adverse impact on the appearance of the terrace or on the amenity of neighbours. To allow the Planning Authority to assess the suitability of any future alterations to these properties a condition would be placed on any permission removing 'permitted development' rights.

## **Housing**

### **8.27 Affordable Housing**

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. Interim Planning Guidance policies CP22 and HSG3 seek to achieve 50% affordable housing from all sources across the Borough, and specify that individual developments should provide a minimum of 35% affordable housing. The Council has set a threshold of 10 units before housing developments would be required to include affordable units. Policy HSG4 of the Interim Planning Guidance states that the council will expect that social rented housing is the predominant form of affordable housing

8.28 The Applicant, Poplar HARCA is a Registered Social Landlord. The Applicant has stated that all six dwellings would be used to provide affordable housing in the social rent tenure.

8.29 The development is below the threshold for which the Council can insist on the provision of affordable housing, as such no S106 securing the provision of affordable housing is required.

### **Mix of dwelling sizes**

8.30 London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Unitary Development Plan 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. Policies CP21 and HSG2 in the IPG specify that a mix of unit sizes should be provided to reflect local need and to contribute to the creation of balanced and sustainable communities.

8.31 The application proposes six x five bedroom dwellinghouses. This form of accommodation is in short supply, particularly in the social rent tenure. The site is in a residential street, which is considered to be a good location for family housing. Given the shortage of larger family sized units in the Borough the proposed mix is acceptable.

### **Standard of accommodation and Amenity Space Provision**

8.32 Saved policy HSG13 of the Unitary Development Plan, and advice in Supplementary Planning Guidance Note 1, set space standards for new residential development. Saved UDP policy HSG16 and IPG policy HSG7 set standards for the provision of amenity space for new residential development. London Plan policies 3A.5 and 3A.6 seek quality in new housing provision, and compliance with accessibility standards.

8.33 The internal layouts of the proposed houses are logical, with dedicated circulation allowing access to all rooms from a central hallway. Rooms benefit from appropriately positioned windows to provide adequate daylight and sunlight. The dwellings also have dedicated areas for storage indicated on the plans.

8.34 Supplementary Planning Guidance Note 1: Residential Space details minimum unit and room sizes for new development. A standard of 98 square metres is set for 3



storey dwellinghouses. The proposed dwellings have an internal floor area of 126 square metres.

- 8.35 The proposed bedrooms on the third floor are 4.7 square metres and 5.7 square metres in area. This is smaller than the 6.5 square metre minimum bedroom size specified in the Council's Supplementary Planning Guidance. However, it is noted that these rooms have been designed as a more flexible form of space, with a removable partition. The purpose of this is to allow the bedrooms to be merged into one larger bedroom, or to remain subdivided as separate bedrooms as family needs dictate, and this approach is considered acceptable.
- 8.36 Saved UDP policy HSG16 and IPG policy HSG7 require new residential development to provide adequate amenity space. A minimum of 50 square metres is specified for family sized dwellings. The development would provide a 25 square metres rear garden for dwellings H1-H5. Dwelling H6 has a larger rear/side garden of 98 square metres. Each dwelling would also have a 15 square metre south facing second floor roof terrace.
- 8.37 Given the constraints of providing amenity space in an urban location, the overall amount and quality of the amenity space provision is considered acceptable.
- 8.38 The scheme is under the 10 unit threshold that would require the provision of a wheelchair accessible unit. If planning permission is granted a condition would be imposed requiring compliance with Lifetimes Homes Standards to ensure compliance with London Plan policy 3A.5 and IPG policy HSG9.
- 8.39 In overall terms of the proposed dwellings would offer a good standard of accommodation for future occupiers.

### **Amenity**

- 8.40 Saved policy DEV2 of the UDP and policy DEV1 of the IPG requires development to protect, and where possible improve the amenity of the surrounding area. Policy DEV2 seeks to ensure that the occupiers of adjoining buildings are not adversely affected by a material deterioration of their day lighting and sun lighting conditions, or by loss of privacy.

- 8.41 The impact of the development on the following neighbouring properties has been considered:-

#### 31a/31b Arrow Road.

- 8.42 This end of terrace building is located to the west of the proposed development. The property has a deep plan form and covers the majority of the plot. The building is laterally divided, with 31a Arrow Road occupying the front of the building, and 31b Arrow Road occupying the rear. A courtyard cuts into the plan form of this building from the application site boundary. This courtyard acts as a light-well, and provides daylight into the centre of the building.
- 8.43 The flank wall of the building has an entrance door to 31b Arrow Road, and windows serving habitable rooms at first floor level. Windows in the courtyard serve a kitchen at ground floor level, and a bedroom at first floor level.
- 8.44 At the closest a distance of 4.8m would separate the development from the flank windows.

- 8.45 The submitted daylight assessment shows that the a 25° degree line drawn from the first floor flank passes above the parapet wall of the opposing part of the proposed development, and as such passes BRE guidelines.
- 8.46 The main window at ground floor level faces North (into the existing courtyard) of 31a Arrow Road, and serves a kitchen. At first floor level there is a North facing bedroom window. These rooms will suffer from some loss of light. However, given the orientation of the existing windows, and the use of rooms on the ground floor the impact is considered acceptable.
- 8.47 The courtyard area is already enclosed by a brick wall, and the development would not significantly increase any permanent overshadowing beyond that which this area suffers.
- 8.48 No windows are proposed in the western elevation, and as such the development would not result in any significant loss of privacy to the occupiers of these properties.

#### 4 – 12 Edgar Road

- 8.49 These properties are located to the west of the proposed development. The properties are two storey dwellinghouses. There are windows serving habitable rooms located at ground floor and first floor level facing the application site. A distance of 11m separates the flank wall of proposed house H6 from the rear building line of 4 – 12 Edgar Road. A distance of 5m separates the proposed development from the shared boundary.
- 8.50 The submitted daylight / sunlight assessment assesses the impact of the development on the habitable room windows facing the site. The study demonstrates that the development would cause some loss of daylight / sunlight. However, the loss would not exceed BRE recommended. The impact is therefore considered by the Council's Environmental Health Officer.
- 8.51 There are no windows in the proposed east elevation of H6, which ensures that there would be no additional overlooking / loss of privacy to the occupiers of these properties.

#### 28 – 46 Arrow Road

- 8.52 These two storey dwellings are located on the opposite side (to the South) of Arrow Road from the application site. These properties are 14.75m from the two storey part of the proposed terrace block, and 16.35m from the proposed three storey stepped-back roof element.
- 8.53 The distance across Arrow Road, and position to the south of the proposed dwellings, is sufficient to ensure that the proposed development would have no significant impacts on these properties in terms of loss of daylight or sunlight.
- 8.54 There would be potential for additional overlooking of these properties from the proposed dwellings, in particular from the upper floor windows, and proposed 2<sup>nd</sup> floor roof terrace. Saved UDP policy DEV2 states that a separation distance of 18m should be provided between opposite habitable room windows. In this case the separation distance is equivalent to the separation between the existing terraces on either side of Arrow Road, it would not lead to any unreasonable loss of privacy and

is acceptable.

#### Henshall Point / Ballinger Point

- 8.55 Henshall Point is a multi-storey residential tower block located to the North-west of the application site. The residential use of the building starts at first floor level, with the ground floor only used for entrance and servicing. There are habitable room windows at first floor level on the South and East elevations of the building.
- 8.56 At the closest, the distance between Henshall Point and proposed dwelling H1 is approximately 10m.
- 8.57 Ballinger Point is another residential tower block located directly to the North of the application site. A distance of over 20m separates this building from the proposed dwellings.
- 8.58 Henshall Point is located to the north-west of the proposed development, and it does not have any residential windows at ground floor level. Given the relative positions of the buildings the windows on the upper floors would not suffer from any significant reduction in daylight or sunlight.
- 8.59 The floor levels between the proposed dwellings and residential windows at first floor level in Henshall Point are such that it would not be possible to look directly from a window in proposed H1 into windows in Henshall Point. The separation distance is less than 18m, but no direct overlooking is possible, and on this basis there would be no significant loss of privacy.

#### Conclusion

- 8.60 In overall terms, the impact on the amenity of neighbouring occupiers is considered acceptable and accords with the aims of saved policy DEV2 of the UDP, which seeks to preserve residential amenity.

#### **Highways**

##### Access

- 8.61 Saved policy T16 of the adopted UDP seeks to ensure that the operational traffic from a proposed use is taken account of when granting planning permission for a development. Saved policy T18 seeks to give priority to the safety and convenience of pedestrians.
- 8.62 The proposed dwellings would be accessed by pedestrians directly from Arrow Road. No vehicle access is proposed. This is considered acceptable.
- 8.63 An existing pedestrian passage links Arrow Road to Henshall Point to the North (and provides access to 30a Arrow Road). The development proposes to retain this passage and increase its width to 4.8m. This would ensure that pedestrian permeability in the area is retained.
- 8.64 If planning permission is granted a condition would be imposed requiring the retention of this link, and prohibiting the erection of any fencing. This would ensure the permeability of the area is maintained and that the convenience of pedestrians is maximised. This would accord with the objectives of saved policy T18 of the adopted UDP, and is acceptable.

- 8.65 If planning permission is granted a condition would be imposed requiring the developer to agree a scheme of Highways works. This would ensure the removal of the two redundant crossovers that currently serve the car-park and any other necessary street reparation works.

#### Parking

- 8.66 Policy CP40 of the Interim Planning Guidance states that 'The Council will seek the creation of a sustainable transport network in Tower Hamlets which minimises car travel, lorries and supports movement by walking, cycling and public transport by promoting car free developments and those schemes which minimise on site and off site car parking provision in areas with good access to public transport'. Interim Planning Guidance Standard 3 states that maximum level of car-parking for new residential development should be no more than 0.5 spaces per unit.
- 8.67 The scheme does not propose any dedicated off-street car-parking. This accord with London Plan policy 3C.23 and IPG policy CP40, which seeks to minimise the provision of car-parking. As set out at sections 8.3 – 8.8 the loss of the existing spaces is considered acceptable in this instance given the need for family housing in the Borough.
- 8.68 In line with the Council's sustainability objectives if planning permission is granted the development would be subject to a 'car-free' condition to prevent future occupiers of the dwellings being eligible to apply for Council issued on-street car-parking permits.
- 8.69 The use of a car-free condition would ensure that the development does not lead to additional pressure for on-street parking in the area or cause additional congestion.
- 8.70 London Plan policy 3C.22 seeks to improve conditions for cycling and requires the provision of cycle parking in new residential development. Policy CP40 of the Interim Planning Guidance sets a standard of 1 cycle parking space per dwelling.
- 8.71 The application states that provision will be made for the parking of two bicycles in the rear garden of the dwellings. The Council's Highway section have requested confirmation of the detail of this provision, and this would be required by condition. With this safeguard the development would accord with policy requirements.

#### Servicing and refuse

- 8.72 Saved policy DEV55 of the UDP requires that adequate provision is made for waste and recycling storage in new development. The application proposes an enclosed store at the front of the dwellings. These are suitably located to allow for the collection of refuse. Refuse collection would take place as part of the existing arrangements for collection from the properties along Arrow Road. This is considered acceptable.

#### **Others**

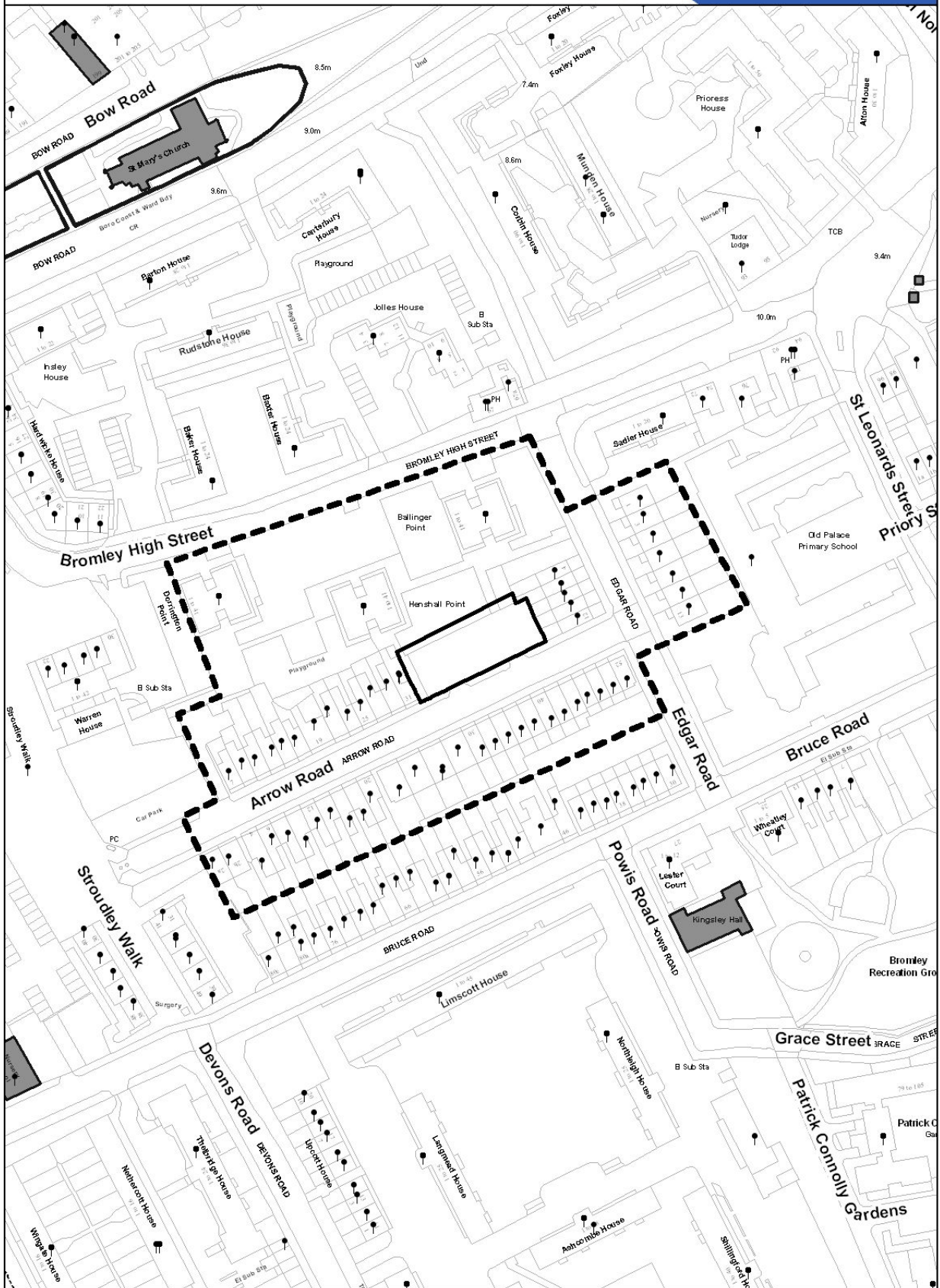
- 8.73 The impact of the development on local infrastructure (e.g. School Places and GP surgeries) is considered too small to justify any form of additional financial contribution.

### **9 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



Consultation Area



Land Parcel Address



1:1,750

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





# Agenda Item 7.2

<b>Committee:</b> Development	<b>Date:</b> 13 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
----------------------------------	--	--	----------------------------

<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Town Planning Application
<b>Case Officer:</b> Ila Robertson	<b>Ref No:</b> PA/10/00123
	<b>Ward:</b> Millwall (February 2002 onwards)

## 1. APPLICATION DETAILS

<b>Location:</b>	Hammond House, Tiller Road, London, E14
<b>Existing Use:</b>	Residential (38 existing affordable units)
<b>Proposal:</b>	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.
<b>Drawing Nos/Documents:</b>	331-PL-100 Rev B, 331-PL-101 Rev C, 331-PL-110 Rev B, 331-PL-111 Rev B, 331-PL-112 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
<b>Applicant:</b>	East Thames Group
<b>Ownership:</b>	East Thames Group
<b>Historic Building:</b>	N/A
<b>Conservation Area:</b>	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 and suitable levels of affordable housing.
- 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 17<sup>th</sup> August 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 31<sup>st</sup> July 2007 and 12<sup>th</sup> August 2009. In addition, a wider community event was held at the Alpha Grove Centre on the 25<sup>th</sup> July 2009.

## **Planning History**

- 4.13 This application was originally put before members of the Strategic Development Committee on the 20<sup>th</sup> April 2010. However, members requested to defer the application for further information on the following points:
- (a) Impact on the levels of sunlight and overshadowing to Mellish Street properties.
  - (b) Clarification on the height of the proposed and existing buildings.
  - (c) Clarification on the provision of family accommodation proposed and existing.

These concerns are addressed and discussed in more detail in section 8 of the report.

- 4.14 Given the 20<sup>th</sup> April 2010 meeting was the last of the committee prior to the Council Elections the application could not be deferred and was subsequently withdrawn from the agenda on the evening by Mr Owen Whalley the Head of Planning and Building Decisions.

## **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 (Statutory Consultee)**

- 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 Policy SP02(1) also identifies the importance and need to upgrade existing housing stock to decent homes standards by working with local housing partners.
- 8.6 As detailed in paragraph 4.11 of the report the existing Hammond House is not fit for purpose and currently provides a poor standard of accommodation. The application

proposes the demolition of the existing buildings and the construct of 56 new build residential units. The existing block provides 38 affordable units and the new scheme will re-provide 44 affordable units 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 affordable 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 on the site.
- 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**

#### **Affordable 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 and CS policy SP02(3) 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.
- 8.13 The existing building provides 38 affordable family units. As detailed at paragraph 8.6 above the quality of these existing units is below standard. The situation is unique on this site given it does not form part of a larger site and the deficiencies in the existing buildings.
- 8.14 This scheme seeks to re-provide higher quality affordable housing on the site within the constraints of the local. This necessitates the need to provide a level of private market housing on the site to provide a cross subsidy for the construction of the new affordable units. The proposed scheme thereby provides a total of 44 affordable units out of 56 units on

site. This is six more affordable units than is presently provided on site by a unit basis.

- 8.15 In respect to habitable rooms there is a slight reduction in terms of the existing provision. The previous committee raised concerns about this point and requested clarity on this.
- 8.16 Table 1 below identifies that in terms of affordable housing provision there is a decrease in habitable rooms. However, there is an overall increase in the amount of affordable floor area by (375 sqm GIA and 1303 sqm GEA) on the site which highlights the improved quality of accommodation being provided and the poor quality of the existing stock. It also highlights that the refurbishment option would result in less affordable habitable rooms than the proposed scheme.

	Units	Hab Rooms	Bed Spaces	Area (m2)	
				GIA	GEA
Existing Building	38	200	250	GIA	3,842
				GEA	4,796
Refurbished Building	36	156	180	GIA	3,672
				GEA	4,607
Proposed Building	44	182	210	GIA	4,217
				GEA	6,099

**Table 1: Provision of affordable housing compared with the existing building and the refurbished building**

- 8.17 In addition to the 44 affordable units proposed on the site. The applicant East Thames Homes have also secured funding to purchase 12 family sized properties off the open market to allow for the decant of existing Hammond House residents. The applicant has confirmed that to date 11 properties have been purchased, with 10 families from Hammond House already relocated. Given these properties were previously in private ownership they are an additional affordable housing gain for the borough.
- 8.18 Overall, it is considered that the quantum of affordable housing on the site is acceptable in this instance given the constraints of the site, the quality of the existing accommodation and given the additional family dwellings purchased for the decant. As such it is considered that the proposal is in accordance with the Council and London Plan policy requirements.

#### Tenure Split of Affordable Housing

- 8.19 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.

#### Housing Mix

- 8.20 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.
- 8.21 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.

- 8.22 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.
- 8.23 In addition, the option of refurbishing the building would address the lack of a dining area in the internal layout it would require the loss of a higher number of habitable rooms and bed spaces than the proposed scheme (as identified in table 1). This option would also not overcome fundamental deficiencies in the building in terms of security, lack of private open space and most importantly it would still not be able to meet decent home standards.
- 8.24 The reduction of family units was a concern of members at the previous committee meeting. However, it is clear that the refurbishment option would not deliver the quality or quantum of affordable accommodation on site or bring the properties up to decent home standards.
- 8.25 Furthermore, East Thames Homes have secured HCA funding for the Hammond House project to purchase off the open market 12 private family units for use as socially rented family dwellings in the Borough. As detailed at paragraph 8.17 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 therefore there would be no loss in family housing with a total of 40 family units provided by both the decant and within the proposed new building.
- 8.26 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%

- 8.27 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. In addition, 12 properties have been purchased off the open market in the Borough for the decant process. Furthermore, the quality of the new family houses that would be provided on site is of the highest quality. As such 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).

### Internal Space Standards

- 8.28 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).

### Amenity Space Provision

- 8.29 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.
- 8.30 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.
- 8.31 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.
- 8.32 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.

### Lifetime Homes and Accessible Units

- 8.33 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).
- 8.34 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 Lifetimes Homes standards and the details of both of these requirements would be required by condition.

### Design

- 8.35 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.
- 8.36 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.

8.37 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.

8.38 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.

8.39 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.

8.40 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 to 1.8 metres with the difference occurring where the roof terraces are provided. 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.

8.41 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.

8.42 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.

8.43 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.

8.44 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.

- 8.45 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

- 8.46 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

- 8.47 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.

### Daylight, Sunlight and Overshadowing

- 8.48 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. Following, the last committee the applicant has also provided further studies on the impact in terms of overshadowing to the gardens
- 8.49 This study identified that any impacts were limited to Mellish Street properties and it tested 81 windows at the 21 properties identified along 115 to 155 Mellish Street.

### Loss of Daylight

- 8.50 Daylight is normally calculated by three methods - the vertical sky component (VSC), daylight distribution/No Sky Line (NSL) and the average daylight factor (ADF). BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should not be less than 20% of the former value, to ensure sufficient light is still reaching windows. If there are failures to VSC these figures should be read in conjunction with other factors including the NSL and ADF. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. The ADF calculation takes account of the size and reflectance of room surfaces, the size and transmittance of its window(s) and the level of VSC received by the window(s).
- 8.51 The VSC results identifies that any loss would be within the 20% allowed by the BRE Guidelines. This demonstrates that there would be no noticeable losses in daylight to any of the properties along Mellish Street.

### Loss of Sunlight

- 8.52 Building Research Establishment (BRE) guidance states that a window facing within 90 degrees of due south receives adequate sunlight if it receives 25% of annual probable sunlight hours including at least 5% of annual probable hours during the winter months. The Sunlight figures have been compared between the 'proposed scheme' and the '2006 scheme'.

- 8.53 The study identified that of the 81 windows tested 14 windows would have marginal failures to winter sunlight. 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.
- 8.54 In addition, the study also found that four properties would actually see improvements in the level of sunlight and daylight received.

#### Overshadowing

- 8.55 BRE Guidance states that open spaces should receive not less than 40% of available annual sunlight hours on the 21<sup>st</sup> March. Furthermore, any additional loss must be within 20% of the former conditions.
- 8.56 The submitted studies shows that any loss to the rear gardens of 21 properties tested would be less than 20% which accords with the BRE guidelines and would ensure that the gardens continue to receive high levels of direct sunlight.
- 8.57 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 levels given the retraction of the rear building line.

#### Sense of enclosure

- 8.58 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

- 8.59 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.
- 8.60 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.
- 8.61 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

- 8.62 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.
- 8.63 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.

- 8.64 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.
- 8.65 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.
- 8.66 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.
- 8.67 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.
- 8.68 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 secured by planning conditions and via the S.106 agreement.

### **Sustainability**

- 8.69 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.
- 8.70 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 emissions 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.
- 8.71 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.

8.72 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.

8.73 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.

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

### **S106 Contributions**

8.75 Policy DEV4 of the adopted UDP and Policy IMP1 of the Tower Hamlets Core Strategy and Development Control Plan September 2007 say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

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

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

8.78 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.

8.79 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

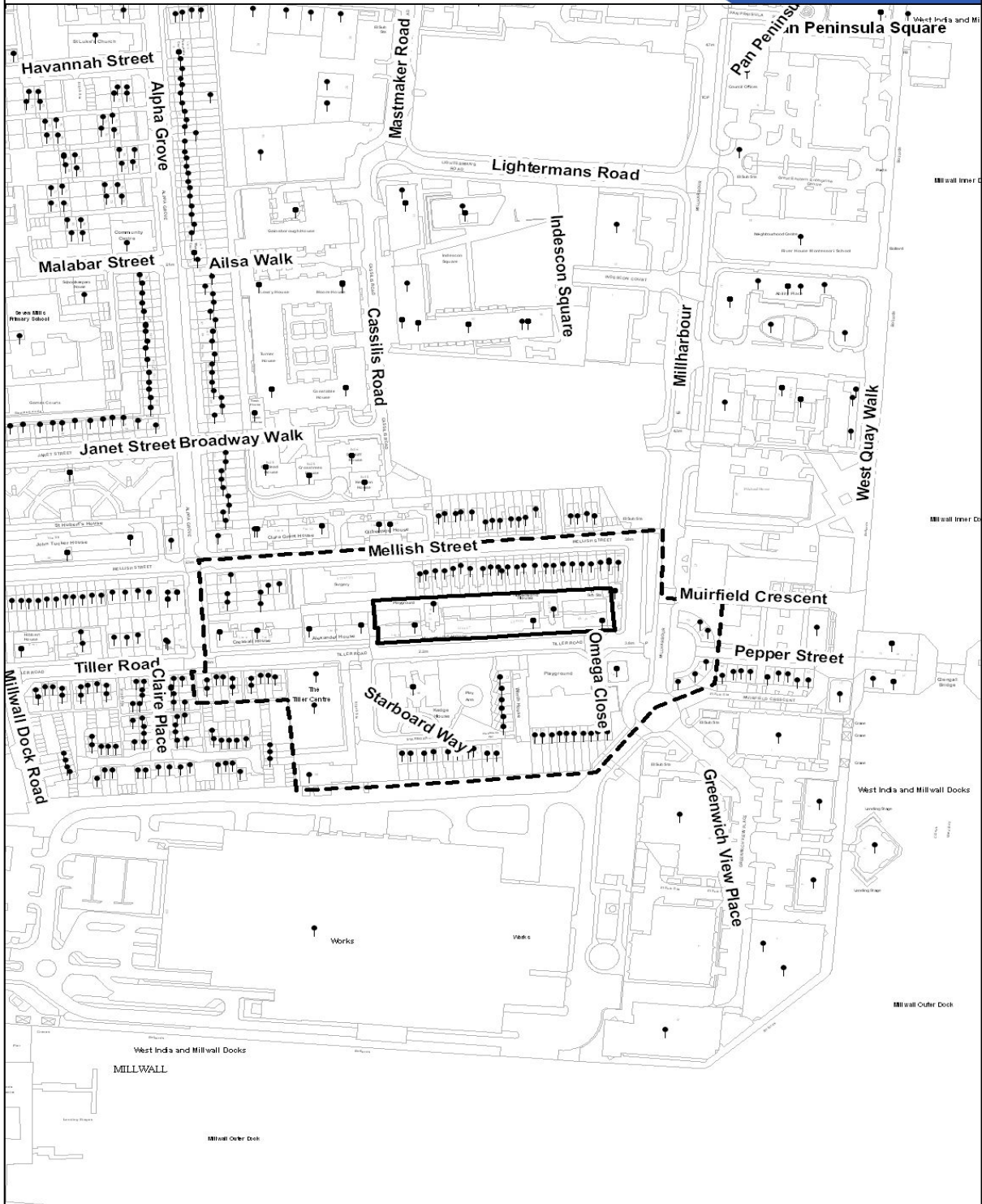
f) TV reception






- 8.80 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.
- 8.81 However, it is important to note that the offer of affordable housing on this site is exceptionally high at 83% per habitable room which is well above the Council's policy requirements.
- 8.82 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	
	Consultation Area		Land Parcel Address	

1:3,250

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

# Agenda Item 7.3

<b>Committee:</b> Development Committee	<b>Date:</b> 13th July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.x
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Shay Bugler		<b>Ref No:</b> PA/09/1656	
		<b>Ward(s):</b> Bromley by Bow	

## 1. APPLICATION DETAILS

- 1.1 **Location:** 16-24 & 48-50 Bow Common Lane and site at land south of 12 Furze Street
- 1.2 **Existing Use:** General industrial, storage & distribution
- 1.3 **Proposal:** Development of 129 units comprising (65 x 1 bed; 44 x 2 bed; 16 x 3 bed & 4x 4 bed) and 139 sqm metres of commercial floorspace use Class B1 (office space), a pedestrian and cycle pathway, 142 bicycle parking spaces and landscaping works.
- 1.4 **Drawing Nos:** DRW\_PL\_101 (rev P3); DRG\_PL\_102; DRW\_PL\_110 (rev P2); DRW\_PL\_111 (rev P2); DRW\_PL\_112 (rev P2); DRW\_PL\_120 (rev P2); DRW\_PL\_200 (rev P2); DRW\_PL\_201 (rev P2); DWG\_PL\_210 (REV P2); DRW\_PL\_220 (rev P2); DRW\_PL\_221 (rev P2); DRW\_PL\_300 (rev P2); DRW\_PL\_301 (rev P2); DRW\_PL\_302 (rev P2); DRW\_PL\_303 (rev P1); DRW\_PL\_310 (rev P1); DRW\_PL\_320 (rev P2); DRW\_PL\_321 (rev P1); DRW\_PL\_500 (rev P2); DRW\_PL\_501 (rev P1); DRW\_PL\_510 (rev P1); DRW\_PL\_520 (rev P2); DRW\_PL\_521 (rev P1);
- 1.5 **Supporting Documents**
- Planning Statement by Indigo Planning dated Sept 2009
  - Transport Assessment dated September 2009 from MB Mayer Brown
  - Daylight & sunlight study (neighbouring properties) by Right of Light Consultancy dated 11<sup>th</sup> Sept 2009
  - Air Quality Assessment by WSP dated August 2009
  - Design & access statement by Hawkins /Brown dated Sept 2009
  - Addendum to Design and Access Statement dated April 2010
  - Addendum to Planning Statement dated April 2010
  - Energy and Carbon study by Cunnington Clark-amendment January 2010

- Planning Statement – Impact Statement by Indigo Planning dated September 2009

1.6 **Applicant:** Luminus Development Limited

1.7 **Owner:** Luminus Development Limited

1.8 **Historic Building:** N/A

1.9 **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 Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan (UDP) 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (IPG) for the purposes of Development Control (October 2007); Core Strategy Development Plan Document (submission version 2009) and Government Planning Policy Guidance and has found that:

- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and HSG1 of the Council's Interim Planning Guidance (2007) and SP02 of the Core Strategy Development Plan Document (submission version 2009) which seeks to ensure this.
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.5, 3A.9 and 3A.10 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan (1998); policies CP22, HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) & SP02 of the Core Strategy Development Plan Document (submission version 2009) which seek to ensure that new developments offer a range of housing choices.
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998; policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) & policies SP02, SP03 & SP10 of the Core Strategy Development Plan Document (submission version 2009), which seek to provide an acceptable standard of accommodation.



- The development would enhance the public realm through the provision of improved pedestrian linkages. Furthermore, the quantity and quality of private and communal amenity space and provision of child play space is also considered to be acceptable. As such, the amenity space proposed is in line policies 3D.13 of the London Plan (Consolidated with Alterations since 2004), policies ST37, HSG16 and OS9 of the Council's Unitary Development Plan (1998) and HSG7 of the Council's Interim Planning Guidance (2007) which seek to ensure that adequate amenity space is provided.
- The building height, scale, bulk and design is acceptable and in line with policies 4B.1, 4B.2, 4B.3 and 4B.5 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998); policies DEV1, DEV2, DEV3 the Council's Interim Planning Guidance (2007) & policies SP02, SP10 of the Core Strategy Development Plan document (submission version 2009) which seek to ensure buildings are of a high quality design and suitably located.
- The safety and security of the scheme is acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007) & policy SP10 of the Core Strategy Development Plan Document (submission version 2009) which require all developments to consider the safety and security of development without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and in line with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policies T16, T18 and T19 of the Council's Unitary Development Plan (1998) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) & policy SP09 of the Core Strategy Development Plan Document (submission document 2009), which seek to ensure there are no detrimental highways impacts created by the development.
- Sustainability matters, including energy, are acceptable and in line with policies 4A.1 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5, DEV 6 & DEV9 of the Council's Interim Planning Guidance (2007) & SP11 of the Core Strategy Development Plan Document (submission version 2009) which seek to promote sustainable development practices.
- Obligations have been secured towards the provision of affordable housing, health, education, signage & pedestrian & cyclist routes; open space and leisure facilities. This is in line with Regulation 122 of the Community Infrastructure Levy Regulations 2010, policies 6A.4 & 6A.5 of the London Plan (Consolidated with Alterations since 2004); policy DEV4 of the Tower Hamlets Unitary Development Plan (1998) and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure planning

obligations that are necessary to make development acceptable in planning terms.

### **3. RECOMMENDATION**

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

3.2 B. The prior completion of a legal agreement, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 37% of the proposed habitable rooms with a 81/19 split between rented/ intermediate to be provided on site.
2. A contribution of £154, 801 to mitigate the demand of the additional population on health care facilities.
3. A contribution of £197,472 to mitigate the demand of the additional population on education facilities.
6. A financial contribution of £23,000 towards signage and pedestrian and cyclist routes in the vicinity
7. A contribution of £150,000 towards improvements to park and open spaces
8. A contribution of £65,000 towards leisure facilities

#### Non financial contributions

9. Preparation of a right of way “walkway agreement” for crossing through the site between Bow Common Lane and Furze Street.
10. Local labour in construction
11. Travel Plan
12. “Car –free” agreement

That the Corporate Director of Development & Renewal Head is delegated power to impose conditions on the planning permission to secure the following:

### **3.3 Conditions**

1. Permission valid for 53years.
2. Development carried out in accordance with the approved plans
3. Submission of samples/details/full particulars of materials, landscaping & external lighting

4. Building, engineering or other operations including demolition shall be carried out only between 8.00 am and 6.00 pm Mondays to Fridays and between the hours of 9.00 am and 1.00 pm Saturdays and shall not be carried out at any time on Sundays or Public holidays.
  5. Any power/hammer driven piling/breaking out of material required during construction/demolition shall only take place between the hours of 10.00 am and 4.00 pm Monday to Friday and not at all on Saturdays and Sundays
  6. Service Management Plan
  7. Details of noise survey and details of sound insulation required
  8. Construction Management Plan
  9. Submission of foul and surface water has been submitted
  10. Submission of details of site drainage plan
  11. Noise assessment of the Combined Heat and Power (CHP) system
  12. Contamination Assessment/ completion of works set out in the approved remediation strategy
  13. Piling and other foundation design
  14. Lifetime Homes
  15. 10% wheelchair adoptable
  16. Details of communal heating feasibility study including thermal loads and co2 emission reduction
  17. Detailed renewable energy technology
  18. Details of the heat network supply for all residents installed and sized to the heating and domestic hot water
  19. Code level 4 Sustainable Homes
  20. Highway improvement works
  21. Obscure glazing to elevation of block A facing no 36 Bow Common Lane
  22. Obscure glazing to windows to block A to windows which directly overlook residents at Park View Court
  23. Hours of operation and delivery times for the B1 use.
- 3.4 Any other condition(s) considered necessary by the Head of Development Decision

### 3.5 **Informatives**

1. Section 106 agreement required.
2. Section 278 (Highways) agreement required.
3. Site notice specifying the details of the contractor required.

4. Construction Environmental Management Plan Advice.
5. Environmental Health Department Advice.
6. English Heritage Advice
7. Parking Services Advice – Traffic Management Order
8. Metropolitan Police Advice.

3.6 That, if by 13<sup>th</sup> October 2010 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive (Legal Services), the Corporate Director of Development & Renewal is delegated power to refuse planning permission.

#### **4. PROPOSAL AND LOCATION DETAILS**

4.1 The proposal is for the redevelopment of the site to construct 129 units (comprising 65 x 1 bed; 44 x 2 bed; 16 x 3 bed & 4 x 4 bed residential dwellings) and 139 sq metres of commercial floorspace use Class B1 (office space), a pedestrian and cycle pathway; 142 bicycle parking spaces and landscaping

4.2 The proposal comprises of a series of blocks referred to as block A, B, B1, B2 & D. The buildings range from 4-6 storeys in height. Residential use is solely proposed for blocks A & B. Commercial use is proposed on the ground floor of block D and residential use on the upper floors. The site is accessed via Bow Common Lane & Furze Street. A pedestrian walkway is proposed on site which collects Bow Common Lane to Furze Street.

#### **Site and Surroundings**

4.3 The site comprises of several small plots, identified in the Tower Hamlet's Furze Street Local Development Brief (November 2005) as Areas II (frontage onto Furze Street) and III (frontage onto Bow Common Lane). The site has frontages to Furze Street to the east and Bow Common Lane to the west and covers an area of approximately 0.47 hectares.

4.4 The site currently accommodates a range of buildings and uses, including a printing works, vehicle repairs and an open yard used for the breaking and storage of heavy commercial vehicle parts. The sites are currently occupied by commercial buildings and used for B2 (general industry) and B8 (storage)

4.5 The site is bordered by Devons Road on the north side, Furze Street towards east and Bow Common Lane along the west side. At the south side a warehouse complex is sitting between the site and the Limehouse Cut.

4.6 Furze Green forms the focus of the immediate area and comprises a Council owned public open space of approximately 0.8ha. Furze Green is located to the east of the site fronting onto Furze Street.

4.7 The site is predominantly surrounded by residential development which varies in scale from 4-6 storeys in scale.

4.8 The adjoining site to the north comprises of 78 residential units and 220sqm of

commercial floorspace by Telford Homes. Planning permission for the development was granted in January 2007 (ref no: PA/1096).

- 4.9 The east side of the site beyond Furze Green is dominated by the 6 storey 1960's Perring Estate, fronting onto Gale Street.
- 4.10 The Public Transport Accessibility Level (PTAL) of the site is 2 to 3. This indicates a low/moderate level of public transport accessibility.

### **Planning History**

*16 to 50 Bow Common Lane and Furze Street, London*

- 4.11 On the 21<sup>st</sup> November 2007, planning committee resolved to grant planning permission for the erection of buildings from two to five storeys to provide 139 residential units (comprising of 64 x 1 bed; 53 x 2 bed; 18 x 3 bed & 4 x 4 bed), 294 sq.m of commercial (Class B1) space and 82 sq.m community facility. The application was later withdrawn due to technical issues associated with the S106 Agreement. The Section 106 was not agreed as all land owners within the site boundary of the proposed development did not sign up to the legal agreement (ref no: PA/07/1338)

*34 Bow Common Lane*

- 4.12 On the 12 June 2008, planning permission was approved for the demolition of the existing light industrial buildings and the erection of a six storey building including roof garden to provide 78sqm of commercial space on the ground floor and 31 residential units (comprising 9 x 1 bed; 2 x 8 bed; 3 x 9 bed& 4 x 5 bed) (ref no: PA/07/3280)

*Land bounded by Bow Common Lane and Furze Street on Devons road, London, E3*

- 4.13 On the 21<sup>st</sup> January 2007, planning permission was approved for the development of 78 residential units comprising one, two and three bedroom apartments and three and four bedroom houses in blocks ranging in height from 3 to 6 storeys and the creation of 220s sq.m of ground floor business /commercial space. (ref no: PA/06/1096). This scheme has been implemented. This development has been implemented.

*Land bounded by Bow Common Lane and Furze Street on Devons road, London, E3*

- 4.14 On the 20<sup>th</sup> December 2006, planning permission was approved for the demolition of existing buildings and the development of 215 residential units including one, two and three bedroom apartments and three and four bedroom town houses in blocks ranging in height between 3 and 6 storeys and the creation of 860 sq.m. of ground floor business/commercial space (Ref no: PA/06/1097).

## 5. POLICY FRAMEWORK

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

### 5.2 Unitary Development Plan (as saved September 2007)

Proposals: Development site (employment use & open space)

Policies: Environment Policies

ST37	Strategic policy on open space , leisure and recreation
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV50	Noise
DEV51	Contaminated Land
HSG6	Separate Access
HSG7	Dwelling Mix
HSG15	Residential Amenity
HSG16	Amenity Space
T16	Impact of Traffic
T18	Pedestrian and the road network
T19	Priorities for pedestrian initiatives
T21	Existing Pedestrians Routes
EMP1	Encouraging new employment uses
EMP6	Employing local people
EMP8	Encouraging small business growth
OS9	Child Play Space

### 5.3 Interim Planning Guidance for the purposes of Development Control (Oct 2007)

Proposals: C12 Development Site (Specific uses have not been identified)

Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP3	Sustainable Environment
	CP4	Good Design
	CP9	Employment space for small business
	CP11	Sites in employment use
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP21	Dwelling Mix & type
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP38	Energy Efficiency and Production of Renewable Energy

CP41	Integrating Development with Transport
CP46	Accessible and Inclusive Environments
CP47	Community Safety

Policies: Development Control Policies

DEV1	Amenity
DEV2	Character & Design
DEV3	Accessibility & Inclusive Design
DEV4	Safety & Security
DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV 9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV22	Contaminated Land
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
EE2	Redevelopment /change of use of employment sites

#### 5.4 **Core Strategy Development Plan Document 2025 (submission version December 2009)**

SP02	Urban living for everyone
SP03	Creating healthy and liveable neighbourhoods
SP05	Dealing with waste
SP09	Making connected places
SP10	Creating distinct and durable places
SP11	Working towards a zero carbon borough
SP12	Delivering place making

5.5 Development Brief for Furze Street & Bow Common Lane dated November 2005

#### 5.6 **Supplementary Planning Guidance/Documents**

Designing Out Crime

Residential Space  
Landscape Requirements

**5.7 The London Plan 2008 (consolidated with alterations since 2004) - the Mayor's Spatial Development Strategy**

- 2A.1 Sustainability Criteria
- 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 in individual private residential and mixed-use schemes
- 3A.11 Affordable housing thresholds
- 3C.1 Integrating Transport and Development
- 3C.23 Parking Strategy
- 3D.13 Children and Young People Play Strategies
- 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
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world class architecture design
- 4B.3 Enhancing the quality of the public realm
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 6A.4 Priorities in planning obligations
- 6A.5 Planning obligations

**5.8 Government Planning Policy Guidance/Statements**

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport
- PPS22 Renewable Energy
- PPG24 Planning & Noise

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

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



## **6. CONSULTATION RESPONSE**

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

### **LBTH Cleansing**

6.2 No comments received.

### **LBTH Education**

6.3 LBTH Education team note that the proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 16 additional primary school places @ £12,342 = £197,472. This funding will be pooled with other resources to support the Local Authority's programme for the borough by providing additional places to meet need demand.

*(Officers comment: A contribution of £197,472 to mitigate the demand of the additional population on education facilities will be secured in the Section 106 Agreement).*

### **LBTH Environmental Health**

6.4 The hours of operation for the B1 use as well as delivery times should be controlled to avoid any residential/commercial conflict

*(Officer comment: The hours of operation and delivery times for the B1 use will be conditioned).*

### **Contamination land officer**

6.6 A detailed contamination land assessment is required.

*(Officers comment: The applicant is required to submit a contamination report. The report must be submitted, approved and any remedial works carried out prior to the commencement of works on site. This will be secured by way of condition).*

### **Sunlight/ Daylight**

6.7 The daylight & sunlight officers confirm that the daylight and sunlight levels to surrounding properties and the approved scheme at 34 Bow Common Lane is acceptable.

### **Crime Prevention Officer**

6.12 The link walk through between Bow Common Lane and Furze Street is supported.

6.13 Details of defensive planting & lighting should be submitted to ensure safety of residents particularly on Furze Street (has balconies fronting the highways) are protected.

*(Officers comment: The applicant will be required to submit landscaping and lighting details. This will be secured by way of condition).*

### **LBTH Highways**

6.14 A Travel Plan is required for this development. The Travel Plan is a key management tool for implementing transport solutions for a new development.

*(Officers comment: The applicant will be required to submit a Travel Plan. This will be secured in the S106 Agreement)*

6.15 A condition should be placed on the development that prevents residents from being able to apply for an on street parking permit in the area.

*(Officers comment: The Section 106 Agreement will contain provisions to ensure that future residents cannot apply for on street parking permits).*

6.16 Details of the all cycle parking facilities, location, maintenance and its retention should be conditioned.

*(Officers comment: The applicant has provided adequate detailing with regard to cycle space provision. The proposed development currently includes a combination of Sheffield stands, and the Josta two tier system to provide the cycle parking. The stands are 100mm apart with each stand able to accommodate two cycles in accordance with Council policy. In addition, the scheme makes provision for 142 cycle spaces in accordance with Council policy. Furthermore, all proposed cycle storage are in a sheltered and in a secure location given its proximity to the residential units. As such, it is not considered necessary to add this condition).*

6.17 On street servicing arrangement/ refuse collection is not supported.

*(Officers comment: On street servicing arrangements/refuse collection is considered acceptable. Given the existing level of on-street servicing/refuse collection enjoyed by the adjoining residential properties, the resultant impact in relation to traffic congestion and highway safety, would not be sufficient to warrant a refusal of planning permission.*

*A Servicing Management Plan shall be submitted and approved in writing prior to the commenced of works on site. This is to ensure the amenity of nearby residents and occupants of the development are not compromised)*

## **LBTH Communities Localities and Culture (CLC)**

6.18 CLC note that the increased permanent population generated by the development will increase demand on community, cultural and leisure facilities.

6.19 The Local Development Framework's Planning for Population and Growth Capacity Assessment sets out household size assumptions for new developments in Tower Hamlets. From this information, a population output estimate can be derived. Based on this assessment, the scheme proposes a gain of 129 residential units which would result in a population uplift of 251 people.

6.20 CLC team recommend that the following contributions be sought in the S106 Agreement to mitigate against the development:

- 1) A contribution of £201,408 towards open space improvement works
- 2) A contribution of £117,513 towards leisure facilities
- 3) A contribution of £26,104 towards library facilities

(Officers comment: With reference to the above contributions, CLC Strategy team have not provided a suitable justification for any of the above contributions relating to this site. Officers are of the view that; to mitigate against the development; a contribution of £150,000 towards open space & £65,000 towards leisure facilities is appropriate. A suitable justification was not provided for the contribution sought for a library facility contrary to CIL regulations identified in paragraph 8.74.

## **6.21 Environmental Agency**

The Environmental Agency has raised no formal objections subject to the following conditions:

- a) Contamination Assessment to be submitted and approved
- b) The submission of a verification assessment demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation to be submitted and approved
- c) Piling or other foundation design to be submitted and approved
- d) Details of foul and surface water drainage to be submitted and approved
- e) Drainage plan to be submitted and approved

*(Officers comment: The applicant will be required to submit the above details. All these matters will be secured by way of condition).*

## **Transport for London (Statutory)**

6.22 No comments were received from Transport for London.

## **Tower Hamlets Primary Care Trust (PCT)**

6.23 PCT seek to secure a capital planning contribution of £154,801 to mitigate against the demand of the additional population on health facilities. This condition will be

secured in the S106 Agreement.

*(Officers comment: This contribution will be secured in the S106 Agreement).*

## **7. LOCAL REPRESENTATION**

7.1 A total of 853 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to the first round of notification and publicity of the application were as follows:

7.2 No of individual responses:                      Objecting: 5                      Supporting: 0

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

7.4 *The proposed proximity, siting and layout of block A would have an adverse impact and result in overlooking on residents at flat 49 Park View Court, 215 Devons Road.*

(Officers comment: The proposed angle of windows at block A are perpendicular to windows at flat 49 Park View Court, 215 Devons Road. As such, no direct overlooking should occur from one habitable room to another. The principle of the siting and layout of block A and its proximity to the development at Park View Court has been agreed in the extant proposal to redevelop this site (ref no: PA/07/1338). Notwithstanding, in order to ensure that no undue overlooking occurs to the terrace area of this property, the windows on the northern elevation will be obscured to ensure privacy will be protected. This will be secured by way of condition).

7.5 *The proposal will result in overdevelopment of the site and the area in general, particularly in light of other planning consents within the vicinity of the site.*

(Officers comment: The proposal is not considered to result in over development of the site. The proposal provides an acceptable amount of amenity space and will not result in undue loss of daylight, sunlight or overlooking. In addition, the cumulative impact of planning consents within the vicinity of the site would not result in overdevelopment of the area. The proposed scheme is in keeping with the prevailing character of the area.

7.6 *There is an overprovision of residential development in the area and there is no provision for community facilities.*

(Officers comment: The proposed residential development is acceptable in land use terms. The scheme provides much needed affordable housing and s106 contributions have been secured towards community facilities such as health,

education, leisure and open space to mitigate against the development.

7.7 *The proposal will result in anti social behaviour.*

(Officers comment: Security issues have been considered and addressed as part of the application. There is no evidence to support the contention that the proposal would result in anti social behaviour. Notwithstanding, the applicant will be required to improve safety and security.

7.8 *The development of block A will restrict light to the site known as 36 Bow Common Lane and will adversely impact on the development potential of the site.*

(Officers comment: It was originally envisaged that the entire 12-50 Bow Common Lane and Furze Street site would come forward as one development as outlined in the Development Brief for the site. However, this aspiration proved difficult as there are several land owners across the site. As such, the only option was to develop the overall site in a piecemeal fashion.

The subject application has to be assessed within its current planning context. There is no current planning application submitted for the development for the site known as 36 Bow Common Lane. In addition, there is no previous planning consents to develop 36 Bow Common Lane. As such, there is no evidence as it stands to suggest that the site would come forward for development. Notwithstanding this, the windows on block A facing 36 Bow Common Lane will be obscured to ensure that no overlooking occurs. Whilst it is acknowledged that the development of block A will impact on the daylight to no 36 Bow Common Lane, a reason for refusal could not be sustainable on this ground).

7.9 

- *There was insufficient time to comment on the most recent consultation letter sent to residents at Park View Court.*

The consultation letter referred to above is dated 16<sup>th</sup> June 2010 which was sent to local residents which stated the following:

*“ Further to my letter dated 20<sup>th</sup> April 2010, I write to advise you that the address of the proposed development has been amended from 12 to 50 Bow Common Lane & Furze Street” to the updated location detailed above (16-24 & 48-50 Bow Common Lane and site at land south of 12 Furze Street). The description of the proposal development remains unchanged and as per description on letter dated 12<sup>th</sup> April 2010”.*

As such, the proposed development is materially the same in planning policy terms to that which residents were notified off on the 20<sup>th</sup> April 2010. The alteration was only made to the site address as the previous address which residents were consulted upon was incorrect.

It should be noted that the statutory requirement for considering representations made by members of the public is 3 weeks from the date on the Councils consultation letter. Notwithstanding, all representations made by local residents and received by officers were considered in the assessment of the application).

## 8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land use
2. Design
3. Housing
4. Amenity
5. Transport & Highways
6. Energy & Sustainability
7. Section 106 planning contributions

### **Land Use**

8.2 The application site is designated for employment use in the adoption UDP (1998) and does not have any specific designation in the IPG (2007). A Development Brief entitled 'Furze Street Local Development Brief' dated November 2005 was prepared in part for the redevelopment of this site. The brief envisaged that redevelopment of the site would be residential led. The site currently provides 1995sq.m of employment floorspace. The application proposes a mixed use development comprising residential (Use Class C3) and 139sqm of commercial floorspace (B1 use)

### Loss of employment floorspace

8.3 Policy EMP1 and EMP8 of the adopted UDP seek employment growth and the development of small businesses. Policy CP11 and EE2 of the IPG seek to protect sites in employment use, and policy CP9 of the IPG seeks to retain employment space for small business. The policies require that there should be no net loss of employment floorspace, unless it is demonstrated that the continued use of the land is no longer suitable for the site.

8.4 The main issue is whether the loss of 1,856 square metres of employment floorspace is acceptable. The principle of loss of employment floorspace has already been established in the previous proposal on this site (ref no: PA/07/1338) and also in the approved planning consent for adjoining sites (ref no: PA/06/1096 & PA/06/1097). Please refer to section 4.10-4.13 for the descriptions of these developments.

8.5 There is a general decline in the demand for industrial floorspace in the area. The Sub Regional Development Framework for East London advises that there is more provision for economic activity than is necessary to meet future demand. The site is considered unsuitable for continued general and light industrial employment use due to its location, accessibility & size.

8.6 Given the general decline in demand for employment floorspace in the area and the poor quality of the accommodation being lost, there is no identifiable overriding demand to justify the re-provision of a greater amount of employment

floorspace than is currently proposed. The loss of employment floor space is therefore acceptable in terms of saved policies EMP1 and EMP8 of the UDP and policies CP9, CP11 and EE2 of the IPG.

#### Principle of a residential use

- 8.7 The principle of the loss of employment floorspace has been considered and found acceptable. In terms of residential, it is noted that the surrounding area is already predominantly residential. The proposal therefore fits in comfortably with the character of the area as envisaged by the Council's Development Brief for the site. The provision of additional housing is a key aim of national, regional and local planning policy and the proposal would accord with policies 3A.1, 3A.3, 3A.5 of the consolidated London Plan and policy CP19 of the IPG, which seek to maximise the supply of housing.

#### Principle of provision of a commercial use

- 8.8 The application proposes the provision of 139 sqm of commercial floorspace. The commercial unit in building D adds interest and will provide an active frontage to Bow Common Lane and the courtyard of building D. This should result in a high density and good quality employment floorspace. The applicant has advised that the proposed unit should employ approximately 14-15 people.

#### **Density**

- 8.9 The site has a net residential area of approximately 0.47 hectares. The scheme is proposing 129 units or 346 habitable rooms. The proposed residential accommodation would result in a density of approximately 736 hr/ha.
- 8.10 London Plan policy 3A.3 outlines the need for development proposals to achieve the highest possible intensity of use compatible with the local context.
- 8.11 The site has a public transport accessibility level (PTAL) rating of 2 to 3. Table 3A.2 of the consolidated London Plan (2008) suggests a density of 250 to 450 habitable rooms per hectare for sites with a PTAL range of 2 to 3. The proposed density is therefore higher than the GLA guidance and would appear, in general numerical terms, to be an overdevelopment of the site.
- 8.12 However, the density matrix within the London Plan and Council's IPG is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context and London Plan design principles, as well as public transport provision. Moreover, it should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
  - Loss of privacy and outlook;
  - Small unit sizes
  - Lack of open space and amenity space;
  - Increased sense of enclosure;

- Increased traffic generation; and
- Impacts on social and physical infrastructure;

8.13 Policies 3A.1, 3A.2 and 3A.3 of the London Plan encourage Boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG & SP02 of the Core Submission Document (Dec 2009) seek to maximise residential densities on individual sites; taking into consideration the local context and character; residential amenity, site accessibility; housing mix and type; achieving high quality, well designed homes; maximising resource efficiency; minimising adverse environmental impacts; the capacity of social and physical infrastructure and open spaces; and to ensure the most efficient use of land within the Borough.

8.14 The proposal does not present any of the above symptoms of overdevelopment.

8.15 On review of these issues, the proposed density of the development is justified in this location in accordance with London Plan, UDP and IPG policies. The scheme is considered acceptable for the following reasons:

- The proposal is of a high design quality and responds appropriately to its context.
- The proposal is not considered to result in any adverse symptoms of overdevelopment.
- The provision of the required housing mix, including dwelling size and type and affordable housing, is acceptable.
- A number of obligations for affordable housing, health, education, open space, leisure facilities and have been agreed to mitigate any potential impacts on local services and infrastructure.
- Ways to improve the use of sustainable forms of transport will be provided through a travel plan. This will be secured in the S106 Agreement.

## **Design**

### Bulk and Massing

8.16 Good design is central to all the objectives of the London Plan (Feb 2008). Policy 4B.1 of the London Plan refers to principles and specifics of design for a compact city and specifies a number of policies aimed at achieving good design. These principles are also reflected in policies DEV1 and DEV 2 of the UDP, DEV 1 and DEV 2 of the IPG and policies SP02 & SP10 of the Core Strategy DPD (2009).

8.17 Policy CP4 of the IPG (Oct 2007) seeks to ensure development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV2 of the IPG reiterates DEV1 of the UDP and SP10 of the Core Strategy DPD (2009) stipulates that developments are required to be of the highest quality



design, incorporating the principles of good design.

- 8.18 The proposed design is of a high quality that is commensurate with its surroundings. The elevational treatment on the frontages on Bow Common Lane & Furze Street responds positively to its context. The contemporary design will preserve the character and appearance of the area.
- 8.19 The entrances to the buildings are accessible, safe and visible. The proposed pedestrian and cycle route through the site will improve permeability of the site and improve connectivity between Bow Common Lane and Furze Street and Furze Green. The windows overlooking the communal areas provide natural surveillance. In addition, the commercial unit creates an active frontage along Bow Common Lane which also creates an opportunity for natural surveillance.
- 8.20 Overall, the height, scale, bulk & design is acceptable and in line with planning policies 4B.1, 4B.2 & 4B.5 of the London Plan; policies DEV 1 & DEV 2 of the UDP, policies DEV 1, DEV 2, DEV 3 & DEV 4 of the Council's IPG & SP02 & SP10 of the Core Strategy DPD (2009) which seeks to ensure buildings are of a high quality and suitably located.

## **Housing**

### *Affordable Housing*

- 8.21 Policy 3A.9 of the consolidated London Plan (1998) sets out a strategic target that 50% of the housing provision should be affordable. Policy CP22 of the IPG (Oct 2007) & SP02 of the Core Strategy DPD (Dec 2009) document stipulates that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 8.22 The proposal makes provision for 37 % affordable housing based by habitable rooms per hectare. This exceeds the Councils policy requirement and thus supported by officers.

### *Social Rented/ Intermediate Ratio*

- 8.23 Policy 3A.9 of the Consolidated London Plan (2008) & policy SP02 of the Core Strategy DPD (2009) seek the following tenure split within the affordable housing provision:
- 70% within the social rented tenure
  - 30% within the intermediate tenure
- 8.24 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20. The proposal makes provision for a split of 81/19% (social rent/intermediate). The scheme broadly meets the Councils targets. Moreover, given the current demand for social rented housing in the borough, this split is acceptable.

Dwelling Mix

8.25 Paragraph 20 of Planning Policy Statement 3 states that

*“key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households”*

These groups include older people, such as families with children, single person households and older people.

8.26 Pursuant to policy 3A.5 of the London Plan the development should:

*“offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation”.*

8.27 Policy HSG7 of the UDP & SP02 of the Core Strategy DPD (2009) stipulates that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. The UDP does not provide any prescribed targets.

8.28 The following table below summarises the proposed housing mix against policy HSG2 of the IPG, which seeks to reflect the Boroughs current housing needs:

8.29

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total units in scheme	units	%	LDF %	units	%	LDF %	units	%	LDF %
Studio				0	0		0	0		
1 bed	65	8	26	20	9	82	37.5	48	55	37.5
2 bed	44	9	29	35	2	18	37.5	33	38	37.5
3 bed	16	10	32	30	0		25	6	7	25
4 bed	4	4	13	10	0			0		
5 Bed				5						
<b>TOTAL</b>	<b>129</b>	<b>31</b>	<b>100</b>	<b>100</b>	<b>11</b>	<b>100</b>	<b>100</b>	<b>87</b>	<b>100</b>	<b>100</b>

8.30 The Council’s IPG requires 45% of social rented units; 25% of intermediate and market units to be suitable for family accommodation (3 bed or more). Overall, proposed developments should make provision for 30% family sized units.

8.31 The proposal provides 45% family accommodation by unit numbers within the social rented tenure and therefore complies with policy. The proposal does not make provision for family sized accommodation within the intermediate tenure and 7%

within the market tenure and therefore does not meet the policy target. However, the proposal makes provision for 28% family sized accommodation overall which is broadly policy compliant. The deficiency of family units against policy HSG2 is offset by the provision of 37% affordable housing which is a key housing priority. The resultant overall unit mix of approximately 28% family housing is also considered acceptable.

8.32 The table below demonstrates that the proposed development is a significant improvement upon what has been achieved across the borough and in terms of aspiration for family units within the social rented and market tenure and this is a positive step towards LBTH achieving key housing targets and better catering for housing need.

<b>Tenure</b>	<b>Borough wide %</b>	<b>PA/09/1656</b>
Social rented	21.7%	<b>45%</b>
Intermediate	9.7	<b>0 %</b>
Market	1.7	<b>7%</b>

8.34 On balance, the scheme provides a suitable range of housing choices and meets the needs of family housing in the social rented component. As such, the proposed housing mix is considered to comply with policy 3A.5 & 3A.9 & 3A.10 of the London Plan; policy HSG7 of the UDP and policies CP22, HSG2, HSG4 of the IPG & SP02 of the Core Strategy DPD (2009) which seeks to ensure that new housing developments offer appropriate housing choices.

**Amenity/Open Space**

8.35 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council’s Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided.

8.36 Policy HSG7 of the IPG sets out the minimum provision for private and communal amenity space to be met. The policy requirement for private amenity space is 1, 618 sqm and the policy requirement for communal amenity space is 174m2. The proposed development will provide 1,715sqm of private amenity space and 505 sqm sqm of communal amenity within the site. The proposal therefore exceeds the policy requirement and is supported by officers.

*Child Play Space*

8.37 London Plan Policy 3D.13 requires developments that include residential units to make provision for play and informal recreation space, based on the expected child population.

8.38 Using the Council’s methodology for calculating child play space, the scheme will be home to 60 children.

8.39 Whilst both the UDP Residential Standards and the IPG prescribe 3sq.m per child bed space, the Greater London Authority (GLA) prescribe 10sq.m per child bed

space to establish the quantitative requirements for play space provision for new developments. The IPG prescription equates to 60sqm. The GLA prescription equates to 556sqm.

- 8.40 The proposal makes provision for 560sqm of play space which exceeds the Councils and the GLA's policy requirement and is therefore supported by officers.

#### Accessibility and Inclusive Design

- 8.41 There are 14 units which are identified as wheel chair accessible which complies with policies HSG9 of the IPG (Oct 2007) & policy 3A.5 of the London Plan (2008) which require 10% of units to be wheelchair accessible. In addition, 100% of the units comply with the Lifetime Homes criteria.
- 8.42 The affordable and market housing elements have been designed to incorporate full Lifetime Homes standard requirements and if permission is granted a condition will be included to secure these requirements.

#### **Amenity**

##### Daylight /Sunlight Access

- 8.43 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.44 Policy DEV1 of the IPG stipulates that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.
- 8.45 According to the UDP, habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sqm).

##### 1. Daylight Assessment

- 8.46 Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use.
- 8.47 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:
- 2% for kitchens;
  - 1.5% for living rooms; and

- 1% for bedrooms.

- 8.48 The applicant submitted a Daylight and Sunlight report which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.
- 8.49 The daylight & sunlight assessment shows only windows to a small number of properties would experience a minor loss of light below BRE recommendations. However, given the urban context of the site, the minor losses are considered acceptable. LBTH daylight officer has examined the information submitted and confirms that it to be acceptable. Furthermore, the daylight results to surrounding properties, in numerical terms, are better than for the previous scheme (ref no PA/07/1338). On balance, the overall minor loss of daylight levels within the surrounding context of the site is not significant enough to warrant a refusal. As such, a reason for refusal could not be sustained on those grounds.
- 8.50 In terms of sunlight, the LBTH Daylight and Sunlight Officer is satisfied that the site will retain good levels of sunlight to the existing surrounding properties and to the properties of the consented scheme at 34 Bow Common Lane (ref no: PA/07/1338), given the context of the site. In addition, the proposal will not result in an undue loss of sunlight to surrounding developments. Moreover, it should be noted that no objections have been received on loss of daylight and sunlight grounds.
- 8.51 The proposal therefore adequately complies with policies DEV 2 of the Unitary Development Plan; DEV 1 of the IPG which seek to protect residential amenity.

#### Privacy/ Overlooking

- 8.52 The assessment of overlooking is to be considered against policy DEV2 of the UDP, where new developments should be designed to ensure that there is sufficient privacy for residents. Given the close proximity of building A to Park View Court, any window in block A which may directly overlook a habitable room at Park View Court will be obscured. This is to ensure the amenity of residents will be protected and will be secured by way of condition.

#### Sense of Enclosure/ Loss of Outlook

- 8.53 Unlike sunlight and daylight assessments or privacy, these impacts cannot be readily assessed in terms of a percentage. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Nevertheless, given the proximity of block A to Park View Court, it is acknowledged that the development may result in an increased sense of enclosure to properties at Park View Court on Devon's Road. However, it is considered that the sense of enclosure is offset by the open courtyard that Park View Court currently enjoys. In addition, the site of block A and it's relationship with Park View Court has already been agreed under planning reference PA/07/1338.

## Highways

### Access

- 8.54 The site is accessed along Bow Common Lane & Furze Street. The vehicle access off Furze Street comprises of a reinstated dropped kerb. The proposed shared pedestrian and cycle route connecting Furze Street to Bow Common Lane is acceptable.
- 8.55 The site is not gated and as such is accessible to all.

### Car parking

- 8.56 According to policy 3C.23 of the consolidated London Plan (1998), on-site car parking provision for new developments should be the minimum necessary to ensure there is no overprovision that could undermine the use of more sustainable non-car modes. This in part, is to be controlled by the parking standard in Annex 4 of the London Plan and UDP policies. Parking standards for residential is 0.5 spaces per dwelling (no parking allowance for visitors) as set out in the Councils IPG.
- 8.57 The proposal makes provision for one disabled car parking space. The position of the proposed disabled space is acceptable as the vehicle can enter and exit in a forward direction. The scheme does not make provision for any other car parking spaces. Given the Councils objective to promote sustainable modes of transport, officers consider this to be acceptable.

### Cycle Parking

- 8.58 Planning Standard 3: Parking of the IPG sets out the requirement for cycle parking spaces for new development. The policy requirement is 130 cycle parking spaces (129 for residential & 1 for commercial). The proposal makes provision for 142 spaces which thus exceeds the Councils policy requirement. There are 142 spaces of secure undercover bicycle parking provided throughout the site. This is in line with Council policy.
- 8.59 Furthermore, all proposed cycle storage is provided in accessible, well lit, safe, sheltered and secure areas.

### Servicing

- 8.60 LBTH Highways do not support on street servicing arrangements for the site. They note that Bow Common lane is narrow in width and has signalised junction located a few metres away. However officers consider that given the existing level of on-street servicing/refuse collection enjoyed by the adjoining residential properties, the resultant impact in relation to traffic congestion and highway safety, would not be sufficient to warrant a refusal of planning permission.
- 8.61 The applicant is required to submit a Service Management Plan shall be submitted and approved in writing prior to the commencement of works on site. This is to ensure the amenity of nearby residents and occupants of the development are not

compromised in accordance with Policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998) and Policies DEV1 and DEV2 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control. This will be secured by way of condition.

## **Sustainability**

- 8.62 Policies DEV 5 & DEV 6 of the IPG and policy SP11 of the Core Strategy DPD (2009) seeks to promote sustainable development practices. The consolidated London Plan (2008) energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible.
- 8.63 The consolidated London Plan (2008) energy policies 4A.1 - 4A.7 aim to reduce carbon emissions by requiring the incorporation of energy efficient design, decentralised energy systems and renewable energy technologies where feasible.
- 8.64 Policy 4A.1 of the London Plan sets out the Energy Hierarchy to be followed for developments to ensure they make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide.
- 8.65 Policy 4A.3 of the London Plan requires all developments to meet the highest standards of sustainable design and construction through measures such as minimising energy use through design, supplying energy efficiently and incorporating decentralised energy systems, and use renewable energy where feasible.
- 8.66 Policy 4A.6 of the London Plan requires all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 8.67 Policy 4A.7 of the London Plan adopts a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.
- 8.68 With reference to Energy, it is proposed to use on site energy technology including Communal Heat and Power (CHP) to reduce CO2 emissions proposals on site which is supported by officers. A noise assessment of the CHP systems for the proposed development has not been undertaken. A noise survey and assessment in accordance with BS4142 together with proposed mitigation measures must be submitted to and approved by the Council prior to the commencement of works on site. This will be secured by way of condition.
- 8.69 The proposed will result in 12% reduction in CO2 emissions. LBTH Energy team have recommended that further conditions be attached to the approval which requires the following:
- Detailed CHP communal heating feasibility study including thermal loads and CO2 emission reduction
  - Detailed renewable energy technology study and specification of technologies to be integrated into the proposals.

- A heat network supplying all residential unit shall be installed and sized to the space heating and domestic hot water requirements

8.70 These conditions should ensure a reduction in carbon dioxide emissions in accordance with policies 4A.1-4A.7 of the Consolidated London Plan which seek to mitigate climate change and minimise carbon dioxide emissions.

8.71 With reference to sustainability, it is proposed that residential units will meet Code Level 4 for Sustainable Homes. Notwithstanding, a condition will be attached which requires the applicant to have a minimum of Code 4 to ensure the highest levels of sustainable design and construction.

8.72 Subject to the recommendation conditions, it is considered that sustainability matters, including energy are acceptable and broadly in line with policies DEV 5, DEV 6 & DEV 9 of the IPG; SP11 of the Core Strategy DPD (2009) & policies 4A.1-4A.7 of the Consolidated London Plan (2008) which seeks to promote sustainable development practices.

### **Section 106 contributions**

8.73 Planning obligations can be used in three ways: -

1. 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;
2. To require a contribution to compensate against loss or damage that will result from a development. For example, loss of open space;
3. To mitigate the impact of a development. For example, through increased public transport provision

8.74 In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, planning obligations can only constitute a reason for granting planning permission where they meet the following tests:

- i. The obligation is necessary to make the development acceptable in planning terms;
- ii. The obligation is directly related to the development; and
- iii. The obligation is fairly and reasonably related in scale and kind to the development

8.75 All the recommended obligations meet the relevant tests and the applicants have agreed the following matters that have been requested:

- Affordable housing provision of 37% of the proposed habitable rooms with a 81/19 split between rented/ intermediate to be provided on site.
- A contribution of £154, 801 to mitigate the demand of the additional population on health care facilities
- A contribution of £197,472 to mitigate the demand of the additional population on education facilities
- A financial contribution of £23,000 towards signage and pedestrian and cyclist routes in the vicinity



- A contribution of £150,000 towards improvements to park and open spaces
- A contribution of £65,000 towards leisure facilities

#### Affordable housing

- 8.76 The provision of 37% affordable housing by habitable rooms would assist the Council in meeting its housing targets and deliver much needed affordable housing within the borough.

#### Health

- 8.77 Primary Care Trust seek to secure a capital contribution of £154, 801. This development is within Local Partnership 6. The nearest current practice is St Paul's Way. The anticipated population growth in Bromley by Bow ward (where the development is located) is estimated rise from 15 747 in 2009 to 21 053 in 2015, an increase of over 33%. To accommodate the expected population growth in the area, a locality hub is planned for the Ryan's Yard site (which is planned to include the current St Paul's Practice). The contribution would go toward the long lease or 'fit out' costs for this new development.

#### Education

- 8.78 The proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 16 additional primary school places @£12, 343= £ 197, 472. This funding will be pooled with other resources to support the Local Authority's programme for the borough of providing additional places to meet need.

#### Transport infrastructure

- 8.79 LBTH Highways department have not attributed a cost towards transport improvement works. However, it should be noted that £20,000 was secured for transport management improvement measures in the extant permission (ref no: PA/07/ 1338). The contribution of £23,000 (increase of £3,000 from the extant permission) will go towards transport management improvement measures. The money will be spent on signage, pedestrian and cyclist routes in the vicinity of the site.

#### Parks and open spaces

- 8.80 The increased permanent population generated by the development will increase demand for open space. The contribution of £150,000 towards parks and open spaces is considered sufficient to mitigate the impact on existing open spaces within the area.

#### Leisure facilities contribution

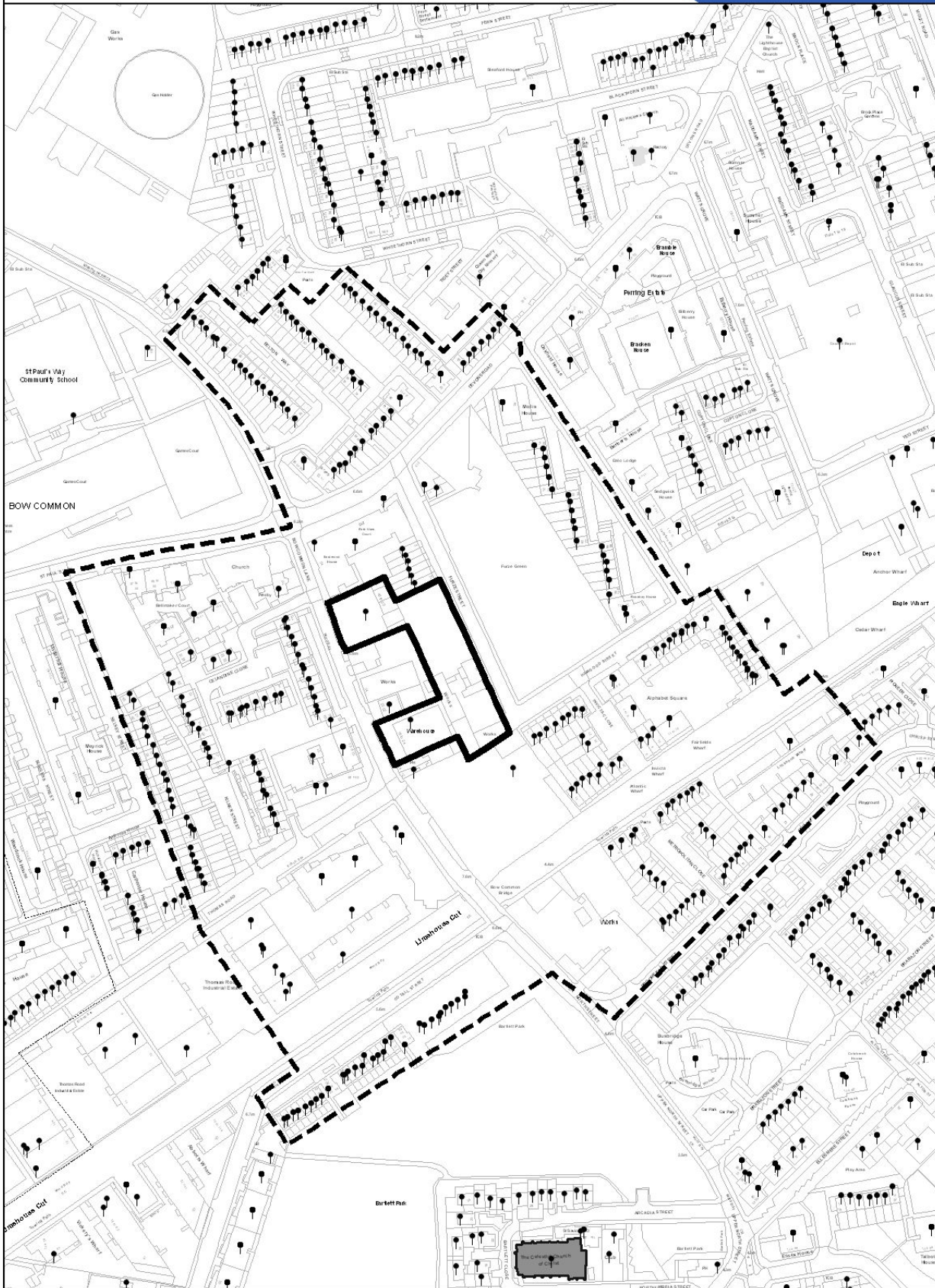
- 8.81 The increased permanent population generated by the development will be increase demand for open space. £65,000 towards leisure facilities such as swimming pools, sports halls and pitches in the area is considered acceptable.

8.82 In overall terms, it is considered that the level of agreed financial contributions is appropriate and that they adequately mitigate the impacts of the development.

## **9. Conclusions**

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

# Planning Application Site Map



Planning Application Site Boundary



Locally Listed Buildings



Land Parcel Address



Consultation Area



Statutory Listed Buildings

0 30 m



1:3,250



# Agenda Item 7.4

<b>Committee:</b> Development	<b>Date:</b> 13 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b>
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision Conservation Area Consent for Decision	
<b>Case Officer:</b> Mandip Dhillon		<b>Ref No:</b> PA/10/925 (Full Planning Permission) PA/10/926 (Conservation Area Consent)	
		<b>Ward(s):</b> St Dunstons and Stepney	

## 1. APPLICATION DETAILS

**Location:** Fulneck, 150 Mile End Road, London

**Existing Use:** Residential (Use Class C3)

**Proposal:** Demolition of existing block and erection of part four, part six storey building to provide 412sqm commercial floorspace comprising retail (Use Class A1), financial and professional services (Use Class A2), restaurant/cafe (Use Class A3), business (Use Class B1) and /or non-residential institution (Use Class D1) to the ground floor, together with 78 residential units, car/bicycle parking, refuse/recycling facilities and access, landscaping and amenity proposals.

**Drawing No's:** 456-001(P); 456-002(P);456-003(P); 456-004(P); 456-010(P)A; 456-011(P)A; 456-012(P)B; 456-013(P)B; 456-014(P)B; 456-015(P)B; 456-016(P)B; 456-017(P)A; 456-030(P)B; 456-031(P)B; 456-032(P)B; 456-034(P)B; 456-035(P)A; 456-036(P)B; 456-037(P)B; 456-038(P)A; 456-040(P); 456-041(P); 456-038(P)A; 456-SK-187

Supporting documentation

Design and Access Statement, Townscape and Visual Impact Assessment and Statement of Community Involvement dated May 2010

Planning Statement dated May 2010

Landscape Proposals dated March 2010

Transport Assessment dated May 2010

Air Quality Assessment dated April 2010

Noise Assessment dated April 2010

Energy Strategy Report dated May 2010

Preliminary Code for Sustainable Homes Assessment dated May 2010

Sustainable Design and Construction dated May 2010

Daylight and Sunlight Analysis dated April 2010

Daylight Factor Summary Report dated April 2010

Schedule of Materials Ref 456.S02

Floorspace Schedule Revision P

Supplementary images of Balcony screens

**Applicant:** Southern Housing Group

**Owner:** Southern Housing Group

**Historic Building:** N/A

**Conservation Area:** Stepney Green

## **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, the London Plan and Government Planning Policy Guidance and has found that:
- The proposal makes efficient use of the site with a high-density mixed use redevelopment and as such accords with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), HSG1 of the Council's Interim Planning Guidance (2007) and policy S07 of the Core Strategy Development Plan Document Submission Version (2009), which seek the maximum intensity of use compatible with local context.
  - The proposal provides an acceptable amount of affordable housing and mix of units overall and as such complies with 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) and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) and policy SP02 (5) of the Core Strategy Development Plan Document Submission Version (2009), which seek to ensure that new developments offer a range of housing choices.
  - The density of the scheme does not result in any of the significant adverse impacts typically associated with an overdevelopment, and is therefore acceptable in terms of policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998) and policies CP5, HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
  - The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the compliance with relevant BRE Guidance and the urban context of the site and as such accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policy SP10 (4a) of the Core Strategy Development Plan Document Submission Version (2009), which seek to ensure development does not have an adverse impact on neighbouring amenity.
  - The quantity and quality of housing amenity space, communal space, child play space and open space is acceptable and accords with Planning Policy Statement 3: Housing, 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) and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) and policy SP02(6) of the Core Strategy Development Plan Document Submission Version (2009), which seek to improve amenity and liveability for residents.
  - The building height, scale, bulk, design and relationship of the proposed development are acceptable and accord with Planning Policy Guidance 15, policies 4B.1, 2, 3 and 5 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1, DEV2, DEV3, DEV4 and CON2 of the Council's Interim Planning Guidance (2007) and policy SP10 of the Core Strategy Development Plan Document Submission Version

(2009), which seek to ensure buildings are of a high quality design, sensitive to the character of the Stepney Green Conservation Area and context of a site.

- The demolition of the existing structures on-site and the erection of the proposed building enhances the appearance and character of the Stepney Green Conservation Area, the setting of adjoining and nearby Grade II listed buildings by the provision of a high quality building. The proposal therefore accords with the requirements of saved policy DEV28 of the Council's Unitary Development Plan (1998), Interim Planning Guidance (2007) policy CON2, policy SP10 of the Core Strategy Development Plan Document Submission Version (2009) and the advice in PPS5, which seek to ensure high quality development that enhances the character of Conservation Areas.
- The safety and security of the scheme is acceptable, when balanced against other policy objectives to promote permeability and accessibility. The development accords with policy DEV1 of the Council's Unitary Development Plan (1998) and policy DEV4 of the Council's Interim Planning Guidance (2007), which require all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and accord with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policies T16 and T18 of the Council's Unitary Development Plan (1998) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- Sustainability matters, including energy, are acceptable and accord with policies 4A.3 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- The proposed development will provide appropriate contributions towards the provision of affordable housing, health care, education facilities, transport and communities, leisure and cultural facilities in line with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan (1998) and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

### 3. RECOMMENDATION

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

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

- a) Fifty-five units (75% of proposed habitable rooms) of affordable housing comprising of 100% social rent units.
- b) A contribution of £35,000 for a feasibility study into the mitigation of any possible impact upon traffic movements at the Anchor Retail Park exit at Mile End Road.
- c) A contribution of £64,163 to mitigate for the demand of the additional health care facilities.
- d) A contribution of £83,020 for highway improvement works including traffic calming proposals.

- e) A contribution of £25,000 towards off-site open space provision.
- f) A contribution of £66,014 towards Leisure Facilities within the borough.
- g) A contribution of £14,715 towards Library/Idea Store Facilities within the Borough.
- h) A contribution of £98,736 towards the provision of primary school places within the borough.
- i) The completion of a car free agreement.
- j) A Parking Management Strategy to allocate on site parking spaces
- k) A commitment to utilising employment initiatives in order to maximise employment of local residents.
- l) A commitment to landscape land to the south of the application site, within the Stepney Green estate (within the blue line boundary and detailed within the Landscaping Strategy) including the provision of a childrens play area.
- m) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

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

**3.4 Conditions:**

1. Three year time limit
2. Consent granted in accordance with Schedule of Drawings
3. Samples / pallet board of all external facing materials (including reveals and cladding) and typical details to be approved prior to commencement of works
4. Obscure glazing to all windows proposed within flank elevation facing Gracehill House
5. Details of all shopfronts to be submitted at a scale of 1:20
6. Detail of landscaping scheme to include hard and soft landscaping, any gates, walls, fences and a Landscape Maintenance and Management Plan
7. Delivery and Servicing Plan
8. Travel Plan
9. Cycle parking to be provided as shown and maintained
10. Provision of electric charging points at 20% of the car parking spaces
11. Approved landscaping and green and brown roofs to be implemented
12. Construction Management Plan and Construction Logistics Plan
13. All residential accommodation to be completed to lifetimes homes standards plus at least 10% wheelchair accessible
14. All disabled parking bays to be designed and constructed in accordance with the standards described in the Department for Transport 'Inclusive Mobility' guidance.
15. Implementation of sustainable design and renewable energy measures
16. Removal of permitted development rights to erect fences or gates
17. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
18. Hours of operation of commercial unit (7.00am until 11.00pm on any day)
19. No commercial unit shall be larger than 235sqm (GEA)



20. Detail of ventilation and extract equipment for commercial units
21. Detail of Highway Works to be completed through S278 agreement
22. Detail of glazing including measures to reduce noise transmission
23. Scheme of lighting and CCTV
24. Details of energy efficiency measures
25. Detail biomass system including flue
26. Details of Code for Sustainable Homes assessment (Code Level 4)
27. Scheme for surface water drainage
28. Balcony privacy screens to be implemented in accordance with approved plans
29. No Class A3 (Cafe/restaurant) use shall commence within the development site until details of the means of fume extraction, to include noise mitigation measures, have been submitted and approved by the local planning authority. Such measures to be implemented and maintained for the duration of the use.
30. Arboricultural Impact Report to be submitted to identify impact upon trees located on the public highway footpath of A11, Mile End Road
31. To ensure the internal noise levels are met within the proposed development, the following glazing is required to be installed: Mile End Road elevation glazing must have RW 40-45 (4-100-6) window specifications. Stepney Green and Hannibal Road elevation glazing must have RW 35-40 (6-100-6) window specifications. All other windows (located facing Gracehill/communal amenity space) must have RW 33-35 (6-12-6) window specifications
32. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

### 3.5 Informatives

- 1) Section 106 required
  - 2) Section 278 required
  - 3) Express consent required for the display of advertisements
  - 4) Wheel cleaning facilities during construction
  - 5) Change of use only as permitted by Part 3 of the Town and Country Planning (General Permitted Development) Order 1995.
  - 6) The applicant is advised that the shared vehicular and pedestrian access should be adequately landscaped to avoid conflict between pedestrians and vehicles. The landscaping details submitted for approval (Condition 4) should provide details of appropriate materials in this location, such as tarmac in the vehicle route and bonded gravel in the pedestrian route.
  - 7) Any other informative's considered necessary by the Corporate Director Development & Renewal.
- 3.6 That, if within 6-weeks of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.
- 3.7 **2. That the Committee resolves to GRANT conservation area consent.**
- 3.8 That the Corporate Director Development & Renewal is delegated power to impose conditions on the conservation area consent to secure the following:

Conditions:

1. Three year time limit
2. Demolition works must be carried out simultaneously as part of the completion of development for which planning permission has been granted
3. Construction Management Plan
4. Any other condition(s) considered necessary by the Corporate Director Development & Renewal

## **4. PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 Conservation area consent is sought for the demolition of Fulneck House and planning permission is sought for the redevelopment of the site to provide a part four, part six storey building fronting Mile End Road and wrapping around onto Stepney Green and Hannibal Road. A second much smaller element of housing is located along the western boundary of the application site. Two, two-storey houses are proposed along this boundary forming the only other built development within the application site. The central area of the application site is proposed as communal amenity space for the proposed residents.
- 4.2 The proposed development comprises of 78 residential units, together with 412 square metres of flexible floorspace comprising of a mix of retail (Use Class A1), financial and professional (Use Class A2), restaurant/cafe (Use Class A3), business (Use Class B1) and/or non-residential institution (Use Class D1).
- 4.3 The proposal includes a basement level car park providing 40 vehicular parking spaces, 7 of which are for disabled purposes. 102 cycle parking spaces are provided throughout the site and 9 motorcycle spaces.

### **Site and Surroundings**

- 4.4 The site, which measures 0.35 hectares, is one of four residential blocks on the Stepney Green Estate which was built in the 1960's. The existing Fulneck building is a 'T' shaped building located in the northern part of the Stepney Green Estate, fronting Mile End Road. Immediately to the south of Fulneck is the Gracehill building, which sits almost parallel to Fulneck Houses' principal elevation fronting Mile End Road. The other blocks within the Stepney Green estate comprise Ockbrook and Fairfield House.
- 4.5 Fulneck is a brick built, flat roofed, four storey residential block comprising 30 x 2 bedroom maisonettes arranged across three linked blocks forming a 'T' shape. The building and its surrounding area appear to be in poor condition. An existing basement provides 22 car parking spaces for the site, plus additional surface level car parking comprising 7 garages (facing Gracehill) and 19 surface level spaces, accessed via Hannibal Road. It must be noted that the basement car park which accommodates 22 car parking spaces appears to be permanently locked and was empty at the time a site visit was undertaken in June 2010.
- 4.6 The application site is not listed but is located within the Stepney Green Conservation Area. There are numerous listed buildings located within the vicinity of the application site. To the west of the site, 90-124 Mile End Road comprise a stretch of Grade II listed buildings which are 3 storeys in height. To the east of the site, 166 and 168 Mile End Road are Grade II listed buildings and 2a, 4-10 and 12-18 Stepney Green are also Grade II listed. These properties are approximately 4 storeys in height. To the north of the site, on the opposite side of Mile End Road are located a number of Grade II Listed buildings and structures including a drinking fountain, 107, 109, 111 and 113 Mile End Road. The properties are 4 stories in height which includes a basement level. The Anchor Brewery on Cephas Street is also Grade II Listed and located to the northeast of the application site.
- 4.7 The site is well served by public transport links, it is located approximately 250 metres from Stepney Green Underground Station which is served by the District and Hammersmith and City lines. The site is located approximately 650 metres from Whitechapel Station which is served by the East London Line as well as the Hammersmith and City and District lines and in the future will be a Crossrail station. The site is located on the A11 which is a strategic route running from the City of London. There is also a bus stop located directly outside the

application site on Mile End Road. The site has the highest Public Transport Accessibility Level (PTAL) rating achievable of 6a.

- 4.8 In the adopted Unitary Development Plan 1998, the northern section of the application site falls within the Stepney Green Conservation Area. The southern section of the application site has no designations.

### **Background**

- 4.9 A planning and conservation area consent application to redevelop Fulneck was submitted to the Local Planning Authority (LPA) in August 2009. The application was withdrawn by the applicants in November 2009 following objections raised by Officers. The applications sought a development proposal which mirrors the current applications under consideration.
- 4.10 Following the withdrawal of the planning application, the applicant has liaised with Planning Officers at LBTH including Highways Officers with a view to resubmitting this amended scheme.
- 4.11 The current resubmission seeks to overcome the previous concerns raised with an amended design. For ease of reference the main differences between the previous and current scheme comprise
- the increase in distance (set back of the proposed building) between the proposed development and Gracehill House by 2.5 metres.
  - A previously proposed sloping roof has been amended to a flat roof
  - Internal layouts of the family units are now provided with separate kitchen/dining and living rooms.

### **Planning History**

- 4.12 The following planning decisions are relevant to the application:

- 4.13 Site: Fulneck House, 150 Mile End Road

PA/09/1425 Application for full planning permission and conservation area consent for the demolition of existing block and erection of part four, part six storey building to provide commercial floorspace comprising retail (Use Class A1), financial and professional services (Use Class A2), restaurant/cafe (Use Class A3), business (Use Class B1) and/or non-residential institution (Use Class D1) to the ground floor, together with 79 residential units, car/bicycle parking, refuse/recycling facilities and access, landscaping and amenity proposals. This application was withdrawn on 3rd November 2009.

- 4.14 Site: Land to the west of Ockbrook (South of Fulneck House)

PA/07/01232 Planning permission was granted on 4th September 2007 for the demolition of 28 existing garages and 33 storage units. Construction of 8 new affordable dwelling houses of three and four stories in height comprising of 3 x three bedroom, 3 x four bedroom, 1 x four bedroom and 1 six bedroom and 1 x seven bedroom units with private amenity space, landscape improvements to communal open space, the provision of 31 new storage units and the creation of a new vehicle crossing onto Hannibal Road.

- 4.15 126 Mile End Road

PA/10/00514 Planning permission was refused on 1<sup>st</sup> June 2010 for the erection of a part three and part four storey building plus basement level for mixed-uses, incorporating a restaurant at ground floor and basement level and two residential flats (1 x 1 bed and 1 x 2 beds) on the upper floors.

## 5. POLICY FRAMEWORK

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

### 5.2 Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV9	Control of Minor Works
	DEV12	Provision Of Landscaping in Development
	DEV28	Demolition in Conservation Areas
	DEV50	Noise
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	EMP6	Employing local People
	EMP8	Encouraging Small Business Growth
	EMP10	Business Development Elsewhere in the Borough
	HSG7	Dwelling Mix and Type
	HSG13	Internal Space Standards
	HSG15	Development Affecting Residential Amenity
	HSG16	Housing Amenity Space
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network
	T21	Pedestrians Needs in New Development
	ST34	Viability of District Centres
	ST35	Reasonable Range of Local Shops
	S7	Special Uses
	S10	Requirements for New Shop front Proposals
	OS9	Children’s Playspace

### 5.5 Spatial Development Strategy for Greater London (London Plan) 2004

Polices	2A.1	Sustainability Criteria
	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.9	Affordable Housing Targets
	3A.17	Protection of social infrastructure
	3A.23	Health Impacts
	3A.24	Education Facilities
	3C.1	Integrating Transport and Development
	3C.2	Matching Development with Transport Capacity
	3C.22	Improving conditions for cycling
	3C.23	Parking Strategy
	3D.10	Open Space Provision in UDPs
	3D.13	Children’s and Young people’s play space
	3D.14	Biodiversity and Nature Conservation
	4A.3	Sustainable Design and Construction

4A.7	Renewable Energy
4A.11	Living Roofs and Walls
4A.14	Sustainable Drainage
4A.19	Improving air quality
4B.1	Design Principles for a Compact City
4B.3	Enhancing the Quality of the Public Realm
4B.5	Creating an Inclusive Environment
4B.6	Sustainable Design and Construction
6A.4	Planning Obligations Priorities

#### 5.4 Core Strategy Submission Version December 2009

SO3	Achieving wider sustainability
S05	Refocusing on our town centres
S06	
SP01	
SO7	Urban living for everyone
SO8	
SO9	
SP02	
SO10	Creating health and liveable neighbourhoods
SO11	
SP03	
SO17	Improving education and skills
SP07	
SO19	Making connected places
SP08	
SO20	Creating attractive and safe streets and spaces
SO21	
SP09	
SO22	Creating distinct and durable places
SO23	
SP10	
SO24	Working towards a zero-carbon borough
SP11	
SO25	Delivering placemaking
SP12	
	Whitechapel Vision Statement LAP 3 & 4

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

Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equality of Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP9	Employment Space for Small Businesses
	CP15	Provision of a Range of Shops and Services
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	CP24	Special Needs and Specialist Housing
	CP25	Housing and Amenity Space
	CP28	Healthy Living
	CP29	Improving Education Skills

	CP30	Improving open-spaces
	CP31	Biodiversity
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP44	Promoting Sustainable Freight Movement
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP49	Historic Environment
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
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV27	Tall Buildings Assessment
	RT3	Shopping Provision Outside of Town Centres
	RT4	Retail Development and the Sequential Approach
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing
	HSG4	Ratio of Social Rent to Intermediate Housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Affordable Housing
	CON1	Listed Buildings
	CON2	Conservation Areas

#### 5.4 **Supplementary Planning Guidance/Documents**

Residential Space Standards  
Designing Out Crime Parts 1 and 2

#### 5.6 **Government Planning Policy Guidance/Statements**

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPS5 Planning for the Historic Environment  
PPG17 Planning for Open Space, Sport and Recreation  
PPG24 Planning and Noise

#### 5.7 **Community Plan** The following Community Plan objectives relate to the application:

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

## 6. CONSULTATION RESPONSE

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

### **Transport for London (Statutory Consultee)**

6.1 Transport for London supports scheme subject to:-

- A financial contribution of £35,000 towards a feasibility study into the mitigation of any possible impact upon traffic movements at the Anchor Retail Park exit at Mile End Road.
- Permit free agreement with the Local Planning Authority
- Submission of a Delivery and Servicing Plan to ensure there is no impact upon the existing serving bay outside of 142 Mile End Road.
- Submission of the Residential Travel Plan through planning condition or Section 106 agreement
- Request for 20% of the car parking spaces to include the provision of electric car charging points
- Submission of a Construction Management Plan and Construction Logistics Plan
- Developer enters into a Section 278 agreement along Mile End Road
- Aboricultural Impact Report is submitted to clarify an possible impact upon trees located on the public highway footpath of A11 Mile End Road.

*(Officer Comment: A financial contribution of £35,000 would be secured in a S106 agreement which is considered acceptable. The requested conditions would be imposed on any permission).*

### **English Heritage (Statutory Consultee)**

6.2 English Heritage have welcomed the omission of the sloping top edge of the proposed development.

During the 2009 planning and conservation area consent application, English Heritage offered the following advice:

- Set back of upper floors was visually intrusive
- Proposed sloping top edge of upper floors was discordant design feature
- Materials of external facades should be carefully considered

*(Officer Comment: The current scheme is considered to have addressed the concerns raised by English Heritage in 2009 as stated by the English Heritage Officer).*

### **Environmental Health- Health and Safety**

6.3 No objection was raised to the principle of the proposal.

### **Environmental Health- Contaminated Land**

6.4 To date no comments have been received.

### **Environmental Health- Daylight and Sunlight**

6.5 The Councils Environmental Health Officer is satisfied that there is no impact upon daylight and sunlight of the adjoining properties at Gracehill and the end terrace building on the corner of Hannibal Road. These were the principle areas of concern in the 2009 planning application which was withdrawn. This issue is discussed in more detail under the main

issues section of this report.

### **Environmental Health- Hazardous Substances**

6.6 To date no comments have been received.

### **Environmental Health- Noise & Vibration**

6.7 The Environmental Health Officer has raised some concerns about the Noise Assessment methodology as it has been based on estimated noise exposure.

The implication of the inconsistency with the methods used could lead to inappropriate glazing being used along the Mile End Road, Stepney Green and Hannibal Road facades. The Environmental Health Officer has requested a condition is attached to any planning permission which ensures the appropriate glazing type is applied to the building elevations.

Condition: To ensure the internal noise levels are met within the proposed development, the following glazing is required to be installed:

- Mile End Road elevation glazing must have RW 40-45 (4-100-6) window specifications.
- Stepney Green and Hannibal Road elevation glazing must have RW 35-40 (6-100-6) window specifications.
- All other windows (located facing Gracehill/communal amenity space) must have RW 33-35 (6-12-6) window specifications.

*(Officer Comment: The requested condition will be imposed on any planning permission).*

### **Environmental Health- Smell/Pollution**

6.8 To date no comments have been received.

### **LBTH Transport and Highways**

6.9 LBTH Highways provided the following comments:

- Concerns raised with the size of the commercial unit (412 square metres) and the possibility that it could be used as a single unit. Deliveries to a unit of 412 square metres could be by large vehicles and with a high frequency, detrimentally impacting upon the highway network.
- No visibility splays have been submitted.
- It was previously (during pre-application discussions) requested to widen the entrance into the site (at Stepney Green and Hannibal Road) and this does not appear to have been done. Given that this is a shared pedestrian and vehicular access point, this is a concern.
- Submission and approval of a Delivery and Servicing Plan.
- Section 106 contribution for traffic calming on Hannibal Road and other highways works in the sum of £83,020.
- Data on trip generation of the commercial occupiers of the unit was also requested.
- Submission of a Construction Management Plan.

*(Officer Comments: The applicant has agreed to provide the £83,020 contribution requested. The applicant has also widened the entrance into the site in accordance with the Highways Officers comments and it is considered the concerns raised have now been addressed. The commercial unit will be imposed with a condition to restrict the size of a single unit to be no larger than 235 square metres. This is to prevent large delivery vehicles serving the unit. It is also considered that the trip generation information is therefore not*



*necessary at this stage, due to the imposition of the condition, however, this information will be assessed as part of the details submitted for approval for the Delivery and Servicing Plan (Condition 5 of the Planning Permission PA/10/925)).*

*All other conditions and informatives requested would be imposed on any planning permission. The Construction Management Plan condition will also be imposed upon any conservation area consent.*

#### **LBTH Landscape Department**

6.10 To date no comments have been received.

#### **LBTH Waste Management**

6.11 To date no comments have been received

#### **LBTH Education Development Team**

6.12 The Councils Education section have assessed the proposal as requiring a contribution towards 8 primary school places totalling £98,736.

*(Officer Response: The contribution has been agreed with the developer and would be secured via a S106 agreement).*

#### **LBTH Parks and Open Spaces**

6.13 An Arboricultural Impact Report is requested by the Arboricultural Officer at LBTH.

*(Officer Comment: A condition would be placed on any planning permission to secure the submission of this report.)*

#### **LBTH Primary Care Trust**

6.14 Tower Hamlets Primary Care Trust have requested a contribution to compensate for the burden on local health care services in the sum of £64, 163.

*(Officer response: The contribution has been agreed with the developer and would be secured via Section 106).*

#### **LBTH Communities, Leisure and Culture**

6.15 The Community, Culture and Leisure department have assessed the planning application based on proposed uplift of population at the application site of 141 people.

It is considered that the following contributions are required as a result of the uplift:

- Open Space contribution of £112,534.69
- Leisure facilities contribution of £66,014
- Library/Idea Store Facilities Contribution of £14,714.96

*(Officer Comment: The applicants have offered the following contributions:*

- *Open Space: £25,000. In addition, the applicant has agreed to ensure re-landscaping works to the land within the south of the Stepney Green estate are carried out for the benefit of all residents within the estate.*
- *Leisure Facilities: £66,014*
- *Library/Idea Store facilities: £14,714.96*

*These total at £105,728.96 these are considered reasonable and in accordance with the relevant statutory tests and national guidance).*

## 7. LOCAL REPRESENTATION

7.1 A total of 167 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No. of individual responses: 2                      Against: 2                      In Support: 0  
No. of petitions: 1 (signed by 122 individuals)                      Against: All                      In Support: 0

### 7.2 Density and land use

- Increased overcrowding as a result of the development
- More 3 and 4 bedroom units should be built to accommodate larger families
- density is too high

*(Officer Comment: Please refer to section 8 (4) and (5) of the report for further discussion on the above points).*

### 7.3 Design and Impact on Conservation Area

- Building too large and bulky
- Incongruous building
- Overbearing
- Loss of views
- Too high for such a sensitive, historic and visible location
- The overhang at junction of Mile End Road and Stepney Green is not pedestrian friendly design

*(Officer Comment: Please refer to section 8 (3) of the report for further discussion on the above points).*

### 7.4 Amenity Impacts

- Increased nuisance as a result of the development
- Loss of natural sunlight to the adjoining properties
- Increase in pollution, street noise and litter
- No equipped children's play area has been provided
- Concerns of safety and security at the access into the site
- Noise impacts of balconies on Hannibal Road
- Overshadowing
- Proposed flats along Mile End Road elevation are too close to traffic

*(Officer Comment: Please refer to section 8 (6) and (7) of the report for further discussion on the above points).*

### 7.5 Loss of privacy

- Loss of privacy/overlooking

*(Officer Comment: Please refer to section 8 (7) of the report for further discussion on the*

above points).

#### 7.6 Impact on local infrastructure

- Increased pressure on local schools, post offices, health centres, GP practices etc.
- Increased congestion and parking problems in local area
- Lack of community facilities within the local area
- There should not be a decrease in car parking spaces given the increase in residential units
- Proposed landscaping only benefits residents of the application site, surrounding local residents do not benefit
- Applicant should have provided a local community hall to meet local needs

*(Officer Comment: Please refer to section 8 (9) of the report for further discussion on the above points).*

7.7 The following issues were raised in representations that are not considered material to the determination of the application:

- 7.8
- Assurances had been provided to residents by Southern Housing Group that the redevelopment would be wholly affordable housing with no commercial floorspace or market housing.
  - Business model of Southern Housing Group considered objectionable by residents
  - Financial gain of a Social Housing Group considered inappropriate by residents
  - Concern is raised with regard to proposed compensation offered by the applicant to remaining residents.

### 8. MATERIAL PLANNING CONSIDERATIONS

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

- 8.2
1. Land-use
  2. The demolition of Fulneck House
  3. Design and heritage
  4. Density
  5. Housing
  6. Amenity for future occupiers
  7. Impact on amenity of neighbours
  8. Transport Impacts
  9. Other planning matters

#### **Land-use**

8.3 There is currently a four storey building on the site which provides 30, two-bedroom residential units (C3). The area to the south east of the application site is used for car parking and within the southwest of the site lies some communal amenity space and existing garages. The application proposes a mixed use development comprising residential (C3) and 412 square metres of commercial floorspace (Use Classes A1/A2/A3/B1 and/or D1).

8.4 Within the adopted Unitary Development Plan 1998 (UDP), Interim Planning Guidance 2007 (IPG) and Core Strategy 2009 (CS), the site is not designated. The existing site is residential and the surrounding area is predominantly residential, therefore the proposal to retain and maximise housing at the application site is considered to be acceptable and in

keeping with the land uses in the area.

- 8.5 The provision of additional housing is a key aim of national, regional and local planning policy and the proposal would accord with policies 3A.1, 3A.3, 3A.5 of the consolidated London Plan 2008, policy CP19 of the IPG and policy S07 and S08 of the CS; which seek to maximise the supply of housing.

#### Principle of provision of commercial use

- 8.6 The application proposes the provision of 412 square metres of ground floor commercial space fronting Mile End Road. This could be used for uses falling within Classes A1 – Retail Shops; A2 – Financial and Professional services; A3 – Restaurants/Cafes; D1 – Non-Residential Institutions and/ or B1 – Offices.
- 8.7 The provision of this commercial element adds interest and activity to the Mile End Road elevation, continuing the existing commercial street frontage which exists along Mile End Road, directly adjoining the application site to the east and west. It is therefore acceptable in land-use terms as it accords with policy DEV3 of the UDP and policy CP15 of the IPG which encourages mixed use developments and the provision of shops and services to meet the needs of local residents. The potential amenity impacts of these uses are considered below – and are found acceptable in terms of saved UDP policy S7.
- 8.8 At 412 square metres, the level of commercial provision if provided as a single unit is considerable and could impact upon the existing commercial provision adjoining the application site. In order to minimise any possible impact, a condition is proposed to be added to any planning permission restricting a single commercial unit to be no larger than 235 square metres. This restriction will provide a more modest sized commercial unit which is likely to cater for local convenience needs without detriment to the Whitechapel District Centre and other local commercial operators, and as such it would accord with saved UDP policies ST34, ST35 and S7 and policy RT3 of the IPG which seek to provide a range of shopping in the borough, including local shops, within a short walking distance of all residents.

#### **Demolition of the Existing Building**

- 8.9 In determining the application for conservation area consent for demolition, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Stepney Green Conservation Area.
- 8.10 Saved UDP policy DEV28 says that proposals for the demolition of buildings in conservation areas will be considered against the following criteria:
1. The desirability of preserving or enhancing the character or appearance of the area;
  2. The condition of the building;
  3. The likely costs of repair or maintenance of the building;
  4. The adequacy of efforts to maintain the building in use; and
  5. The suitability of any proposed replacement building.
- 8.11 Policy CON2 of the Council's IPG states that applications for the demolition of buildings that make a positive contribution to the character and appearance of a conservation area will be resisted.
- 8.12 National advice in PPS5: Planning and the historic environment (PPS5), requires local planning authorities when exercising conservation area controls to pay special attention to the desirability of preserving or enhancing the character and appearance of the area. This

is said to be the prime consideration in determining a conservation area consent application for demolition. Account should be taken of the part played in the architectural interest of the area by the building for which demolition is proposed, and in particular of the wider effects on the building's surroundings and on the conservation area as a whole.

- 8.13 English Heritage advises *“the existing buildings on the site of the current proposal are of no architectural merit”*. Based on the advice provided by English Heritage it is not considered that the existing buildings make any contribution to the character and appearance of the Stepney Green Conservation Area and therefore the principle of demolition of Fulneck House is acceptable, subject to demolition being conditioned to the implementation of an appropriate planning permission. This is in accordance with saved policy DEV28 of the UDP and policy CON2 of the IPG which seek to ensure appropriate development within Conservation Areas.

## **Design and Heritage**

### Design

- 8.14 Good design is central to the objectives of national, regional and local planning policy. Chapter 4B of the London Plan refers to ‘Principles and specifics of design for a compact city’ and specifies a number of policies aimed at achieving good design. These policies are reflected in saved policies DEV1, DEV2 and DEV3 of the UDP; and IPG policies DEV1 and DEV2.
- 8.15 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.
- 8.16 Policy CP4 of the IPG seeks to ensure new development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.17 The application is not a ‘tall building’ within the definition set by the Mayor as it is not higher than 30m above ground level, nor does it significantly exceed the height of neighbouring properties.
- 8.18 In considering the design of the proposal, it is important to understand the context of the site. The site occupies an important location on a key route through the Borough. The site is relatively large and occupies a prominent position opposite and in close proximity to a number of Grade II listed buildings.
- 8.19 The current building is of no architectural merit and is not considered to make a positive contribution to the streetscene. The site presents a long blank flank facade to Mile End Road and present a car park and open service area along Stepney Green and Hannibal Road. The buildings are nearly 40 years old and in need of redevelopment.
- 8.20 The proposed design is considered to be of a high quality and will be a positive addition to the Mile End Road street scene. The development therefore accords with the requirements of saved UDP policy DEV1 and policy DEV2 of the IPG which seek to ensure the provision of high quality developments in keeping with the context of the site and surrounding area.

### Layout, height, bulk and appearance

- 8.21 The revised scheme is considered to make a positive response to concerns raised by Officers and English Heritage. In particular, there was a concern with the sloping top edge of the building roof profile. This has now been amended to provide a flat roof design and as a result, the overall height of the proposal has decreased from between 0.3 metres along

Hannibal Road to 1 metre at the junction of Mile End Road and Stepney Green.

- 8.22 In principle the height of the proposed scheme is considered to be acceptable as it does not excessively exceed the height of surrounding buildings, including Gracehill to the south of the site. Given the width of Mile End Road, there is no substantial impact on the streetscape, and the stepping back of the upper floors is considered to mitigate any impact upon the short views. The stepping back of the upper floors will mediate any impact upon longer views as the height and bulk of the proposal will be reduced and set into the application site.
- 8.23 The revised scheme is also considered to make a positive response with regard to the need to provide an increased set in between the proposed development and Gracehill. The revised scheme has stepped the building line back and also set in the upper 5th and 6th floors. The revised scheme is now considered to be acceptable at this junction where the buildings interface.
- 8.24 The layout of the proposal alters the built environment along Mile End Road, Stepney Green and Hannibal Road. The frontage of Mile End Road is proposed to incorporate commercial uses which will enliven this busy thoroughfare. Along Stepney Green and Hannibal Road. It is proposed to provide a built edge where there is currently none. This area is currently open and looks into a surface level car park and residential refuse and recycling storage area, it is not considered to be the most desirable outlook for Fulneck House residents and surrounding residents. It is considered that the proposals to provide a street facing built form, with a single vehicular access and a further pedestrian access into the site will enhance the Conservation Area and the built environment to the south of the site.
- 8.25 The revised scheme also proposes to strengthen the access links into the existing communal gardens to the south of the Stepney Green estate. It is proposed to provide a link through the ground floor of the existing Gracehill building allowing residents to travel through the communal area proposed within the application site, through Gracehill House and into the communal gardens which are planned to be re-landscaped, with the provision of a children's play area.
- 8.26 The proposed layout, height, bulk and appearance is considered to be a marked improvement on the existing built form. The bulk and height of the proposed development are considered to be sensitive to the adjacent built form and respond positively to the street scene. The development therefore accords with the requirements of saved UDP policies DEV1 and DEV2 and policies DEV1, DEV2, DEV3 and DEV4 of the IPG, which seeks to ensure development proposals are appropriately set within the context of the site and surroundings and do not impact upon neighbouring amenity.

#### Impact on the Conservation Area

- 8.27 The site is located in the Stepney Green Conservation Area. In assessing any development proposal in a Conservation Area, the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. PPS5 provides additional advice on the approach to development in Conservation Areas. This document includes the advice that new buildings need not copy their older neighbours in detail, as a variety of styles can add interest and form a harmonious group.
- 8.28 National guidance is carried through to the local level where IPG policy CON2, re-asserts that development in Conservation Areas should preserve or enhance the distinctive character or appearance of that area in terms of scale, form, height, materials, architectural detail and design.
- 8.29 The character of the Stepney Green Conservation Area is identified in the Council's

Conservation Area Appraisal and Management Guidelines. The Conservation Area comprises a long stretch of Mile End Road and surrounding it in Assembly Passage, Louisa Place and Stepney Green itself. The appraisal states:

*"The scale and character of the buildings and trees along this route [Mile End Road] give it the quality of a significant boulevard "*

- 8.30 The Conservation Area Appraisal and Management Guideline acknowledge that the A11 is a significant route which can accommodate an element of uplift, if sensitively designed.
- 8.31 As discussed above, the height of the buildings is comparable to existing buildings in the area and is appropriate to the character of the Conservation Area. The submitted sequence of views within the Townscapes and Visual Impact Assessment provides further detailing of the impact of the proposed development.
- 8.32 The detailed design and articulation of the Mile End Road facade provides interest within the streetscape. The main elevation of this building, through the use of a variety of materials, set at differing levels on this facade provide character and show attention to detail at design stage. The proposal is considered to enhance the Stepney Green Conservation Area.
- 8.33 In overall terms, the replacement of the existing building with the proposed development is considered to enhance the special character and appearance of the Stepney Green Conservation Area and is appropriate in terms of scale, design and use of materials. The development therefore accords with the requirements of IPG policies CON2 and advice in PPS5.

#### Impact on adjoining Listed Buildings

- 8.34 There are a number of Grade II listed buildings close to the site. Adjoining the site, there is terrace of Grade II listed properties stretching from 90-124 Mile End Road. To the east of the site, 166 and 168 Mile End Road are Grade II listed buildings and 2a, 4-10 and 12-18 Stepney Green are Grade II listed. To the north of the site, on the opposite side of Mile End Road are located a number of listed buildings and structures including a drinking fountain, 107, 109, 111 and 113 Mile End Road. The Anchor Brewery on Cephas Street is also Grade II listed and located to the northeast of the site.
- 8.35 IPG policy CON1 states that development should not be permitted if it would have an adverse impact on the setting of a listed building, guidance in PPS5 is also relevant.
- 8.36 Currently the setting of these listed buildings is marred by the existing Fulneck House building, which is considered to be of no architectural merit and in need of redevelopment.
- 8.37 The proposals would not detrimentally impact upon the setting of these listed building. It is considered that the current proposal, due to its design, scale and detailing would improve the setting of the listed buildings in the surrounding area. The proposal is considered to be in accordance with policy CON1 of the IPG and PPS5.

#### Permeability and Security

- 8.38 Saved UDP policy DEV1 and IPG policy DEV4 require development to consider the safety and security of users. Regard should also be given to the principles of Secure by Design. However, these matters must also be balanced against the requirements to promote site permeability and inclusive design.
- 8.39 The pedestrian accesses into the commercial and residential uses are separate. The principle commercial access to the development is via Mile End Road with one further

(smaller) door provided at the junction of Mile End Road and Stepney Green.

- 8.40 The main pedestrian access into the development site is via the shared vehicular and pedestrian entrance, located at the junction of Stepney Green and Hannibal Road. The majority of residents located within units facing Mile End Road and at the junction of Stepney Green will use this access point. The residents of the two houses located in the southwest of the application site will also use this access point. A further access point is provided on Hannibal Road for residents living in the block predominantly fronting Hannibal road. All access routes provide good permeability through to the communal amenity space located to the rear of the site.
- 8.41 It is noted that objectors have raised concerns about security as part of the proposals. However, security of the site would actually be improved as the proposal provides a built edge along Hannibal Road which is currently open. A gate is also proposed at the end of the shared vehicle and pedestrian access route to prevent unauthorised access into the communal amenity area.
- 8.42 As such it is considered that the layout of the development has improved the permeability and security of the application site, and the accessibility through the application site to the Stepney Green estate. The proposal is therefore considered to accord with the requirements of saved UPD policy DEV1 and IPG policy DEV4.

### **Density**

- 8.43 National planning guidance in PPS1: Sustainable Development and PPS3: Housing stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3A.3 – which requires development to maximise the potential of sites, and policy 4B.1 – which details design principles for a compact city. IPG policies CP20 and HSG1 and CS Policies S07 also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.44 The site has an area of 0.35 ha. The application proposes a redevelopment with a residential density of 760 habitable rooms per hectare. In an urban area with a PTAL of 6 London Plan Policy 3A.3 states that a density range of 200-700 hr/ha is appropriate.
- 8.45 In the simplest of numerical terms, the proposed density would appear to suggest an overdevelopment of the site. However, the intent of the London Plan and the Council's Interim Planning Guidance is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity.
- 8.46 However, it should be noted that solely exceeding the recommended range is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that the high density value was symptomatic of an overdevelopment of the site. Typically an overdeveloped site will experience shortfalls in amenity space, experience amenity impacts on adjacent properties and fail to take account of local built form. These specific factors are considered in detail in later sections of the report and are found to be acceptable.
- 8.47 In overall terms, the development makes the most efficient use of land. The proposed mitigation measures, including financial contributions towards local education, healthcare, transport and greenspaces, ensure that the development has no significant adverse impacts and accords with the aims of London Plan policy 3A.3, IPG policies CP20 and HSG1) and policy S07 of the CS.

### **Housing**



8.48 The application proposes 78 residential (Class C3) units in the following mix when split into 23 market and 55 social-rent tenure units.

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

Affordable Housing

8.50 London Plan policies 3A.8 and 3A.9 state Boroughs should seek the maximum amount of affordable housing. Interim Planning Guidance Policies CP22 and HSG3 of the IPG require the provision of 35% affordable housing on schemes of 10 dwellings or more. Policy HSG10 notes that it is acceptable for the proportion of affordable housing to be calculated using habitable rooms as the primary measure.

8.51 The scheme provides a total of 55 affordable housing units, which equates to 75% of the habitable rooms and accords with and exceeds IPG policy CP22. It is therefore considered that the proposed level of affordable housing is appropriate.

Social Rent / Intermediate Ratio

8.52 London Plan policy 3A.9 states that there should be mix of tenures within the affordable housing units with 70% social rent and 30% shared ownership. The Council's own CS policy SP02 requires a split of 70% social rent and 30% shared ownership given the particular shortage of social rent units in the Borough.

8.53 The application proposes 100% social rented accommodation with no intermediate provided on site.

8.54 In line with policy HSG4 of the IPG provision is made for a variation to tenure ratios on sites which sites which provide in excess of 50% affordable housing. As such whilst the development does not accord with the London Plan or LBTH tenure split policy, it is considered acceptable given the 71% affordable housing being provided and the local need for family and social rented accommodation in the borough.

Mix of dwelling sizes

8.55 The Council's housing studies have identified that there is a significant deficiency of family housing within the Borough. This shortage is reflected in Council policy which seeks to ensure development provides a range of dwelling sizes.

Saved policy HSG7 of the UDP requires development to provide a mix of unit sizes. London Plan policy 3A.5 also requires development to offer a range of housing choice. IPG policies CP21 and HSG2 specify the particular mix of unit sizes required across different tenures in the Borough.

8.56

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total units in scheme	units	%	target %	units	%	target %	units	%	target %

Studio	0	0		0	0		0	0		0
1 bed	20	15	60%	20	0	0		5	95%	37.5
2 bed	35	18		35	0			17		37.5
3 bed	15	15		30	0			1		25
4 bed	7	7	40%	10	0	0		0	5%	
5 bed	0	0		5	0		0	0		0
<b>TOTAL</b>	<b>78</b>	<b>55</b>			<b>0</b>			<b>23</b>		

**Table 1: Unit Mix**

- 8.57 The numerical shortfall in the provision of family sized units needs to be balanced against the value of the type of units being provided. In this case the scheme would provide 15 three bedroom units and 7 four bedroom units, where four of the 4 bedroom units include private back garden amenity space. This type of unit would be ideal for family use and is a particularly valued form of accommodation.
- 8.58 A more policy compliant mix could be achieved, however on balance it is considered that the overprovision of 4 bedroom units and the provision of private amenity space for the family units is adequate justification for the overall shortfall of family accommodation throughout the application site. As such the proposal is considered to be acceptable in terms of policy requirements.

#### Wheelchair Housing and Lifetime Homes

- 8.59 London Plan policy 3A.5 and IPG policy HSG9 require housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible.
- 8.60 It total 9 or 11% of wheelchair accessible units are proposed throughout the application site. There are also 7 dedicated disabled parking spaces in the basement. A lift is located close to each of the accessible units providing access to the basement car park.
- 8.61 In terms of compliance with lifetime homes standards, each home has been designed to comply with Lifetimes Homes Standards. A condition will be included to ensure that these standards are secured.
- 8.62 In overall terms, the units fully comply with lifetime homes standards and are readily adaptable and the level of wheelchair housing provision is in accordance with the requirements of London Plan policy 3A.5 and IPG policy HSG9 (2007)

#### **Amenity for Future Occupiers and Users**

##### Standard of accommodation

- 8.63 London Plan policies 4B.1 and saved UDP policy DEV1 set out general principles of good design. London Plan policy 3A.6 seeks quality in new housing provision. UDP policy HSG13 requires new development to make adequate provision of internal residential space. Supplementary Planning Guidance: Residential Space sets minimum space standards for new development.

##### Floorspace

- 8.64 The submitted schedule of housing shows that the flats, in all cases, meet or exceed the internal space requirements of supplementary planning guidance. In particular, the revised scheme proposes all units with three bedrooms or more to provide combined

kitchen/dining facilities with a separate living room.

#### Daylight / Sunlight

- 8.65 The submitted daylight and sunlight study considers proposed light-levels within the proposed development. Daylight Distribution calculations have been determined for those rooms in the development that are likely to receive the least light. These show that all rooms will receive sufficient natural daylight to pass BRE ADF targets, and as such levels of internal lighting are considered acceptable.

#### Privacy

- 8.66 Within the development, across the central courtyard, a distance of between 26m and 37m separates the proposed Mile End Road block and Gracehill Houses' directly opposing rooms ensuring that future residents will have sufficient privacy. There is a separation of 38m between the proposed dwellinghouse's in the southwest corner of the application site and the Hannibal Road elevation, ensuring that residents will have sufficient privacy.
- 8.67 A number of proposed balconies at the application site, afforded views into adjoining residential units. This was of concern during the application stage, however the applicant sought to resolve this by removing four of the most harmful balconies which were proposed on the smaller two-bedroom flats, and submitting details of proposed balcony screens which are proposed to be installed to ensure the usability of the private amenity space and the privacy of adjoining residents. The proposal accords with saved policy DEV1 of the UDP and policy DEV2 of the IPG which seeks to protect the amenity of future residents.

#### Noise

- 8.68 The development has been accompanied by a Noise Assessment produced by Mayer Brown Limited. The study notes that the site is affected by road noise and proposes the use of different glazing along certain elevations. As such a condition has been drafted to ensure there is no impact upon future residents. This would be secured by condition.
- 8.69 The commercial units could also have an impact on the development in terms of potential noise and disturbance from machinery / ventilation equipment, or from users. Conditions would be used to require the submission of the detail, and likely noise output from any mechanical equipment for approval. A condition would also prevent the late opening of any commercial use. With these controls the occupants of the development would not suffer from any unreasonable noise or disturbance and the proposal would be acceptable.

#### Residential Amenity Space

- 8.70 Saved UDP policy HSG 16 requires that new development should make adequate provision of amenity space. IPG Policies CP25 and HSG7 sets minimum space standards for the provision of private, communal and child play space in new developments. London Policy 3D.13 on the provision of child play space is also relevant.
- 8.71 Policy HSG7 requires the development to provide the following private, communal and child play space:-

Category	HSG7 Policy Standard	Number of units	Policy Requirement (sqm)
Ground floor units with 3 or	50	5	250

more beds			
Ground floor units with less than 3 beds	25	4	100
Other 1 bed units and studios	6	19	114
Other 2 or more bedroom units	10	50	500
TOTAL		78	964

**Table 2: Private Amenity Space requirement**

8.72

	LBTH Policy Requirement	London Plan Policy Req't	Proposed within scheme
Private Amenity Space	964 sq.m	N/A	826
Communal Open Space	118 sq.m	N/A	497
Child Play Space	205sq.m	684sq.m	

**Table 2: Proposed Communal and Child Play Space**

8.73 In terms of communal amenity and child play space, the scheme requires 323 square metres under LBTH policy HSG7 and 684 square metres under London Plan policy requirements. The scheme proposes a total of 497 square metres. This comprises of the following:

- (a) Informal play space at the application site
- (b) A proposed ball court at the application site
- (c) A children's play area at land to the south of the application site.

8.74 It considered the scheme makes good provision of high-quality amenity space in the form of the large communal landscaped area in the centre of the development, between Fulneck House and the existing Gracehill House. The landscape proposals include the provision of usable outdoor space including a ball court and lawn area to the west and a separate raised lawn (forming the informal play space) to the east of the communal gardens.

8.75 The landscape works also include proposals to link pedestrian routes from the communal amenity space at Fulneck House down to communal gardens located to the south of Stepney Green estate (to the west of Ockbrook House). This is being achieved through the provision of an undercroft link at Gracehill House. The undercroft link will be located at the position of the existing temporary estate office.

8.76 The link through to the southern section of the estate is proposed to provide access to communal gardens which are proposed to be re-landscaped, including the provision of a children's play area (including play equipment).

8.77 The proposal is considered to provide quality communal and child play space in line with the requirements of IPG policy HSG7. It is however acknowledged that the proposal represents a shortfall under the requirement of the London Plan. As such the developer has agreed to provide contributions for off-site open space which will be secured via section 106, which is detailed in section 9 of this report.

8.78 On balance, it is considered that the provision and quality of communal amenity space provided within the application site is acceptable. The proposal is considered to accord

with saved UDP policy HSG 16 (1998) and policy HSG7 of IPG (2007) and London Plan policy 3D.13.

#### Refuse and recycling

- 8.79 Provision is made for refuse and recycling in three separate stores located on the ground floor. Two stores are provided for residential refuse and recycling and one store is for the sole use of the commercial occupiers. Access to the commercial store for collection is achieved via Mile End Road, and the collection for the two residential stores is undertaken from Hannibal Road to minimise disruption to the road network. None of the refuse and recycling stores are located facing the landscaped communal amenity area. This is satisfactory and accords with requirements of saved UDP policy DEV55, which seeks to ensure development makes adequate provision for the collection and storage of refuse.

#### **Impact on amenity of neighbours**

#### Daylight and Sunlight

- 8.80 Policy DEV2 of the UDP seeks to ensure that adjoining buildings are not adversely affected by a material deterioration in their daylighting and sunlighting conditions. Policy DEV1 of the IPG states that development should not result in a material deterioration of sunlight and daylighting conditions for surrounding occupants.
- 8.81 The Applicant has submitted a detailed Daylight and Sunlight Report produced by RPS. The submitted study assesses the impact of the development on existing properties surrounding the development site, namely Gracehill House and the corner block at Hannibal Road. The study assesses these properties in particular as they were identified during the course of the previously withdrawn application (PA/09/1425) to require full assessment.
- 8.82 The study also assesses the impact of the development on itself.
- 8.83 The revised scheme has set the building line away from Gracehill at all levels of the proposed development which has reduced any potential impacts on neighbouring occupiers that existed at the time of the previous application.

#### Daylight:

- 8.84 Daylight is normally calculated by three methods – the vertical sky component (VSC), No Sky Line (NSL) and the average daylight factor (ADF). The submitted study shows that neighbours will suffer from some loss of light. Nevertheless, all worst-case rooms still meet BRE ADF targets. Given compliance with these, and the urban location of the site, the impact of the development on daylight to neighbouring properties is considered acceptable.

#### Sunlight:

- 8.85 Sunlight is assessed through the calculation of annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter for each window within 90 degrees of due south (i.e. those windows which receive sunlight).
- 8.86 It has been assessed that all neighbouring windows will remain above BRE targets. The impact on neighbouring sunlight is therefore considered acceptable.
- 8.87 The submitted study shows that the development will have some impact on neighbours in terms of loss of light, loss of sunlight and overshadowing. However, the study also

demonstrates that these losses do not exceed recommendations given in BRE guidance. Given the urban context and the compliance with BRE guidance the impact is acceptable in terms of UDP policy DEV2 and IPG policy DEV1.

#### Overlooking / loss of privacy

- 8.88 Saved UDP Policy DEV2 requires that new development should be designed to ensure that there is sufficient privacy for neighbouring residents. The policy states that a distance of 18m between opposing habitable rooms reduces inter-visibility to a degree acceptable to most people.
- 8.89 The main issue is whether the proposed development will result in a significant loss of privacy to neighbouring occupiers – in particular the flank wall of the proposed development facing Gracehill House and the residents of properties in the existing block located at Hannibal Road.

#### Flank elevation of proposed development and Gracehill House

- 8.90 The revised application has increased the separation distance between the flank wall of the proposed development and the Gracehill House building from 3 metres to 5.2 metres. Small windows are proposed in the flank elevation of the proposed development serving habitable rooms, which will be conditioned to be obscure glazed through a condition. Given only kitchen and bathroom windows exist in the opposing elevation at Gracehill House and the use of obscure glazing the relationship of these blocks is considered to be acceptable.

#### Hannibal Road elevation and existing Hannibal Road properties

- 8.91 There are windows serving habitable rooms proposed within the development block along Hannibal Road. The opposing elevation comprises existing units at the junction of Stepney Green and Hannibal Road and also contains windows serving habitable rooms. There is a distance of 14 metres between these buildings. Although a degree of overlooking could be possible due to the distance between the properties, relatively few windows are considered to be affected and the relationship is considered to be acceptable given the existing street layout.

#### Overbearing/Sense of enclosure

- 8.92 Residents have objected to the scheme on the basis that the increase in built development will create a sense of enclosure and be overbearing. This matter always tends to be subjective and cannot be readily assessed in terms of a percentage or measurable loss of light. The development will cause some feeling of increased enclosure by its nature of bringing forward the building line along Hannibal Road. It is considered that the provision of front gardens along Hannibal Road provides a defensible space and will increase the footpath creating a more open built environment along Hannibal Road.
- 8.93 One of the concerns raised during the previous application was the blank and solid appearance of the end facade which faces Gracehill House (the south eastern corner of the proposed building), which had no openings or windows. The applicant has now responded to this concern by increasing the set back of this building to minimise any perception of overbearing. It is not considered that the proposal would adversely impact on the Gracehill House and surrounding residents given the design and layout of the block and the orientation of the Gracehill units.

#### Noise / disturbance

- 8.94 As detailed at paragraph 8.71 above, a condition is proposed to be imposed to ensure ground floor commercial uses do not impact upon the amenity of existing residents.

- 8.96 Saved Policy DEV50 of the UDP (1998) states that the Council will consider the level of noise from a development as a material consideration. This policy is particularly relevant to construction noise during the development phase. To ensure compliance with this policy conditions would be placed on any permission restricting construction works to standard hours.

### **Transport Impacts**

- 8.97 The site falls in an area with a public transport accessibility level (PTAL) of 6. Mile End Road is a Strategic Cycle Route. The nearest bus stop is located directly outside the application site on Mile End Road. Bus routes 25 and 205 run from outside the application site. Train stations are located at Whitechapel and Stepney Green which are both within a short walking distance of the site.
- 8.98 National guidance on transport provision is given in PPG13: Transport. London Plan policies 2A.1, 3C.1, 3C.2, 3C.3, 3C.21, 3C.22 and 3C.23; and IPG policies CP1, CP41, DEV16, DEV17, DEV18 and DEV19 (2007) in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.
- 8.99 Saved UDP policy T16 (1998) requires that consideration is given to the traffic impact of operational requirements of a proposed use and saved UDP policy T18 (1998) seeks to ensure priority is given to the safety and convenience of pedestrians.
- 8.100 The application is supported by a Transport Assessment and framework Travel Plan prepared by Mayer Brown. This report details the policy context and baseline conditions in respect of the local areas public transportation and road network.

### Access and Servicing

- 8.101 The application proposes closing the existing access to the south of the site at Hannibal Road. A single new vehicular and pedestrian access to the site and the basement car-park would be provided further to the north of the existing access (at the junction of Stepney Green and Hannibal Road). This access would be a 'shared surface' comprising hard-landscaping that would allow vehicles to enter into the central area. The central area provides a sufficient turning space for large vehicles. Residential refuse stores, biomass fuel delivery and servicing for commercial unit(s) can all be achieved from this central area which will be manned by an on-site care taker.
- 8.102 The proposed access arrangements have been reviewed by the Council's Highway Section and are considered acceptable.

### Vehicle Parking

- 8.103 The application proposes 40 car-parking spaces and 9 motorcycle bays. Electric car-charging points would also be provided for 20% of car parking spaces. The proposed level of parking corresponds to a 51% provision and is just above the maximum 50% level permitted by policy. Seven larger wheelchair accessible bays would be provided which also accords with policy. No parking is proposed for the commercial element of the scheme.
- 8.104 Existing tenants at the application site still benefit from a car parking space and it is therefore necessary to manage the reallocation of these spaces when residents are relocated back into the development site. In order to appropriately allocate car parking provision throughout the site for future residents, the s106 would require a Parking Management Strategy to be submitted to ensure that an appropriate car parking proposal is put forward at the application site and implemented accordingly, ensuring that existing

tenants retain their allocated parking spaces.

- 8.105 If planning permission is granted, the developer would agree to enter into a car-free agreement so that no parking permits are issued to new residents to park onstreet. This would prevent additional pressure for on-street parking and reduce congestion and promote alternative modes of transport.
- 8.106 It is noted that some residents consider that the level of car-parking is insufficient. However, given policy objectives to promote sustainability, Officers consider that both residential and commercial parking arrangements are acceptable in terms of London Plan policy 3C.23 and IPG policy DEV19 (2007).

#### Cycle Parking

- 8.107 The application proposes 102 cycle parking spaces. These are located throughout the site, the majority of which are in three separate secure stores within the basement area (62 spaces) with an additional bike store located at ground floor level (24 spaces). Two further visitor cycle bays are located at the entrance to the commercial units (6 spaces) and one is located within the communal amenity space of the application site for visitors (8 spaces). Two further cycle spaces are located within the loading bay. The level of provision accords with London Plan policy 3C.22 and IPG policy CP40 (2007) and is acceptable.

#### Impact on local transport infrastructure

##### *Public Transport; Bus and Rail*

- 8.108 The transport assessment estimates that additional demand on train and bus services could easily be absorbed into existing capacity. Officers agree with this finding.

##### *Road*

- 8.109 LBTH Highways Officers and TfL consider it necessary to propose mitigation in the form of traffic calming and highways improvements works for which the developer has agreed to provide contributions as detailed in section 9 of this report. Given the relatively small scale of this scheme, it is not considered that the cumulative impact of this and other development in the area is likely to be significant. Localised impacts have been mitigated against through the Section 106 contributions. The scheme is considered acceptable in terms of transportation policies including saved UDP policy T16 IPG policy CP1, CP41, DEV16, DEV17, DEV18 and DEV18 which seek to promote sustainable modes of transport by reducing car-parking and improving public transport.

#### **Other Planning Matters**

##### Air Quality

- 8.110 London Plan policy 4A.19 and IPG policy DEV11 require the potential impact of a development on air quality to be considered. IPG policy DEV12 requires that air and dust management is considered during demolition and construction work. The application has been accompanied with an Air Quality Assessment prepared by Mayer Brown Limited. The study is a desk-based assessment that considers these potential impacts.
- 8.111 The study concludes that during the construction phases the development may have some adverse impacts in terms of the generation of dust emissions. It is considered that this matter can be controlled via an appropriate construction management plan. This would be secured by condition.



### Renewable Energy and Energy Efficiency

- 8.112 London Plan energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and renewable energy technologies. Policy 4A.7 states that new developments should achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. IPG policies CP28, DEV5 and DEV6 (2007) have similar aims to London Plan policy.
- 8.113 The application is accompanied with a Sustainable Energy Statement produced by Font Energy. This details state that the development proposes a 100kW biomass boiler to supply the whole development via a site-wide heat distribution network. The proposed residential units would be completed to Code for Sustainable Homes Level 4.
- 8.114 The measures outlined are expected to reduce CO2 emissions from the site by 24%. This is considered acceptable. LBTH's Energy Officer requested the submission of further details of the Biomass Boiler proposed for installation given the Boroughs location within an Air Quality Management Area. This would be secured by condition.

### Biodiversity

- 8.115 The application proposes a green and brown roof. The Mile End Road rooftop and Hannibal Road rooftop will both benefit from a green roof whilst the corner junction of Mile End Road and Stepney Green is proposed to have an extensive brown roof. It is considered that the green and brown roof will enhance the ecological value of the application site and the surrounding area and therefore accords with policy CP31 of the IPG and London Plan policy 3D.14.

### S106 Contributions

- 8.116 Policy DEV4 of the adopted UDP and Policy IMP1 of the Tower Hamlets Core Strategy and Development Control Plan September 2007 say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

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

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

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

The proposed heads of terms are:

### Financial Contributions

- a) £35,000 towards Transport for London feasibility Study
- b) £64,163 towards healthcare
- c) £83,020 towards traffic calming and highways improvements
- d) £25,000 towards off-site open space
- e) £66,014 toward leisure facilities
- f) £14,714.96 towards Library/Idea store facilities
- g) £98,736 towards education

### Non-financial Contributions

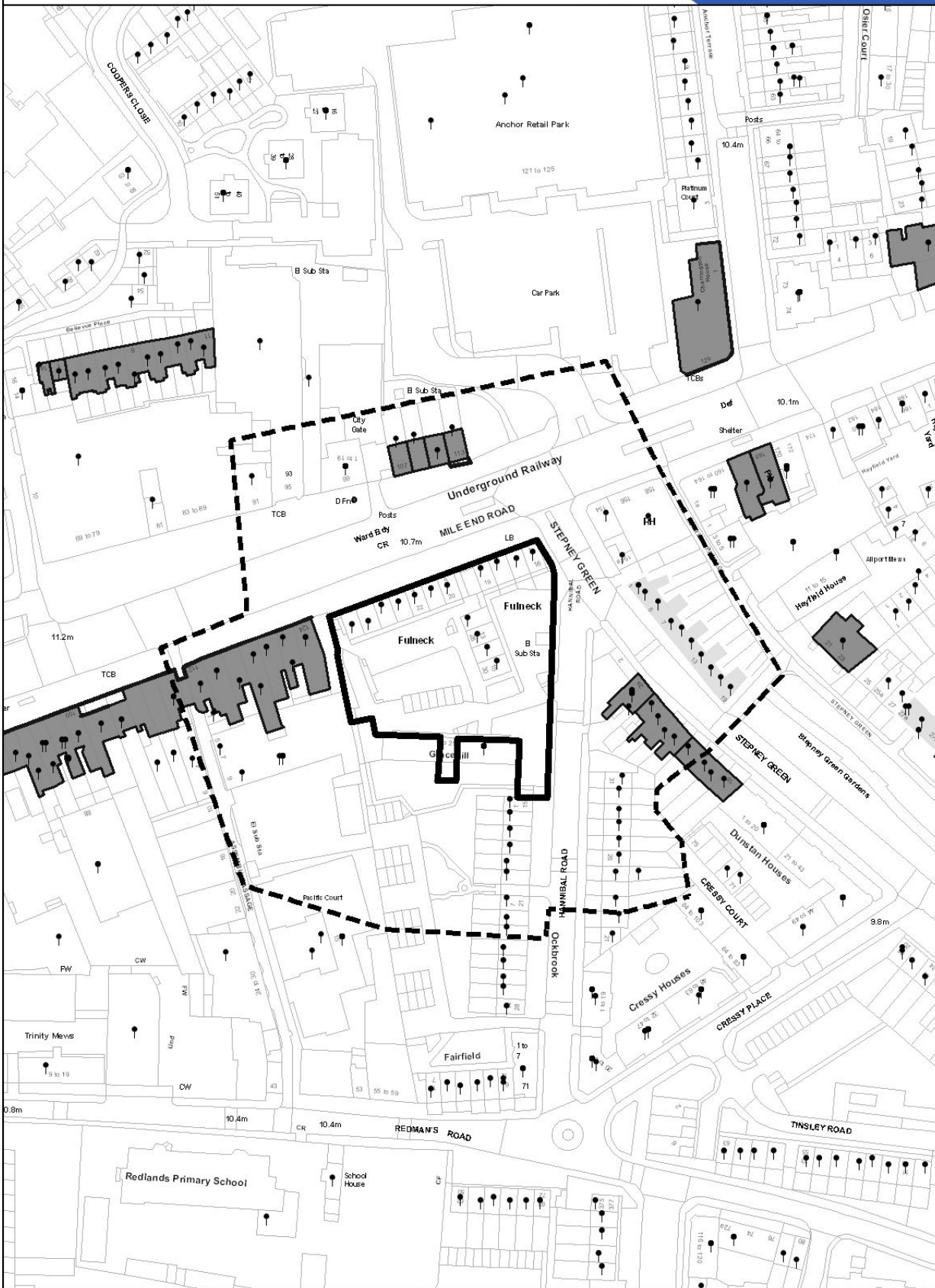
- a) 55 affordable housing units (75% of proposed habitable rooms)
- b) Car free agreement
- c) Parking Management Strategy
- d) Landscaping of land to the south of the application site
- e) Commitment to utilise employment initiatives

- 8.117 It is important to note that the offer of affordable housing on this site is exceptionally high at 71/75% which is well above the Council's policy requirements.
- 8.118 Objections have been received with regard to the application not providing an on-site community hall. This is not required of the developer for a proposal of this scale, however a contribution of £105,728.96 is being provided for communities, leisure and cultural facilities in the area.
- 8.119 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**

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

# Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address	
Consultation Area	Statutory Listed Buildings	0 30 m	

1:1,750

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100019288, 2010.

This page is intentionally left blank

# Agenda Item 8

<b>Committee:</b> Development	<b>Date:</b> 13 <sup>th</sup> July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 8
<b>Report of:</b> Corporate Director Development and Renewal		<b>Title:</b> Other Planning Matters	
<b>Originating Officer:</b> Owen Whalley		<b>Ref No:</b> See reports attached for each item	
		<b>Ward(s):</b> See reports attached for each item	

## 1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. 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. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

## 4. RECOMMENDATION

- 4.1 That the Committee take any decisions recommended in the attached reports.

---

LOCAL GOVERNMENT ACT 2000 (Section 97)  
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 8

Brief Description of background papers:  
See individual reports

Tick if copy supplied for register:  
✓

Name and telephone no. of holder:  
See individual reports

This page is intentionally left blank

# Agenda Item 8.1

<b>Committee:</b> Development Committee	<b>Date:</b> 13th July 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b>
---	--------------------------------	--	----------------------------

<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Non-material amendment planning application for decision
<b>Case Officer:</b> Stephen Irvine	<b>Ref No:</b> PA/10/00797
	<b>Ward:</b> Bow East

## 1. APPLICATION DETAILS

<b>Location:</b>	744 Wick Lane And 46-52 Fairfield Road, Fairfield Road, London, E3
<b>Existing Use:</b>	
<b>Proposal:</b>	Application for a non-material amendment to approved planning permission ref. PA/04/1203 dated 16th March 2006 for the demolition of existing buildings and the construction of new residential development of four, five, six, seven and eight storeys in height, comprising of 146 flats with a 217.5sqm Class A2 (financial and professional services) unit together with associated car parking and landscaping.
	<u>Non-Material Amendment:</u>
	Change to the proposed housing tenure mix from 31 social rented, 14 intermediate and 101 private units to 68 social rented units (1 x 1 bed, 48 x 2 bed, 13 x 3 bed, 5 x 4 bed, 1 x 5 bed) and 78 shared ownership units (36 x 1 bed, 42 x 2 bed).
<b>Drawing Nos / Documents:</b>	202181/110B; 202181/111A; 202181/112A; 202181/113A; 202181/114A; 202181/115A; 202181/116A; 202181/130B; 202181/131B; 202181/132B; 202181/133B; 202181/140A; 202181/141A; 202181/150A; 202181/151A; Acoustic reports dated March 2004; Daylight sunlight analysis dated August 2005. Letter from BPTW dated 20 <sup>th</sup> April 2010
<b>Applicant:</b>	Genesis Housing Group
<b>Ownership:</b>	As above
<b>Historic Building:</b>	N/a
<b>Conservation Area:</b>	Fairfield Road

## **2. SUMMARY OF PLANNING CONSIDERATIONS**

- 2.1 In light of the acute need for affordable housing within the borough, it is considered that the proposal provides an acceptable amount of affordable housing with an appropriate tenure and dwelling mix overall. As such, the proposal is in line with policies 3A.1 & 3A.5 of the London Plan, policy HSG1, HSG7 of the Council's Unitary Development Plan 1998 and policies CP19, CP21, HSG2 of the Interim Planning Guidance (Oct 2007) & PPS3 (Housing) for the purposes of Development Control, which seek to ensure that new developments offer suitable housing choices to meet the housing needs of the borough.

## **3. RECOMMENDATION**

- 3.1 That the Committee resolve that a Deed of Variation to the S106 Agreement be entered into, to the satisfaction of the Chief Legal Officer, in accordance with the affordable housing proposal as outlined in section 1 of the report.
- 3.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
- 3.3 That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

## **4. PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 Application for a non-material amendment to approved planning permission ref. PA/04/1203 dated 16th March 2006 for the demolition of existing buildings and the construction of new residential development of four, five, six, seven and eight storeys in height, comprising of 146 flats with a 217.5sqm Class A2 (financial and professional services) unit together with associated car parking and landscaping.

### Amendment:

Change to proposed housing tenure mix from 31 social rented, 14 intermediate and 101 private units to 68 social rented units (1 x 1 bed, 48 x 2 bed, 13 x 3 bed, 5 x 4 bed, 1 x 5 bed) & 78 shared ownership units (36 x 1 bed, 42 x 2 bed).

### **Site and Surroundings**

- 4.2 744 Wick Lane and 46 - 52 Fairfield Road, E3, is a housing development located in between Bow bus garage and a railway line.
- 4.3 Whilst it is not a listed building, it is located in the Fairfield Road Conservation Area.
- 4.4. The scheme originally granted permission is being built out currently.

### **Planning History**

- 4.5 The following planning decisions are relevant to the application:



PA/ 04/1203 - Planning permission was granted in on 16<sup>th</sup> March 2006 for the demolition of existing buildings and the construction of new residential development of four, five, six, seven and eight storeys in height, comprising of 146 flats with a 217.5sqm Class A2 (financial and professional services) unit together with associated car parking and landscaping.

## 5. POLICY FRAMEWORK

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

### 5.2 Unitary Development Plan (as saved September 2007)

Policies	HSG1	Provision of Housing Development
	HSG7	Dwelling Mix

### 5.3 Interim Planning Guidance for the purposes of Development Control (Oct 2007)

Policies	CP19	New Housing Provision
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	HSG2	Housing Mix
	HSG4	Varying the Ratio of Social Rented to Intermediate Housing

### 5.4 Core Strategy 2025

Policies	SO8	Housing Choice
	SP02 (3)	Ensuring a strategic target for affordable homes
	SP02 (4)	Split of social rented and intermediate housing.
	SP13	Planning Obligations

### 5.5 The London Plan (consolidated with alterations since 2004) - the Mayor's Spatial Development Strategy

Policies	3A.1	Increasing London's Supply of housing
	3A.5	Housing choice
	3A.7	Large Residential Developments
	3A.8	Definition of affordable housing
	3A.9	Affordable Housing Targets
	3A.11	Affordable housing thresholds

### 5.6 Government Planning Policy Guidance/Statements

Policies	PPS1	Delivering Sustainable Development
	PPS3	Housing

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

Policies	A better place for living safely
	A better place for living well

## 5.8 LBTH Council Housing Documents

Policies Tower Hamlets 2009/12 Housing Strategy adopted in 2009  
Draft Overcrowding Reduction Strategy  
Strategic Housing Market and needs Assessment dated August 2009

## 6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

### 6.3 Olympic Delivery Authority

No objection.

## 7. LOCAL REPRESENTATION

7.1 A site notice was placed in front of the site on 19<sup>th</sup> May 2010, advertising the scheme in question.

7.2. No responses were received from local residents in relation to this proposal.

## 8. MATERIAL PLANNING CONSIDERATIONS

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

- The proposed amendment to the tenure split in comparison to the approved tenure mix.
- The acute demand / need for affordable housing within the Borough.
- The relevance the proposal has in addressing the problem of overcrowding of dwellings within the Borough.

### **The proposed amendment to the tenure split in comparison to the approved tenure mix**

8.2 This application proposes a change of the original housing tenure mix from:

- 31 social rented,
- 14 intermediate and;
- 101 private units

to provide:

- 68 social rented units (1 x 1 bed, 48 x 2 bed, 13 x 3 bed, 5 x 4 bed, 1 x 5 bed) and;
- 78 shared ownership units (36 x 1 bed, 42 x 2 bed).

As such, the proposed tenure split seeks to provide 100% affordable housing provision on this site.

8.3 In these circumstances, the proposal does not strictly accord with the aspirations of policy

3A.9 of the London Plan and policy CP22 of the Interim Planning Guidance which seek to provide mixed housing tenure across sites.

8.4 Nevertheless, this proposal needs to be considered against recent, more detailed evidence based housing studies specific to London Borough of Tower Hamlets, which identify the acute need for affordable housing in the Borough. These studies include:

- Tower Hamlets 2009/12 Housing Strategy adopted in 2009;
- Strategic Housing Market and needs Assessment dated August 2009;
- Draft Overcrowding Reduction Strategy.

8.5 In light of the findings in the above strategies, it is considered that the 100% affordable housing on this site can be justified, since it does not result in an over-concentration of affordable housing within the area and goes some way to address the acute shortage of affordable housing in Tower Hamlets, in an area which is accessible to a range of facilities.

**The acute demand/need for social rented housing within the Borough**

8.6 LBTH Housing Strategy (2009-2012) provides detailed information on the Council’s Housing needs, including the primary requirement for affordable housing in the borough.

8.7 PPS3 ‘Housing’ encourages Boroughs to adopt an evidence based policy approach to housing. Local Development Documents and Regional Spatial Strategies policies should be informed by a robust, shared evidence base, in particular of housing need and demand, through a Strategic Housing Market Assessment. PPS3 stipulates that:

*“ Local Planning Authorities should aim to ensure that provision of affordable housing meets the needs of both current and future occupiers, taking into account information from the Strategic Housing Market Assessment”*

8.8 The Council’s Strategic Housing Market & Needs Assessment dated August 2009 identifies the acute need for affordable housing within the borough. It notes that there is a shortfall of 2700 units of affordable housing per annum. The total scale of future delivery would require a very significant increase in dwelling numbers to meet all needs.

8.9 With specific reference to affordable housing, the Strategy provides a detailed analysis of affordable stock by bedroom size, the level of registered need and actual supply from turnover, based on the 2008/2009 year.

8.10 The table below illustrates the ratio of waiting list to supply as the number of years it would take for the waiting list for each property size to be met through the turnover of the existing stock. It also illustrates that there is an overwhelming demand for affordable housing in the Borough.

Stock size	Waiting list (HSSA) *		Social Stock Turnover ***		Demand versus Supply
	Number	Percentage	Number	Percentage	
1 bedroom	11, 544	51.0	990	46.2	11.7:1
2 bedroom	4,695	20.8	733	34.2	6.4: 1
3 bedroom	4,677	20.7	346	16.2	13.5:1
4 bedroom	1,465	6.4	61	2.8	24.0:1

5 + bedroom	243	1.1	12	0.6	20.2: 1
Total	22,624	100.0	2,142	100.0	10.6:1

Table 3: Social stock, Waiting list need and social turnover

\*- Local Authority HSSA Return- 2009

\*\*\*- Tower Hamlets Local Authority Data, Re- lets by bedroom size, 2008-2009

- 8.12 Moreover, the Councils adopted Housing Strategy 2009/12 clearly identifies as a key priority that :

*“the amount of affordable housing - particularly social housing in Tower Hamlets needs to be maximised”*

- 8.13 This is further reiterated in the supporting text to Policy HSG4 of the Interim Planning Guidance (Oct 2007) which states that:

*“The Councils priority is for the provision of affordable housing and more specifically social rented housing, in order to meet the identified Borough’s housing need”.*

- 8.14 In light of the above evidence, it is considered that this subject proposal would help address the great requirement for affordable housing in the Borough.

**The relevance the proposal has in addressing the problem of overcrowding of dwellings within the Borough**

- 8.15 Overcrowding in residential units is a serious problem in the Borough. The severity of overcrowding is well documented in the following Councils evidence based documents:

- Housing Strategy 2009/12 adopted in 2009-09-06
- Draft Overcrowding Reduction Strategy 2009-12

- 8.16 The evidence base to the adopted Housing Strategy 2001/12 notes that:

- Over 22,000 households were on the Common Housing Register, of which 64% were waiting for a home, with the remaining 36% likely to be existing tenants seeking a transfer
- Over 7,000 households on the Common Housing Register were experiencing overcrowding

- 8.17 The Strategic Housing Market and needs Assessment dated August 2009 notes that :

*“ the overall over occupation level in the borough is 16. 4% or 15, 752 implied households, much higher than the average U.K level indicated by the survey of English Housing Preliminary report 2007/2008 of 2.7%”.*

This illustrates that the problem of overcrowding is over 6 times greater in Tower Hamlets than the average Borough in the UK.

- 8.18 Overcrowding is also a key driver of homelessness in the Borough. The number of families on waiting lists for existing housing stock remains high. The Councils Overcrowding Strategy provides very recent statistics on overcrowding. It notes that:

*“ By far, the largest amount of overcrowding occurs in the socially rented sector. Whilst Tower Hamlets has made significant progress in reducing overcrowding within its existing stock, the number of families on the waiting list remains daunting. In total, more than 11,000 households are registered for two, three, four or five bedroom plus properties. While some of those will be households placed in suitably sized temporary accommodation, a significant proportion of the remainder are currently living in overcrowded conditions”.*

- 8.19 In June 2009, the waiting list stood at 22,624 households. The need was greatest (over 11,500) amongst households seeking a home with one bedroom. In addition, 1,708 households needed a home with four bedrooms or more.
- 8.20 Furthermore, there were 6,385 applicants on the housing register seeking 3 bed plus family sized accommodation. In 2008/09 416 lets were made for 3 bed plus accommodation. This only addressed 6 percent of the need, with supply clearly not meeting the demand.
- 8.21 Specifically, looking at overcrowded households:
- 7,648 households on the housing register lack 1 bedroom (overcrowded);
  - 1,798 lack 2 bedroom or more (severely overcrowded).

This means that around 41 percent of households on the housing register currently live in overcrowded households.

- 8.22 There are approximately 10,720 households on the housing register requiring 2 bed plus sized properties. By implication, these are households with children as you would require only one bedroom for the parents and any additional bedrooms for children. Of these, 4950 households lack 1 bedroom or more. This would imply that 46 percent of families on the housing register are living with children in overcrowded conditions.
- 8.23 It is considered that the proposal would assist in alleviating some of the severe overcrowding that many existing residents currently experience in the social rented sector in the Borough. It would also assist in implementing key objectives explored in following two evidence based documents:
- 1) Housing Strategy 2009/12 adopted in 2009.
  - 2) Draft Overcrowding Reduction Strategy 2009-2012.

## **9. Conclusion**

- 9.1 All other relevant policies and considerations have been taken into account. Resolution to enter into a Deed of Variation to the S106 Agreement should be granted for the reason 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.

This page is intentionally left blank