

Meeting of the

STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 15 September 2011 at 7.00 p.m.

A G E N D A

VENUE

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

Members:	Deputies (if any):
Chair: Councillor Helal Abbas Vice-Chair: Councillor Bill Turner	
Councillor Khales Uddin Ahmed Councillor Dr. Emma Jones Councillor Carlo Gibbs Councillor Judith Gardiner 1 Vacancy	Councillor Tim Archer, (Designated Deputy representing Councillor Dr. Emma Jones) Councillor Peter Golds, (Designated Deputy representing Councillor Dr. Emma Jones) Councillor Gloria Thienel, (Designated Deputy representing Councillor Dr. Emma Jones) Councillor Denise Jones, (Designated Deputy representing Councillors Helal Abbas, Khales Uddin Ahmed, Bill Turner, Carlo Gibbs and Councillor Judith Gardiner) Councillor Motin Uz-Zaman, (Designated Deputy representing Councillors Helal Abbas, Khales Uddin Ahmed, Bill Turner, Carlo Gibbs and Judith Gardiner) Councillor Amy Whitelock, (Designated

Deputy representing Councillors Helal Abbas, Khaled Uddin Ahmed, Bill Turner, Carlo Gibbs and Judith Gardiner)

[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 0842, E-mail: zoe.folley@towerhamlets.gov.uk

LONDON BOROUGH OF TOWER HAMLETS
STRATEGIC DEVELOPMENT COMMITTEE

Thursday, 15 September 2011

7.00 p.m.

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

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

3. UNRESTRICTED MINUTES

To confirm as a correct record of the proceedings the unrestricted minutes of the ordinary meeting of the Strategic Development Committee held on 4th August 2011.

**PAGE
NUMBER WARD(S)
AFFECTED**

3 - 12

4. RECOMMENDATIONS

To RESOLVE that:

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

5. PROCEDURE FOR HEARING OBJECTIONS

To NOTE the procedure for hearing objections at meetings of the Strategic Development Committee. **13 - 14**

The deadline for registering to speak at this meeting is **4pm Tuesday 13th September 2011.**

6. DEFERRED ITEMS

6 .1 PA/10/01458 – Redundant Railway viaduct, North of Pooley House, Westfield Way **15 - 84 Mile End & Globe Town**

7. PLANNING APPLICATIONS FOR DECISION **85 - 86**

7 .1 PA/11/00163 - Tower House, 38-40 Trinity Square, London EC3N 4DJ **87 - 126**

7 .2 PA/10/2093 – Tweed House, Teviot Street, E14 **127 - 164 St Katharine's & Wapping East India & Lansbury**

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE

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

Declaration of interests for Members

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

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

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

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

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

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

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

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

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

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

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

LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE STRATEGIC DEVELOPMENT COMMITTEE

HELD AT 5.30 P.M. ON THURSDAY, 4 AUGUST 2011

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

Members Present:

Councillor Helal Abbas (Chair)

Councillor Bill Turner
Councillor Khales Uddin Ahmed
Councillor Carlo Gibbs
Councillor Judith Gardiner

Councillor Peter Golds

Other Councillors Present:

Officers Present:

Owen Whalley	– (Service Head Planning and Building Control, Development & Renewal)
Pete Smith	– (Development Control Manager, Development and Renewal)
Devon Rollo	– (Strategic Applications Planning Officer)
Megan Nugent	– (Legal Services Team Leader, Planning, Chief Executive's)
Elaine Bailey	– (Strategic Applications Planner)
Zoe Folley	– (Committee Officer, Democratic Services Chief Executive's)
	–

1. ELECTION OF VICE-CHAIR

It was proposed by Councillor Carlo Gibbs, seconded by Councillor Khales Uddin Ahmed and **RESOLVED**

That Councillor Bill Turner be elected Vice-Chair of the Strategic Development Committee for the remainder of the Municipal Year 2011/2012.

2. APOLOGIES FOR ABSENCE

Apologies for absence was received on behalf of Councillor Dr Emma Jones for whom Councillor Peter Golds was deputising.

3. DECLARATIONS OF INTEREST

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

Councillor	Item(s)	Type of interest	Reason
Helal Abbas	9.1	Personal	Had received representations from interested parties.
	9.2	Personal	Ward Councillor. Member of the previous Committee where application was considered (Strategic Development Committee meeting 12 th May 2011)
Bill Turner	9.1	Personal	Had received representations from interested parties.

4. UNRESTRICTED MINUTES

The minutes of the meeting were agreed and approved as a correct record.

5. 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

6. STRATEGIC DEVELOPMENT COMMITTEE PROCEDURAL MATTERS

6.1 Strategic Development Committee Terms of Reference, Quorum, Membership and Dates of Meetings

Zoe Folley (Committee Officer) presented the report.

RESOLVED

That the Terms of Reference, Quorum, Membership and dates of meetings of the Strategic Development Committee for the Municipal Year 2011/2012 be noted as set out in the report.

7. PROCEDURE FOR HEARING OBJECTIONS

The Committee noted the procedure for hearing objections, together with details of persons who had registered to speak at the meeting.

8. DEFERRED ITEMS

Nil items.

9. PLANNING APPLICATIONS FOR DECISION

9.1 PA/10/01458 - Redundant Railway Viaduct North of Pooley House, Westfield Way, London

Owen Whalley (Service Head, Planning and Building Control) introduced the application and the tabled update regarding Redundant Railway Viaduct North of Pooley House, Westfield Way, London.

The Chair then invited persons registered to speak to address the Committee.

Taz Khalitue addressed the Committee as an objector to the application. He stated that he was a local resident. He expressed concern at overcrowding in area given the number of existing student housing and nearby new developments. The site was derelict and could be converted into a green belt site. It was a nice natural environment with good light. Under the scheme, the pathway would be darker and there would be noise disturbance. Residents had signed a petition opposing the scheme which he could show the Committee if necessary. The site should be used as greenery.

In reply to questions from Members, he considered that the information sent out as part of the consultation was inadequate. It just stated that the scheme was going ahead with no information on the impact.

Steve Taylor addressed the Committee in support. He was speaking as a Town Planner for Network Rail. He referred to the London Plan which specified that there was a need for student housing in this area. Addressing this shortage would reduce pressure on other types of housing in the area. The site was derelict. In terms of the key considerations, i.e. daylight, noise levels etc, the plans complied with policy. Access to the site was restricted to the campus only. There was a lot of green space in the area already. The petition referred to outdated plans.

In response to the presentation, the Committee put a number of questions to Mr Taylor around the following matters:

- The Transport Assessment. Questions were raised over its accuracy given the number of units. Clarification was also sought at expected pedestrian trips especially during peak hours.
- Possibility that the most of the students could attend external colleges For example the London Metropolitan University/other colleagues in the Borough. If so it was likely that the number of journeys would increase.
- Consultation undertaken with ward Councillors.
- The absence of a preferred developer at this stage still to be appointed.
- The request to fund junction tables at nearby streets declined by the applicant.

Mr Taylor addressed the questions. It was anticipated that the majority of the students would be from Queen Mary University (QMU). So it was considered that the majority of trips to the campuses would be made by walking. Therefore the transport assessment, expecting low transport trips, was accurate. Moreover the site had a good public transport accessibility rating and could accommodate people wishing to travel. There would also be a car free agreement. By virtue of its location and the restricted access, the site was only really suitable for student housing. The request for junction works was disproportionate given the scheme would generate few car trips. The development would fit in well with the area judging by the response from local people. Residents from adjacent streets were supportive of the scheme. The Applicant was currently in the process of selecting a preferred developer. Whilst they hadn't consulted Ward Councillors, they had consulted those affected in the area.

Devon Rollo (Strategic Applications Planning Officer) presented the application assisted by a point presentation of the application.

Mr Rollo described the site and surrounding area including the nearby railway viaduct. He explained the details of the scheme. He emphasised the suitability of the site for student accommodation due to, amongst other matters, its

proximity to the university campus. It also had good transport links. The scheme complied with policy and was considered acceptable in terms of size, design, bulk, noise, daylight levels. The application included a Management Plan to carefully manage any noise disturbance. Obligations had been secured to mitigate the impact.

Members then put questions/comments to Officers around the following matters:

- Desirability of more student housing in the area.
- The suitability of the site for residential housing.
- Access via Longnor Road.
- The emergency access/fire safety plans given it was a confined site.
- Disabled access.
- The S106 calculation.
- Noise implications.
- The provision for cycles.
- Possibility that many of the occupiers could attend other universities in the Borough. If so this could substantially increase transport use.
- Possibility that the rooms may be used as holiday lets. For example during the Olympics Games significantly increasing transport journeys.
- The accuracy of the transport assessment given the above points.

Mr Rollo addressed each question. He emphasised the unsuitability of the site for general housing. This was due to a number of factors including its proximity to the university, noise from the railway viaduct, access and security restrictions. Any housing on this site would be fenced off at certain times. Other limitations were lack of outdoor living space, lack of access via Longnor Road. However it was felt that the development would remove pressure on residential housing.

It was confirmed that the main access route would be from Bradwell Street.

In relation to the S106 assessment, it was required that it be relevant to the development and reflect the needs of the area. There was a need for open space in this area. Hence the request for this in the obligations.

It was also intended that the vast majority of occupiers would attend QMU and would walk to the campus. Therefore there would be little additional traffic. As a result confidence was expressed in the travel assessment given this latter point, research into similar schemes and the car free plans. Highways Services had considered the assessment and were satisfied that it was accurate. Officers also described the emergency access route accepted as satisfactory.

In relation to the cycle stands, the provision was policy compliant. The rise in number was due to the planned use of two tier cycle stands.

On a vote of 1 for 3 against with 1 abstention, the Committee **RESOLVED**

That the Officer recommendation to grant planning permission for Redundant Railway Viaduct North of Pooley House, Westfield Way, London (PA/10/01458) be **NOT ACCEPTED**

The Committee indicated that they were minded to refuse the planning application because of Members' concerns over:

- Over concentration of student housing in the area. Need for a more balanced mix of housing in the area (i.e. family sized housing).
- Impact on the area in terms of the potential for late night disturbance.
- Accuracy of the transport assessment
- Adequacy of the emergency access/fire safety plans and disabled access.
- Impact on the ecology of area.
- Overdevelopment of the site in terms of bulk and scale of the development.

In accordance with Development Procedural Rules, the application was **DEFERRED** to enable Officers to prepare a supplementary report to a future meeting of the Committee setting out proposed detailed reasons for refusal and the implications of the decision.

9.2 PA/10/02764 & PA/10/02765 - Land bounded by Norton Folgate, Fleur De Lis Street, Blossom Street, Folgate Street, Norton Folgate, London

Owen Whalley (Service Head, Planning and Building Control) introduced the application regarding Land bounded by Norton Folgate, Fleur De Lis Street, Blossom Street, Folgate Street, Norton Folgate, London.

Elaine Bailey (Strategic Applications Planning Officer) presented the application assisted by a power point presentation. She explained the reasons for the previous refusal agreed at the 12th May 2011 Committee meeting. The Application had since been revised to overcome these concerns. The scheme complied with policy. The previous reasons for refusal could not be supported on policy grounds.

A key change was the omission of the residential units above the public house. Ms Bailey also explained the location which included the Scheduled Ancient Monument. English Heritage had considered the impact on this. Overall it was felt that there would be no adverse impacts.

Ms Bailey explained in detail the plans for Norton Folgate, Shoreditch High Street and Blossom Street. She clarified the improvements on the previous

2007 application. She also drew attention to the increased S106 agreement requiring, amongst other things, contributions to Enterprise and Employment , including the Council's Skillsmatch programme and the Public Realm. The plans would stimulate employment and economic growth in the local area. The plans would also improve permeability of the site creating a new public space.

Ms Bailey explained the outcome of the consultation of 29th June 2011 advertised in local newspapers, sites notices and letters to residents. In response 2 representations were received.

Overall the scheme complied with policy. Therefore it was recommended that the scheme be granted in accordance with the Officer's report.

In response to the presentation, Members put a number of questions to Officers around the following issues.

- Local employment. Members sought assurances that the scheme would generate sufficient local jobs. They wished to ascertain how the concerns raised at the last meeting regarding this would be overcome. It was also necessary to increase the number of locally owned businesses in the area. It was hoped that the scheme would facilitate this. It was also discussed that any substantial changes to the S106 agreement should be brought to the Committees attention.
- The decision to remove the residential units. It was questioned whether the units could be located elsewhere as part of the plans rather than completely removed given the need for residential housing in the Borough.
- Closing the gates to Blossom Street. Members noted the problems in closing public spaces due to emergency access. They sought assurances over the feasibility of these plans.

Ms Bailey addressed each question. She explained the options regarding the residential units in view the objections to locating them above the public house. Consideration was given to whether they could be located elsewhere under the scheme. However it was felt that such alternative locations were more suited to commercial use due to their location. Furthermore it was also likely that valuable buildings, (recently subject to conservation work with English Heritage) may need to be demolished should they be used for residential units. Consequently, given the lack of viable alternatives, it was decided that the best option was to remove the units from the scheme.

The office units were suitable for both small and medium sized business. As well as creating local jobs, there would also be 'knock on effects' from the development for the Borough with increased spending locally as a result of the scheme and associated activity.

Officers had extensively investigated the closure of the gates with the Applicant. Confidence was expressed in the plans to close and secure the square at the times specified. This would be conditioned.

On a vote of 4 for and 1 against with 1 abstention the Committee **RESOLVED**

1. That planning permission and Conservation Area Consent be **GRANTED** for
 - **PA/10/02764** Redevelopment of the former Nicholls and Clarke site and adjoining depot site, for commercially led mixed use purposes, comprising buildings between 4 and 9 storeys in height measuring 48.40m AOD (plus plant), to provide approximately 18,775sqm of B1 (Office); approximately 1,816sqm of A1 (Retail) and A3 (Restaurant) and approximately 710sqm of A4 (Public House), together with the recreation of a new public space (Blossom Place); provision of new access to Blossom Place; highway works and public realm improvements to Shoreditch High Street and Blossom Street and provision of managed off-street servicing and parking facilities.
 - **PA/10/02765** Conservation Area Consent for the demolition of No. 13 and No. 20 Norton Folgate, No. 2-9 Shoreditch High Street, No.16-17 and No.10 Blossom Street; partial demolition, refurbishment and conservation repair of 16-19 Norton Folgate, 5 -11a Folgate Street and 12-15 Blossom Street; and reconstruction (including façade retention) of 14-15 Norton Folgate to enable the redevelopment of the former Nicholls and Clarke site and adjoining depot site for commercially led mixed use purposes in association with planning application ref: PA/10/02764).
2. That such planning permission be subject to
 - A Any direction by The Mayor;
 - B The prior completion of a legal agreement to secure the planning obligations set out in the circulated report.
3. That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
4. That the Corporate Director Development & Renewal is delegated authority to issue the planning permission and Conservation area consent and impose conditions and informatives to secure the matters set out in the circulated report.
5. That, if within 6 weeks of the receipt by LBTH of the Mayor of London's Stage II report the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated the power to refuse planning permission

9.3 PA/11/00163 - Tower House, 38-40 Trinity Square, London, EC3N 4DJ

Item **Withdrawn**.

The meeting ended at 7.25 p.m.

Chair, Councillor Helal Abbas
Strategic Development Committee

This page is intentionally left blank

Agenda Item 5

DEVELOPMENT COMMITTEE STRATEGIC DEVELOPMENT COMMITTEE

PROCEDURES FOR HEARING OBJECTIONS AT COMMITTEE MEETINGS

- 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 1st class post at least five clear working days 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 one clear working day 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 and whether they wish to speak in support of or in objection to the application. 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 also give notice of their intention to speak in support of or in objection to the application, to the Committee Clerk by no later than 4:00pm one clear working day prior to the day of the meeting.
- 6.5 For objectors, the allocation of slots will be on a first come, first served basis.
- 6.6 For supporters, the allocation of slots will be at the discretion of the applicant.
- 6.7 After 4:00pm one clear working day prior to the day of the meeting the Committee Clerk will advise the applicant of the number of objectors wishing to speak and the length of his/her speaking slot. This slot can be used for supporters or other persons that the applicant wishes to present the application to the Committee.
- 6.8 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 Members registered to speak, then the applicant or their supporter(s) will not be expected to address the Committee.
- 6.9 Where a planning application has been recommended for refusal by officers and the applicant or his/her supporter has requested to speak but there are no objectors or Members registered to speak, then the applicant and his/her supporter(s) can address the Committee for up to three minutes.
- 6.10 The order of public speaking shall be as stated in Rule 5.3.
- 6.11 Public speaking shall comprise verbal presentation only. The distribution of additional material or information to Members of the Committee is not permitted.
- 6.12 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.
- 6.13 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.
- 6.14 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.
- 6.15 Speakers and other members of the public may leave the meeting after the item in which they are interested has been determined.

- 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.
- For each planning application where one or more Members have registered to speak in objection to the application, the applicant or his/her supporter can address the Committee for an additional three minutes.

Agenda Item 6.1

Committee: Strategic Development	Date: 15 th September 2011	Classification: Unrestricted	Agenda Item No: 6
Report of: Corporate Director Development and Renewal		Title: Deferred Items	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
4 th August 2011	PA/10/014 58	Redundant Railway Viaduct North of Pooley House, Westfield Way, London	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.	Over concentration of student housing in the area. Need for a more balanced mix of housing in the area (i.e. family sized housing). Impact on the area in terms of the potential for late night disturbance. Impact on the ecology of area. Overdevelopment of the site in terms of bulk and scale of the development. Accuracy of the transport assessment Adequacy of the emergency access/fire safety plans and disabled access.

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

Brief Description of background papers:

Tick if copy supplied for register:

Name and telephone no. of holder:

Application, plans, adopted UDP, Interim Planning Guidance and London Plan

Eileen McGrath (020) 7364 5321

3. CONSIDERATION OF DEFERRED ITEMS

3.1 The following deferred application is for consideration by the Committee. The original report along with any update reports are attached.

- Redundant Railway Viaduct North of Pooley House, Westfield Way, London

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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

Committee: Strategic Development	Date: 15 th September 2011	Classification: Unrestricted	Agenda Item No: 6.1
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Devon Rollo		Ref No: PA/10/01458	
		Ward(s): Mile End and Globe Town	

1.0 APPLICATION DETAILS

Location:	Redundant Railway Viaduct North of Pooley House, Westfield Way, London
Existing Use:	Railway siding above viaduct Storage units under viaduct.
Proposal:	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en-suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.
Drawing Nos:	MHJ/200 A; MHJ/201 C; MHJ/202 C; MHJ/210 C; MHJ/211 C; MHJ/212 D; MHJ/213 D; MHJ/213retro D; MHJ/214 D; MHJ/214retro D; MHJ/215 D; MHJ/216 C; MHJ/220 D; MHJ/221 D; MHJ/222 C; MHJ/223 C; MHJ/224 C; MHJ/225 C; MHJ/226 C; MHJ/227 C; MHJ/228 C; MHJ/229 C; MHJ/SK03; MHJ/SK04; MHJ/SK05; MHJ/SK21 A; MHJ/SK22 A; SL01 B; SL02 A; SL03 B; SL04 B; SL05 A; SL06 A; SL07 A; SL08; SL09; SL10 and SL11
Supporting Documents:	Design Statement, Supplementary Design Statement (3) March 2011; Impact Statement and Supplementary Impact Statement.
Applicant:	Network Rail
Owner:	Network Rail
Historic Building:	No
Conservation Area:	No

2.0 RECOMMENDATION

2.1 That the Committee notes the details of this report and officers' advice regarding the appropriate form of the suggested reasons for refusal when resolving to refuse this planning application.

3.0 BACKGROUND

3.1 This application for planning permission was reported by Strategic Development Committee on 24th August 2011 with an officer recommendation for approval. A copy of the case officers' report and update report containing the summary of material planning considerations, site and surroundings, policy framework, planning history and material planning considerations is attached at Appendices 1 & 2 to this item.

3.2 After consideration of the report and the update report, the committee resolved not to accept the officers' recommendation and was minded to refuse planning permission because of concerns over:

- Over concentration of student housing in the area. Need for a more balanced mix of housing in the area (i.e. family sized housing).
- Impact on the area in terms of the potential for late night disturbance.
- Impact on the ecology of area.
- Overdevelopment of the site in terms of bulk and scale of the development.
- Accuracy of the transport assessment
- Adequacy of the emergency access/fire safety plans and disabled access.

3.3 In accordance with Rule 10.2 of the Constitution, and Rule 4.8 of the Development Procedure Rules, the application was deferred to a future meeting of the Committee to enable officers to present a supplemental report setting out reasons for refusal and the implications of the decision. The proposed reasons for refusal and implications are set out at Section 3.0 of this report.

4.0 CONSIDERATION OF REASONS

4.1 The Members have raised 6 matters of concern (listed in paragraph 2.2) on which they resolved that they were minded to refuse this application. The following are suggested reasons for refusal based on these concerns, followed by officer's comments.

Suggested reasons for refusal & officer comments

Reason 1

4.2 The scheme would result in an overconcentration of student housing within the area and fail to provide an appropriate mixed and balance of housing, including a failure to provide family housing. As such the scheme is contrary to policies 3.9 and 7.1 of the adopted London Plan 2011 and policies SP02 and SP12 of the Core Strategy Development Plan Document 2010, which seek to ensure places have a range and mix of dwelling types and tenures to promote balanced and socially mixed communities.

Officer's Comments

4.3 Due to the existing quantity of student housing within the vicinity, the introduction of a further 412 student rooms would increase the concentration of students. With the

exception of the replacement storage for QMU purposes, the development does not provide any other uses that would assist in the creation of a mixed and balanced community. The area is already heavily dominated by the university campus and related functions and the scheme fails to provide any standard C3 use class housing, either market or affordable. The single student nature of the student housing would also fail to make provision for families. Due to the existing level of student housing within the area and the non-family nature of the provision, it is considered that this is an appropriate reason for refusal.

Reason 2

- 4.4 The scheme would have a detrimental impact on the amenity of the residents of the surrounding area due to the increased potential of late night disturbance from the occupation of the student housing. As such the scheme is contrary to policies SP02 and SP10 of the Core Strategy Development Plan Document 2010, saved policies DEV2 of the adopted Unitary Development Plan 1998 and policies DEV1 of the Council's Interim Planning Guidance 2007, which seek to protect the amenity of occupants and the surrounding area.

Officer's Comments

- 4.5 It was recommended in the main officers' report presented to the Strategic Development Committee on the 24th of August 2011 that a condition of consent should be imposed to require a Building Management Statement setting out how potential issues of noise or anti social behaviour by students could be addressed. It was considered by officers that operation of the student housing in accordance with such a document could effectively control these issues. However, the application has not addressed this matter and if Members believe this is not an appropriate tool to control the impacts on amenity of the student housing development of this scale and design at this location then officers consider that this is an appropriate reason for refusal.

Reason 3

- 4.6 The proposal would represent an over-development of this restricted site, resulting in a built form of excessive scale, bulk and inappropriate design, leading to an overbearing form of development and an unacceptable loss of daylight, outlook and increased enclosure with inadequate opportunities for meaningful landscaping, contrary to policies 3.4, 7.1, 7.4 and 7.5 of the adopted London Plan 2011, policy SP10 of the Council's Core Strategy Development Plan Document 2010 and saved policies DEV1, DEV 2 and DEV 12 of the adopted Unitary Development Plan 1998, which seek to ensure that development is appropriate to its context and maintains the amenity of neighbouring residents and the surrounding environment.

Officer's Comments

- 4.7 The scheme should be considered in relation the context in which it is located. Consideration should be given to the height of existing development, separation distances, provision of public realm and how development impacts on the amenity of the surrounding occupiers and the occupiers of the building itself, when assessing whether the scheme is appropriate or not. When developments are too large in scale, too close to other buildings and fail to provide sufficiently supporting facilities it can be considered overdevelopment. Symptoms of this are reflected in impacts on amenity and borrowing of supporting facilities from neighbouring sites.
- 4.8 In relation to this scheme, the development has been identified as impacting adversely on the daylight and sunlight of the adjacent student housing development, which is considered to adversely impact the amenity of occupiers of that site. In addition, due to the scale of the development and the long linear site shape of the site, access and outlook is borrowed from the neighbouring Queen Mary University site. As such, it is considered that this reason is an appropriate reason for refusal.

Reason 4

- 4.9 The scheme would have a detrimental impact on the ecology of the area due to the redevelopment of the brownfield land adjacent to a Site of Importance for Nature Conservation and failure to provide adequately for the protection, replacement and enhancement of features of ecological value. As such the scheme is contrary to policy 7.19 of the adopted London Plan 2011, policy SP04 of the Core Strategy Development Plan Document 2010 and saved policy DEV57 of the adopted Unitary Development Plan 1998.

Officer's Comments

- 4.10 The application included an Ecology Report, which outlined the ecological values of the site. This report also provided recommendations based on the proposals of the development. As detailed in the main officers' report presented to the Strategic Development Committee on the 24th of August 2011 it was considered by officers that conditions of consent could be imposed to appropriately mitigate the impacts of the development on the ecology of the area. The quality of the ecology present on the site is not considered to be of significant value that it could not be appropriately mitigated by the recommended conditions of consent.
- 4.11 While the above reason has been derived on the basis of the Members' concerns, given the ability to mitigate the concerns of the ecological impact through the imposition of conditions of consent officers do not consider that this is an appropriate reason for refusal.

Reason 5

- 4.12 Due to the inaccuracy of the transport information provided it is not possible to confirm that trip generation from the scheme will not result in a significant detrimental impact on the highway and public transport systems. As such compliance cannot be confirmed with policy 6.3 of the adopted London Plan 2011, policy SP09 of the Core Strategy Development Plan Document 2010, saved policy T16 of the adopted Unitary Development Plan 1998 and policy DEV17 of the Council's Interim Planning Guidance 2007, which seek to ensure that development is appropriate to the transport network capacity.

Officer's Comments

- 4.13 Members indicated that they considered that the information presented in the Officers' Report on the subject of peak hour trip movements was inaccurate. This information was taken from the reports of the applicant's transport specialist, which was originally derived from data available on the TRICS database of surveys of existing developments. The information in the Officers' Report detailed only the morning and evening peak hour trip movements, not all movements throughout the day. Given that university classes are spread throughout the day, the requirement for travel during peak hours is unlikely to be as high as that associated with traditional C3 housing. To proceed with this as a reason for refusal would be to consider details presented by the transport specialist inaccurate, which there is no specialist evidence to demonstrate.
- 4.14 While the above reason has been derived on the basis of the Members' concerns, it is not recommend that this is included as a reason for refusal, as there is no evidence to confirm that the specialist information presented is inaccurate.

Reason 6

- 4.15 Due to the inaccuracy of the details relating to emergency access, fire safety plans and disabled access it is not possible to confirm that the scheme can provide appropriate access for emergency services and would minimise the potential physical risks from emergency situations. As such compliance cannot be confirmed with policy 7.13 of the adopted London Plan 2011, which seeks to ensure that development contributes to the minimisation of potential physical risk from fire, flood and related hazards.

Officer's Comments

- 4.16 Members indicated that they considered that the details of emergency access were unclear. Provision is made for an emergency vehicle to enter the site through a gate at the western end and travel along the hard landscaping area the length of the site. The building is also considered accessible to all users, with two lifts and stairs servicing each floor at each of the four main building cores. These matters are covered in the Design and Access Statements submitted in support of the application.
- 4.17 While the above reason has been derived on the basis of the Members' concerns, it is not recommend that this is included as a reason for refusal, as there is no evidence that the measures for emergency access are unacceptable.

Implications of the decision

- 4.18 Following the refusal of the application the following options are open to the Applicant. These would include (though not be limited to):

1. The applicant could appeal the decision and submit an award of costs application against the Council. Planning Inspectorate guidance on appeals sets out in paragraph B20 that:

"Planning authorities are not bound to accept the recommendations of their officers. However, if officers' professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the Council".

2. There are two financial implications arising from appeals against the Council's decisions. Firstly, whilst parties to a planning appeal are normally expected to bear their own costs, the Planning Inspectorate may award costs against either party on grounds of "unreasonable behaviour". Secondly, the Inspector will be entitled to consider whether proposed planning obligations meet the tests set out in the Secretary of State's Circular 05/2005 and are necessary to enable the development to proceed.
3. The Council would vigorously defend any appeal.

5.0 SUGGESTED REASONS FOR REFUSAL

- 5.1 If the Committee is still minded to refuse the application, subject to any **direction** by **The Mayor of London**, officers consider that the appropriate reasons for refusal should read:

- 5.2
1. The scheme would result in an overconcentration of student housing within the area and fail to provide an appropriate mixed and balance of housing, including a failure to provide family housing. As such the scheme is contrary to policies 3.9 and 7.1 of the adopted London Plan 2011 and policies SP02 and SP12 of the Core Strategy Development Plan Document 2010, which seek to ensure places have a range and mix of dwelling types and tenures to promote balanced and socially mixed communities.
 2. The scheme would have a detrimental impact on the amenity of the residents of the surrounding area due to the increased potential of late night disturbance from the occupation of the student housing. As such the scheme is contrary to policies SP02 and SP10 of the Core Strategy Development Plan Document 2010, saved policies DEV2 of the adopted Unitary Development Plan 1998 and policies DEV1 of the Council's Interim Planning Guidance 2007, which seek to protect the amenity of occupants and the surrounding area.

3. The proposal would represent an over-development of this restricted site, resulting in a built form of excessive scale, bulk and inappropriate design, leading to an overbearing form of development and an unacceptable loss of daylight, outlook and increased enclosure with inadequate opportunities for meaningful landscaping, contrary to policies 3.4, 7.1, 7.4 and 7.5 of the adopted London Plan 2011, policy SP10 of the Council's Core Strategy Development Plan Document 2010 and saved policies DEV1, DEV 2 and DEV 12 of the adopted Unitary Development Plan 1998, which seek to ensure that development is appropriate to its context and maintains the amenity of neighbouring residents and the surrounding environment.

6.0 CONCLUSION

- 6.1 All relevant policies and considerations have been taken into account. It is recommended that Members consider the draft reasons for refusal and officers comments alongside the previous report and addendum report presented to the Strategic Development Committee on 24th August 2011 (see Appendix one and two) and determine the planning application as they see fit.

7.0 APPENDICES

- 7.1 Appendix One - Committee Report to Members on 24th August 2011
- 7.2 Appendix Two – Addendum Report to Members on 24th August 2011

Committee: Strategic Development	Date: 04 August 2011	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Devon Rollo		Ref No: PA/10/01458	
		Ward(s): Mile End and Globe Town	

1. APPLICATION DETAILS

Location:	Redundant Railway Viaduct North of Pooley House, Westfield Way, London
Existing Use:	Railway siding above viaduct Storage units under viaduct.
Proposal:	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.
Drawing Nos:	MHJ/200 A; MHJ/201 C; MHJ/202 C; MHJ/210 C; MHJ/211 C; MHJ/212 D; MHJ/213 D; MHJ/213retro D; MHJ/214 D; MHJ/214retro D; MHJ/215 D; MHJ/216 C; MHJ/220 D; MHJ/221 D; MHJ/222 C; MHJ/223 C; MHJ/224 C; MHJ/225 C; MHJ/226 C; MHJ/227 C; MHJ/228 C; MHJ/229 C; MHJ/SK03; MHJ/SK04; MHJ/SK05; MHJ/SK21 A; MHJ/SK22 A; SL01 B; SL02 A; SL03 B; SL04 B; SL05 A; SL06 A; SL07 A; SL08; SL09; SL10 and SL11
Supporting Documents:	Design Statement, Supplementary Design Statement (3) March 2011; Impact Statement and Supplementary Impact Statement.
Applicant:	Network Rail
Owner:	Network Rail
Historic Building:	No
Conservation Area:	No

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of the application against the policies contained in The London Plan 2008, the Council's planning policies contained in the adopted Tower Hamlets Core Strategy 2010, the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007 and associated supplementary planning guidance and Government Planning Policy Guidance and has found that:

- The provision of a student housing is supported by policies 3A.1 and 3A.25 of The London Plan 2008, policy SP02 of the adopted Tower Hamlets Core Strategy 2010, and policy and HSG14 of the Tower Hamlets Unitary Development Plan 1998, which provides for the specialist housing needs of the borough through working with the borough's universities to enable the appropriate provision of student accommodation that meets identified needs by:
 - i. Focusing student accommodation supporting London Metropolitan University at Aldgate or on locations that have good public transport accessibility
 - ii. Focusing student accommodation supporting Queen Mary University London in close proximity to the University.
- The new building in terms of height, scale, design and appearance is acceptable and in line with national advice in PPS5, policies 4B.1, 4B.8, 4B.10, 4B.11, 4B.12 and 4B.14 of The London Plan 2008, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1, DEV2 and CON2 of the Council's Interim Planning Guidance 2007 which seek to ensure development is of a high quality design, and preserves or enhances heritage assets and their settings.
- Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable and in line with policy SP09 of the Tower Hamlets Core Strategy 2010, policy T16 of the Tower Hamlets Unitary Development Plan 1998, policies DEV16, DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance 2007 and national advice in PPG13, which seek to minimise trip generation and ensure developments can be supported within the existing transport infrastructure.
- Sustainability and renewable energy matters are appropriately addressed in line with policies 4A.7 – 4A.9 of The London Plan, policies DEV5 to 9 and DEV 11 of the Council's interim planning guidance 2007, and policy SP11 of the adopted Tower Hamlets Core Strategy 2010 which seek to ensure development is sustainable due to reduced carbon emissions, design measures, water quality, conservation, sustainable drainage, and sustainable construction materials.
- The scheme would not result in the overdevelopment of the site or result in any of the problems typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of The London Plan 2008, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's interim planning guidance 2007, which seek to provide an acceptable standard of development throughout the borough.
- The management of the demolition and construction phase would accord with policy DEV12 of the Council's interim planning guidance 2007.
- Contributions have been secured towards environmental improvements of pedestrian facilities, community facilities, open space, highways improvements, car free

arrangements and arrangements to ensure that accommodation is used as Student Housing for the student of Queen Mary University, London Metropolitan University or other further education facilities agreed with the Council. This is in line with Circular 05/2005, the Community Infrastructure Levy Regulations 2010, policy 6A.5 of The London Plan 2008, policy SP13 of the adopted Tower Hamlets Core Strategy 2010, 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 contributions toward infrastructure and services required to facilitate development.

3. RECOMMENDATION

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

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

B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:

Financial Contributions

- Provide a contribution of **£15,000.00** to British Waterways for the undertaking of a study into the condition of the waterway wall.
- Provide a contribution of **£50,000.00** to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent to key public transport nodes within the vicinity of the site.
- Provide a contribution of **£75,000.00** to the Primary Care Trust for the provision of Health Care within the borough
- Provide a contribution of **£330,597.86** towards the provision of open space.
- Provide a contribution of **£42,848.00** towards the provision of library and Ideas stores.
- Provide a contribution of **£192,891.00** towards the provision of leisure and community facilities.
- Provide a contribution of **£2,855.68** for the upgrade the existing street lighting by replacing lights along Longnor Road.
- Provide a contribution of **£2,524.97** for the upgrade the existing street lighting by replacing lights along Moody Street.
- Provide a contribution of **£57,000.00** for footway improvement works in Longnor Road.

Non-financial Contributions

- Car free arrangements that prohibit residents and users of the development, other than disabled people, from purchasing on-street parking permits from the borough council.
- Restriction of the use of the accommodation to students of Queen Mary University or London Metropolitan University, or other further educational establishments within the borough as has been approved in writing by the local planning authority.
- To participate in the Council's Access to Employment initiative.

3.2 That the Head of Planning and Building Control is delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) 3 year Time Period
 - 2) Approved plans
 - 3) Submission of materials and elevation details
 - 4) Landscaping plan and landscaping management plan
 - 5) 10% wheelchair accessible room provision
 - 6) Carbon Emissions/Energy Savings Measures
 - 7) BREEAM level Excellent
 - 8) Land contamination remediation
 - 9) Verification of contamination remediation
 - 10) Cycle parking details
 - 11) Petrol/oil interceptors
 - 12) Noise insulation and glazing measures
 - 13) Details of plant and ventilation systems
 - 14) Air quality for mechanical ventilation
 - 15) Micro-climate assessment
 - 16) Bin store details
 - 17) Site Waste Management Plan
 - 18) No infiltration of surface water drainage
 - 19) Restriction of foundation designs
 - 20) Schedule of works on the Highways
 - 21) Water supply provisions for fire fighting
 - 22) Student Accommodation Management Plan
 - 23) Delivery and Service Management Plan
 - 24) Noise barrier details
 - 25) Post completion noise testing
 - 26) Details of water re-use
 - 27) Dismantle structures by hand
 - 28) Updated Black Redstart survey
 - 29) Living roofs
 - 30) Nest boxes for black redstarts
 - 31) Landscape enhancements for bats to be determined after a bat activity survey.
 - 32) Eradication and disposal of Japanese knotweed from the site.
 - 33) Measures to ensure acceptable water supply for development.
 - 34) Programme for recording the historic fabric of the railway viaduct.
 - 35) Travel advice note package
 - 36) CCTV scheme
 - 39) Removal of PD fencing rights
- Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) S106 agreement
 - 2) S278 agreement
 - 3) Thames water infrastructure requirements
- Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

3.3 That, if by 22nd of September 2011 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Planning and Building Control is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The applicant proposes to construct a student accommodation block containing 412 student rooms on the land currently occupied by the redundant portion of the railway viaduct. The proposal will consist of the demolition and removal of the redundant portion of the railway viaduct to the south side of the railway and the erection of two separate buildings.
- 4.2 Both buildings will consist of 4 storey podium blocks with higher tower elements at either ends of the podiums. The eastern building, closest to the Regent's Canal (Grand Union Canal), has tower elements rising to 8 storeys at both ends. The western building has towers elements rising to 8 storeys at the eastern end of the podium and 10 stories at the western end. This is shown in figure 4.1 below.



Figure 4.1 – South elevation of the proposed development showing heights of the proposed tower elements.

- 4.3 The proposal also includes the construction of two single storey storage buildings. One of these will be located within the Queen Mary University Campus and the other will be located to the west of the main student accommodation buildings.
- 4.4 The development will include parking spaces for two disabled vehicles and an onsite loading space and landscaping around the building. Communal roof terraces will be provided between the tower elements on top of the podium blocks on both buildings. Living roof elements will be incorporated on the roofs of the tower blocks.
- 4.5 As response to initial consultation comments, the design of the scheme has been changed from the scheme as originally submitted. The main changes to the design of the scheme are:
- The principle cladding material for the entire development has been changed from terracotta tile to stock brick.
 - Projecting bays have been simplified to a rectangular form with more uniform glazing.
 - Copper cladding, similar to that on Pooley House, will be used as predominate material on the projecting bays, rather than zinc, with only a small element of zinc cladding retained around the glazing elements.
 - The elevations of the originally submitted design have been simplified in terms of both form and materials.
 - The projecting roof elements have been removed.

Site and Surroundings

- 4.6 The subject site is currently occupied by a railway viaduct adjacent the northern boundary of the Queen Mary University campus on the northern side of Mile End Road. The site is

approximately 172m long by 25m wide and covers an area of approximately 0.469 hectares (1.16 acres). The site fronts onto a private unadopted access way within the university campus, which provides access to the rear of the Pooley House student accommodation building within the Queen Mary University campus.

- 4.7 The railway viaduct to the north of the subject site carries operational services out of Liverpool Street Station. The full viaduct extends to approximately 50m, with the northern section carrying live tracks. The viaduct narrows at the eastern end to a bridge crossing Regents Canal (Grand Union Canal). The redundant portion of the railway viaduct is located on the southern side of the operational tracks.
- 4.8 The viaduct forms a natural northern barrier to the Queen Mary University Campus, which is bounded to the south by Mile End Road, the east by Regent's Canal (Grand Union Canal) and the west by the Royal London Hospital.
- 4.9 To the east of the site is Regent's Canal (Grand Union Canal) and to the east of that is Mile End Park, an extensive area of Public Open Space running along the banks of the Canal from Limehouse to Victoria Park.
- 4.10 The Queen Mary University is to the south of the subject site. Immediately adjacent the development site is the existing 8 storey student housing building of Pooley House, with associated servicing access and parking. A Tower Hamlets Homes housing estate, known as Longnor Estate, on the north side of Longnor Road is located to the west of the site and to the north on the far side of the railway tracks is the housing developments of Sutton's Wharf and Leamore Court, Meath Crescent.

Planning History

- 4.11 PA/08/02485 – An Outline Planning Application for the erection of a student housing development was submitted in December 2008. This application was withdrawn by the applicant.
- 4.12 PA/09/01445 – A Full Planning Application for the erection of a student housing development to a maximum height of 10 storeys was submitted in August 2009. This application was also withdrawn by the applicant.

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

PPS 1	Delivering Sustainable Development
PPG 13	Transport
PPG 24	Planning and Noise
PPS 22	Renewable Energy

The London Plan Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (February 2008)

2A.1	Sustainability Criteria
3A.1	Increasing London's Supply of Housing
3A.3	Maximising the Potential of Sites

3A.5	Housing Choice
3A.6	Quality of New Housing Provision
3A.7	Large Residential Developments
3A.13	Specialist Needs and Specialist Housing
3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and enhancement of Social Infrastructure and Community facilities
3A.23	Health Impacts
3A.25	Higher and Further Education
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.4	Land for Transport
3C.17	Tackling Congestion and Reducing Traffic
3C.19	Local transport and public realm enhancements
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3D.8	Realising the Value of Open Space and Green Infrastructure
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.10	Overheating
4A.11	Living Roofs and Walls
4A.12	Flooding
4A.13	Flood Risk Management
4A.14	Sustainable Drainage
4A.16	Water Supplies and Resources
4A.17	Water Quality
4A.19	Improving Air Quality
4A.20	Reducing Noise and Enhancing Soundscapes
4A.28	Construction, Excavation and Demolition Waste
4B.1	Design Principles for a Compact City
4B.2	Promoting World Class Architecture and Design
4B.3	Enhancing the Quality of the Public Realm
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.8	Respect Local Context and Communities
4B.9	Tall Buildings – Location
4B.10	Large-scale buildings – Design and Impact
4B.12	Heritage Conservation
4C.2	Context for Sustainable Growth
4C.3	The Natural Value of the Blue Ribbon Network
4C.6	Sustainable growth priorities for the Blue Ribbon Network
4C.8	Fright Uses on the Blue Ribbon Network

Core Strategy 2025 Development Plan Document (2010)

SP02	Urban Living for Everyone
SP03	Creating Healthy and Liveable Neighbourhoods

SP04	Creating a Green and Blue Grid
SP05	Dealing with Waste
SP07	Improving Education and Skills
SP08	Making Connected Places
SP09	Creating Attractive and Safe Streets and Spaces
SP10	Creating Distinct and Durable Places
SP11	Working Towards a Zero Carbon Borough
SP12	Delivering Placemaking

Unitary Development Plan 1998 (as saved September 2007)

Policies:

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV12	Provision of Landscaping in Development
DEV46	Protection of Waterway Corridors
DEV48	Strategic Riverside Walkways and New Development
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV63	Designation of Green Chains
DEV69	Efficient Use of Water
HSG13	Internal Standards for Residential Developments
HSG14	Provision for Special Needs
HSG15	Preserving Residential Character
HSG16	Amenity Space
T16	Traffic Priorities for New Development
T19	Priorities for Pedestrian Initiatives
T21	Pedestrian Needs in New Development
T26	Use of Waterways for Freight
U2	Development in Areas at Risk From Flooding

Interim Planning Guidance for the purpose of Development Control (2007)

Proposals:

CSG	Crossrail Safeguarding Zone
-----	-----------------------------

Core Strategies:

Policies:

DEV 1	Amenity
DEV 2	Character and Design
DEV 3	Accessibility and inclusive Design
DEV 4	Safety and Security
DEV 5	Sustainable Design
DEV 6	Energy Efficiency and Renewable
DEV 7	Water Quality and Conservation
DEV 8	Sustainable Drainage
DEV 9	Sustainable Construction Materials
DEV 10	Disturbance from Noise Pollution
DEV 12	Management of Demolition and Construction
DEV 13	Landscaping and Tree Preservation
DEV 14	Public Art
DEV 15	Waste and Recyclables Storage
DEV 16	Walking and Cycling Routes and Facilities
DEV 17	Transport Assessments
DEV 18	Travel Plans

DEV 19	Parking for Motor Vehicles
DEV 20	Capacity of Utility Infrastructure
DEV 22	Contaminated Land
DEV 27	Tall Building Assessment
HSG 1	Determining Residential Density
HSG 7	Housing Amenity Space

The Draft Replacement London Plan (October 2010)

2.18	Green infrastructure: the network of open and natural spaces
3.1	Ensuring equal life chances for all
3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.7	Large residential developments
3.8	Housing choice
3.10	Mixed and balanced communities
3.17	Protection and enhancement of social infrastructure
3.18	Healthcare facilities
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood risk management
5.13	Sustainable drainage
5.14	Water quality and sewerage infrastructure
5.15	Water use and supplies
5.17	Waste capacity
5.18	Construction, excavation and demolition waste
5.21	Contaminated land
6.2	Providing transport capacity and safeguarding land for transport
6.3	Assessing transport capacity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.3	Secured by design
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.8	Heritage assets and archaeology
7.9	Heritage-led regeneration
7.19	Biodiversity and access to nature
7.30	London's canals and other rivers and waterspaces
8.2	Planning obligations

Supplementary Planning Guidance/Documents

Designing Out Crime (Part 1 & 2) – SPG 2002
Landscape Requirements – SPG 1998

Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

A Great Place To Be
Healthy Communities
Prosperous Communities
Safe and Supportive Communities

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:

Olympics Joint Planning Authorities Team

6.2 No objection or concerns raised.

Crossrail

6.3 Do not wish to make any comments on the application.

Officer's Comments

6.4 Design changes in the Crossrail programme mean that while the application site is located within the Safeguarding Area, this area is no longer proposed to be used in association with the construction proposals for Crossrail.

Environment Agency

6.5 The Environment Agency has withdrawn an earlier objection to the proposal. The Environment Agency has requested that a number of conditions be imposed on any approval relating to contamination within the site and piling related to the foundations of the development.

Officer's Comments

6.6 Conditions required by the Environment Agency are recommended to be included on the Planning Permission, if approved.

British Waterways

6.7 British Waterways have requested a survey and repairs be carried out to the waterway wall adjacent the development, to ensure that the waterway wall is capable of accommodating the development and additional impact from nearby users. They have also requested details of the new copings to be installed.

6.8 British Waterways have requested a financial contribution of £100,000 to be secured through a Section 106 legal agreement towards enhancement of the waterway environment, due to the increased number of users from the development.

6.9 British Waterways have requested that LED path lighting to the underside of the adjacent rail bridge be installed, to increase the safety of users of the waterside towpath, including the additional users from the development.

6.10 British Waterways have requested Green and Brown roofs be installed and have also requested the installation of bird and Bat boxes within the development, in order to increase biodiversity and the use of the adjacent waterway for nature conservation.

6.11 British Waterways have requested a number of conditions and informatives be imposed on the planning permission, if approved.

Officer's Comments

6.12 The applicant has offered to replace the copings on the adjacent waterway wall as part of the proposal and agreed to a financial contribution of £15,000 to undertake a study on the condition of the waterway wall. This does not fully address British Waterway's request for a survey and identified repairs to be carried out to the waterway wall. However, any existing damage to the wall cannot be attributed to the proposed development and therefore it would be unreasonable to expect that the proposal would repair any damage.

6.13 No commitment to provide LED lighting above the towpath on the underside of the rail bridge has been provided. The canal towpath walkway that runs under the rail bridge is located on the opposite side of the canal (eastern side) from the development and occupants of the development would not have direct access to it from the development site. The canal path is an existing situation, and while the increase in population may increase the number of users, the existing lighting situation would not be exasperated by the development. It is not considered that the provision of LED lighting under the bridge would be appropriately related to the mitigation of the impacts of the scheme.

6.14 No commitment to provide any further financial contribution towards enhancement of the waterway environment has been provided.

6.15 Detail of bird and bat box installation on the development has been provided as a response to British Waterway's. These could be secured by a condition of consent.

6.16 Conditions and informatives required by British Waterways are recommended to be included on the planning permission, if approved.

London Fire and Emergency Planning Authority

6.17 LFEPA have requested that further information is provided on the water supplies in the area.

6.18 LFEPA have advised that turning for emergency vehicles does not comply with ADB.B5.16.11 (Diagram 50)

Officer's Comments

6.19 It is considered that a condition should be included on the application to require confirmation that adequate access to water for fire fighting purposes is available, to the satisfaction of the LFEPA, prior to the commencement of development.

6.20 Since the response from LFEPA, further information has been provided by the applicant showing how the turning can be achieved.

Commission for Architecture and Built Environment

6.21 Initial comments from CABA on the design stated that the principle of student accommodation on the site is acceptable. However CABA raised a number of areas of concern regarding the design of the development. CABA state that there is not a clear relationship with Pooley House at ground floor level. They also raised concerns as to the internal amenity for the occupants of the development, commenting particularly on the daylight to the northern single aspect units/rooms. They have also questioned how the rooms will be ventilated and also protected from noise. Initial comments also highlighted that they were unconvinced that the architecture exhibits a quality that such a prominent location demands and that the architecture is unnecessarily complicated.

6.22 Following the design amendments CABA were again consulted on the scheme. However, at the time of writing this report CABA had been able to comment on the revisions to the design of the scheme.

Officer's Comments

- 6.23 The land immediately adjacent the site, which is a parking and service road to the rear of Pooley House, is owned by Queen Mary University and is outside the control of the applicant. However, the applicant has entered discussions with the University and drawn up a plan, for information only, of how landscaping of the area could be brought forward. However, the applicant has not agreed to the landscaping of the QMU land being secured by S106, as they are not able to control that this be brought forward. They have commented that the area within the site will be landscaped and provide additional public realm. However, the form of landscaping is restricted as this area is required to be maintained as an emergency services access, due to the fact that the developer does not have access rights over the adjacent QMU land for this purpose.
- 6.24 The development is proposed for student accommodation and thus will have a transient population. However, in order to address concerns related to the design and provision of daylight to the northern aspect the developer has amended the design to include larger windows with louvers which will allow daylight through the north facade while restricting noise from the adjacent rail tracks. A daylight report has been provided detailing the level of daylight received into the rooms. This is discussed in paragraph 8.103 of this report.
- 6.25 Further information has been provided detailing ventilation options and the measures to protect the residents from the noise generated by the adjacent railway and calculations have been provided to show how effective noise protection measures are. The information demonstrates that ventilation can be provided in an acceptable form and conditions are recommended to ensure these measures are adequately installed and post completion testing is carried out to ensure the quality of the living spaces.
- 6.26 Changes have been undertaken to the northern facade of the building and to the proposed materials palette.
- 6.27 Changes to the design of the building are considered by officers to simplify the architecture of the building.

English Heritage

- 6.28 The initial response from English Heritage raised concern about the lack of information regarding the heritage of the viaduct and as such, they were unable to provide a final comment on the application. Following further information provided by the applicant on the heritage of the viaduct, English Heritage recommended that a condition be included on any approval requiring the implementation of a programme of recording and historic analysis.

Officer's Comments

- 6.29 As a result of the initial comments from English Heritage, the applicant undertook a report into the heritage of the viaduct. It is considered that the condition recommended by English Heritage, following the review of the heritage report, be included on any Planning Permission.

Transport For London

- 6.30 TFL accept the car-free proposal for the site and request that this is secured by S106 legal agreement. However, they have noted that only two of the three car parking spaces provided onsite are to be provided for disabled drivers. They have therefore requested clarification as to the use of third car parking space provided onsite.
- 6.31 TFL have requested cycle parking is increased from 120 to 206 to meet the required standard of 1 space per 2 students. In addition security measures such as CCTV should be provided to ensure that the cycle storage is secure and well maintained.
- 6.32 TFL have also requested a Construction Logistics Plan and a Delivery and Servicing Plan.

They have requested this be secured in the S106 of the development.

- 6.33 Finally in line with TFL comments they have requested a financial contribution of £50,000 be secured under the S106, to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- 6.34 Given the level of walking estimated in the Transport Assessment TFL has also requested signage in 4 locations, which together with the maintenance costs brings the total value of their S106 financial contribution requirements to £51,727.
- 6.35 TFL have requested a full travel plan for the development, including a particular focus on the arrival and leaving of students at the start and end of terms.

Officer's Comments

- 6.36 The applicant has accepted the requirement for the development to be secured as car free (excluding disabled parking) by S106 legal agreement.
- 6.37 The applicant has confirmed that the 3rd parking space is not a parking space but would be a loading space.
- 6.38 The applicant has confirmed that the cycle parking spaces will be two tier stands and will therefore be able to accommodate 240 cycle spaces. This exceeds the 206 requested by TFL.
- 6.39 No confirmation or detail of security measures has been provided at this stage but it is recommended that a condition be included on the consent to ensure that prior to occupation these details are provide and installed.
- 6.40 The applicant has confirmed they are happy for a delivery and servicing plan and a construction delivery plan to be secured by planning condition. If approved, it is recommended that conditions are included securing the submission and approval of these documents.
- 6.41 The applicant has also agreed to provide the requested financial contribution towards improving the junctions adjacent key public transport nodes within the vicinity of the site. However, they have not committed to the contribution towards signage. Their response on this matter is that there is appropriate wayfinding signage existing in the area, particularly through the Queen Mary University campus.
- 6.42 In relation to the request for a full travel plan, it is considered, on the basis of Council's Strategic Transport Officer advice that a travel plan would not be an effective tool for the mitigation of impacts from the arrival and leaving of students at the start and end of terms. Instead Council officers are advocating a simpler and more user friendly travel advice note package as further discussed paragraph 8.68 of this report.

Greater London Authority

Land use

- 6.43 GLA have requested information as to the operation and management of the new student accommodation. They have also requested confirmation that Rents and Nomination Agreement will be entered into with QMU or other student housing provided.
- 6.44 GLA have requested that it is secured by S106 legal agreement that the accommodation is only used by students or faculty staff of QMU only

Design

- 6.45 GLA initially raised a number of concerns related to areas of the design of the building. They

requested the screens on the northern side of the terrace be removed. They have also stated that the north elevation needed to be reconsidered, as it failed to provide a sufficiently distinctive and high quality enclosure to the park to the north.

- 6.46 Other concerns that GLA raised relating to the design included, that the northern elevation was not designed with a north facing aspect in mind and that there is a lack of passive security achieved to the main entrance of the building at Bradwell Street.
- 6.47 Furthermore, GLA stated that there was insufficient detail of how the development relates to the canal setting and that the overall appearance should be reconsidered to ensure it would suit the context and would not harm the Conservation Area.
- 6.48 The GLA requested that improvements to Bradwell Street, which is in a poor state, include lighting and active security measures and be secure if planning permission is approved.
- 6.49 Concern was also raised by GLA that planting of trees is proposed too close to the building to achieve maturity.
- 6.50 Following submission of the amended design, officer comments from the GLA were provided on the changes to the design. These stated that the revisions to the materials palette and simplification of the external treatment and roofline is welcomed. The comments on the revised design stated that the new design response would have an improved relationship with the character of Regent's Canal Conservation Area.
- 6.51 However, the officer comments do state that the inclusion of brise soleil to the northern elevation seems counterintuitive given the orientation of this elevation and that this elevation should be designed with a north facing aspect in mind.

Accessibility

- 6.52 Initially in relation to accessibility GLA stated that insufficient information to demonstrate how the studio units would be adapted for wheelchair users is provided. Following the provision of more information and amended designs officer level comments were received from the GLA confirming the 9% of units as wheelchair accessible and 1% as adaptable for wheelchair uses was supported.

Sustainability

- 6.53 Initially in relation to sustainability and climate change mitigation GLA also requested details showing the breakdown of regulated and unregulated carbon emissions. They also requested details of the proposed building parameters (e.g. Air permeability and U-values) compared with the values for the 2010 Building Regulations Notional Building. GLA requested a condition to secure the proposed photovoltaic panels.
- 6.54 Following amended designs and further information the officers level response from GLA commented that, while the energy efficiency measures proposed will meet 2010 Building Regulations compliance through energy efficiency alone, the applicant should explore the potential to achieve further energy efficiency savings to ensure they exceed 2010 Building Regulations compliance and that GLA officers would expect any constraints to doing so to be clearly summarised and evidenced.

Transport

- 6.55 In relation to transport issues the comments from the GLA complement those provided from TFL (see above). The GLA accept the car-free proposal for the site and request that this is secured by S106 legal agreement.
- 6.56 The GLA have requested cycle parking is increased from 120 to 206 to meet the required standard of 1 space per 2 students. In addition security measures should be provided.

- 6.57 A signage strategy has been requested between the site and key transport nodes and full travel plan is requested to be secured in the S106 legal agreement.
- 6.58 GLA have also requested a Construction Logistics Plan and a Delivery and Servicing Plan.
- 6.59 Finally in line with TFL comments they have requested a financial contribution be secured under the S106 for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- 6.60 GLA, have also requested a full travel plan for the development.

Officer's Comments

- 6.61 The applicant has provided a statement commenting that it is not currently known how the student housing will be operated as they are currently in the process of picking a preferred developer. Therefore no commitment has been given that a Rents and Nomination agreement will be entered into with the QMU or other student housing provider. In addition, the applicant has advised that QMU do not enter into Rents and Nomination agreements.
- 6.62 The applicant has agreed to an obligation in the S106 legal agreement that the accommodation will only be used by students of Queen Mary University, London Metropolitan University or other agreed further education facility. This is considered acceptable.
- 6.63 The applicant has removed the screens to the northern side of the terraces, amended the design of the north elevation and material pallet in order to address some of GLA's concerns. Given the latest officer level comments from the GLA this has been largely successful in addressing GLA concerns.
- 6.64 While the amendments to the northern elevation fails to fully address GLA officers concerns, the design of the northern elevation must also contend with the adjacent railway and the noise that arises from the operation of trains along this line. Design is discussed in greater detail in the Material Planning Considerations section of this report, in paragraphs 8.79-8.129. Comments from GLA officers brought up an issue with brise soliel to the northern elevation. These are in fact acoustic baffles rather than brise soliel and are proposed to ensure adequate noise mitigation to the student rooms.
- 6.65 Matters related to tree planting, the type of tree and the exact position will be agreed in detail through the discharge of landscaping conditions, which are recommended to be included on any approval.
- 6.66 Bradwell Street is a private roadway outside the ownership of the applicant. While the applicant does have rights of access over the roadway, it is outside the application site and improvements cannot be secured by condition.
- 6.67 Amended drawings have been provided detailing how the conversion of the studio apartments to wheelchair units would be accomplished.
- 6.68 The applicant has provided the requested details on regulated and unregulated carbon emissions and a comparison of the building parameters with the 2010 Building Regulations notional building. Conditions of consent could ensure that Energy Efficiency measures are maximised in accordance with GLA's request.
- 6.69 A condition is recommended to be included on the permission as requested by GLA securing the installation and operation of the proposed photovoltaic panels.
- 6.70 Refer to the officers comments under the TFL section (above) for comments related to transport.

Thames Water Authority

- 6.71 Thames Water Authority has requested conditions and informatives relating to attenuation of stormwater, pilling restrictions, oil interceptors, fat traps and a study on the impact of the development on the water supplies to the area.

Officer's Comments

- 6.72 Conditions and informatives required by Thames Water Authority are recommended to be included on the Planning Permission, if approved.

Inland Waterways Association

- 6.73 No objection or concerns raised.

Tower Hamlets Primary Care Trust

- 6.74 Tower Hamlets Primary Care Trust has commented that there is insufficient detail in the application on health care and how the proposed residents of the student accommodation will be catered for and as such they cannot provide a final response or identify an appropriate total for a financial contribution to mitigate the impact upon health services in the area.

Officer's Comments

- 6.75 No information has been submitted to outline the impact of the additional population created by the development on health facilities. While QMU has health facilities within the campus, there is no requirement that students will only use these facilities. Students are open and able to register with and use other NHS facilities in the area. Furthermore, there is no possibility to restrict occupants from using any public health facilities with the area. In addition to this, occupants would potentially increase the demand on such facilities as Accident and Emergency. In order to mitigate this impact the applicant has proposed a financial contribution to PCT of £75,000

LBTH Transportation and Highways

- 6.76 The Council's Transport and Highways Department raised concern that details of the types of stand for cycle storage were not provided.
- 6.77 They have also identified areas where they considered inappropriate data was used in the Transport Assessment. They have stated that the survey used to estimate trip generation should be recent and based on inner-London student accommodation rather than the data that was used which did not include any sites in London and was collected in 2001 to 2006.
- 6.78 The Council's Transport and Highways Team have also raised questions relating to how the modal splits between public transport modes have been allocated.
- 6.79 Financial contributions have been requested for the following public realm improvements:
- £5,380.65 for the upgrade the existing street lighting by replacing lights along Longnor Road and Moody Street
 - £57,000.00 for footway improvement works in Longnor Road
 - £53,000.00 for raised junction tables at Moody Street/Bancroft Road and Moody Street/Longnor Road junctions.

Officer's Comments

- 6.80 The applicant has provided detail of the two tier stands proposed, confirming sufficient operation distance has been provided to ensure the top level of the cycle stands are accessible.

6.81 The applicant has provided additional information to address the Council's Transport and Highways Department's questions relating to trip generation and modal splits. They have provided an explanation that no directly comparable data is available for inner-London student housing sites and that is why outer-London sites have been used. The statement provided by the applicant identifies that a simple 50:50 modal split was adopted due to the low number of estimated trips.

6.82 The applicant has agreed to provide a financial contribution for:

- £5,380.65 for the upgrade the existing street lighting by replacing lights along Longnor Road and Moody Street; and
- £57,000.00 for footway improvement works in Longnor Road

6.83 However, the applicant has not agreed to the financial contribution of £53,000.00 for raised junction tables at Moody Street/Bancroft Road and Moody Street/Longnor Road junctions. The applicant has stated that this is disproportionate to the scheme given that the development would be car free and provide minimal vehicle trips.

LBTH Waste Policy and Development

6.84 LBTH Waste Policy and Development has not raised objections to the development

LBTH Energy Efficiency Unit

6.85 LBTH Energy Efficiency Unit have requested conditions be imposed on any planning permission relating to sustainability and energy efficiency.

Officer's Comments

6.86 Conditions requested by LBTH Energy Efficiency Unit are recommended to be included on the Planning Permission, if approved.

LBTH Landscape Section

6.87 The Council's Landscape has not objected to the proposals.

LBTH Arts, Sports and Leisure Services

6.88 The Council's Arts, Sports and Leisure Services Team have requested financial contributions of £330,597.86 are made towards open space provision, £42,848.00 towards library and ideas stores provision and £192,891.00 towards leisure and community facilities. The financial contributions would be used to mitigate the impact of the increased population on these resources and have been calculated on the basis of the Council's infrastructure delivery plan, Sports England calculator and the Council's Planning for Population and Grown Capacity Assessment. These financial contributions should be secured through a S106 agreement.

Officer's Comments

6.89 The applicant has agreed to commit to the requested financial contributions towards open space, libraries and Ideas Stores and leisure and community facilities.

LBTH Crime Prevention Officer / Met Police

6.90 The Council's Crime Design Officer from the Met Police has commented that the new building is as secure as possible, relating to access to the building and between rooms. Would expect Secure by Design standards for ground floors, doors, glass, lighting, entry phones, concierge/porters, postal services etc.

6.91 He has also commented that given the current permeability of the campus, campus security should not be used as a reason for not opening up towpath access on the western side.

Officer's Comments

6.92 It is recommended that the requirements for Secured by Design Standards are included on

the permission as conditions of consent if granted.

- 6.93 The applicant is not proposing any changes to the current tow path arrangement. On the western side of the Regent's Canal the viaduct bridge arch is immediately adjacent the canal wall, leaving no room for a tow path on this side of the canal. Any tow path on the western side would have to be developed within the current canal waterbody. While the development does not provide tow path access under the viaduct on the western side, it does not preclude this being provided in the future.

LBTH Environmental Health

Noise, vibration and ventilation

- 6.94 Due to the noise source from the adjacent the railway, noise and vibration are of concern in relation to this development. Details of required noise mitigation and levels of vibration and ground borne noise have been provided and reviewed by Environmental Health. Environmental Health are happy that measures can be included to adequately mitigate these matters and ensure an appropriate living environment. They have recommend conditions of consent relating to glazing, ventilation, noise mitigation measures, air quality for any mechanical ventilation and post completion test to be carried out in order to prove that development achieve the BS 8233 good standard.

Land Contamination

- 6.95 Records show that the site and surrounding area have been subjected to former industrial uses (Miscellaneous: Hospitals; Miscellaneous: Cemetery or Graveyard; Infrastructure: Railways), which have the potential to contaminate the area. It is understood that ground works and soft landscaping are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine associated risks. Conditions are recommended to ensure appropriate testing and remediation of any land contamination due to former uses, prior to the construction of the development.

Officer's Comments

- 6.96 It is recommended that the conditions recommended by Environmental Health are included on any permission to mitigate the impacts of the noise environment and any potential land contamination.

7. LOCAL REPRESENTATION

- 7.1 A total of 794 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 responses: 27 Objecting: 25 Supporting: 2
No of Petitions: 1 - Online

- 7.2 The following issues were raised in representations and petitions received:

- In the view of one submitter, the MOLAS assessment of the railway viaduct to be removed lacks sufficient historic analysis for a proper assessment of significance and that further research on the historic analysis of the railway would probably have lead to a much higher level of significance. The submitter considers that too much of the Borough's railway heritage has already disappeared and that MOLAS should carry out a proper standing building assessment.
- The quantity of proposed rooms in the development will have a negative effect on the local residents and amenities. Together with the already densely populated area, with many 8 and 9 storey buildings extremely close by and Sutton's Wharf North that is

currently under construction and will also add hundreds of flats, the hundreds of extra residents would put considerable pressure on bus routes, walkways, shops, canal towpaths, local parks and GP surgeries.

- The development lacks architectural merit, with the submitter commenting that the design is reminiscent of an office block template, offering little enjoyment to residents and does not sensitively harmonise with the surrounding canal and Mile End Park.
- The double height roof canopies look like helicopter landing pads and would recommend that they are redesigned
- Suggest that the cladding materials are toned-down.
- The development will spoil the views of Canary Wharf
- The development will create an overdevelopment of buildings in the area
- The development will effect the aesthetics of the park
- The development will cause a drop in property prices in the area
- Already within Bethnal Green there has been several student accommodations built.
- The development should be redesigned to be more eco-friendly or the developer should turn the area into greenland.
- The 10-14 storey height is too tall and out of scale with recent developments.
- There will be an increased level of noise from more student accommodation, and noise from the trains as it bounces off the walls of the new development.
- The development will have a negative affect on nature around the area.
- The development will impact on the light level received by the existing student block [Pooley House]
- The proposed development will have a lot of noise disturbance from the trains
- Fed up with constant construction noise in the area.
- Will air conditioning be installed to new building [to prevent need to open windows and reduce noise insulation]?
- Scale of the development would be excessive and out of keeping with character of the area, dominating the local skyline.
- The proposed design is aesthetically uninspiring
- Impact on light received by developments to the north side of the railway
- Amount of building is reducing the quality of the area and green areas
- Features of the building increase the height without serving any purpose
- Height of the building would be overbearing and would blight the amenity value of Mile End Park, the Canal walk and Meath Gardens
- Adverse impact on Mile End Station [capacity]
- More appropriate to refurbish the derelict building on Queen Mary University Campus that build the proposed development
- The development will result in overlooking and loss of privacy
- The development would adversely impact on the conservation area features, wildlife, biodiversity and protected priority species on the adjacent areas of Regent's Canal
- Development will increase traffic flow along Longnor Road and Bradwell Street
- Will students be entitled to make applications for residents parking permits?
- Currently there is little disturbance from the University Campus on Longnor Road. However, the university gates are closed at 7pm. The application fails to make clear what hours of access will be and what impact this will have on Longnor Road. Worry is that it will impact on privacy of residents and alter the calm quiet atmosphere currently enjoyed.
- Concern about contamination of the site
- No mention in the application of the allotments on Bradwell Street and what will be done to protect these
- No mention is made of the small businesses, which currently operate in Apple Tree Yard.
- Lack of consideration of residents of Longnor Estate
- To have a large concentration of student flats on our doorstep is detrimental to the harmony of community relations and will cause irreconcilable tensions as has been evidenced in other inner city large-scale student accommodation.

- Consideration that it would make more sense to limit the number of students in lower rise buildings or distribute student housing in different locations spread out over East London. This would be better for the students who would benefit from a more communal reception rather than potential targets of abuse and crime.
- Consider that there will be noise pollution from parties taking place on terraces
- Noise from noisy drunken people late at night walking home along residential streets
- No roof terraces should be permitted as they will constitute an unnecessary health and safety hazard, in addition to creating noise and light pollution for other residents.

7.3 The following supporting comments were raised in representations:

- Queen Mary University and Network Rail have been working together and Queen Mary University is now satisfied that the potential benefits of the scheme outweigh the temporary nuisance during construction activity.
- Purpose built student accommodation of the specification proposed is lacking within proximity to the Queen Mary University and the proposed development will significantly increase the diversity of accommodation available to Queen Mary University Students
- Queen Mary University believe the scheme will not compete with the existing accommodation on the Mile End campus, as it will be more expensive, however it will add to the options available to students and they envisage that the accommodation will be fully occupied once complete.
- In 2010 the Queen Mary University had a considerable number of students on the waiting list for accommodation, indicating significant unmatched demand for purpose built student accommodation
- Security of the Queen Mary University campus is a significant priority for the University and Queen Mary University and Network Rail have given this much thought and the scheme now envisages the development will be gated thus preventing general pedestrian access onto the site and via the site onto the University campus
- Replacement storage facilities will ensure Queen Mary University will continue to have on site access for essential plant, equipment and consumables needed in the day to day operation of it 1700 on site student rooms.
- Longnor Tenants and Residents Association consider that the scheme will greatly improve and regenerate an immediate area
- The development will create a more pleasant environment and deter anti social behaviour
- The Development will create a liaison between Longnor Estate and the railway
- The Longnor Tenants and Residents Association has been consulted by Network Rail throughout the application and understand and support the merits and are working with Network Rail to ensure that the immediate area benefits from the application presented by them.

Officer's Comments

7.4 Matters related to the Museum of London Archaeology report are discussed in detail in paragraphs 8.95-8.100 of this report.

7.5 Matters related to the internal amenity of the proposed development, density of development, scale and height of the development and the appearance of the development are all also addressed in section 8 of this report. It should be noted that a number of the comments made in representations relating to the architectural quality and design relate to the design as originally submitted. Significant design alterations were undertaken following initial officer feedback that have seen, amongst other amendments, changes to the material pallet, simplification of the design and removal of the butterfly roofs, which has resulted in a lowering of the height and what Council design officers consider a significant overall improvement of the design of the development.

- 7.6 A number of representations received raise objection on the grounds that the development will impact upon views from the developments to the northern side of the rail towards Canary Wharf, impact on the skyline, and result in a drop in property values for these residents. As addressed in paragraph 8.121 it is an accepted planning principle that private views cannot be protected in planning consideration. Therefore, as private views are recognised as not being a material planning consideration it is considered that a refusal could not be substantiated on this basis. Furthermore, property value is also a matter that is outside the aspects of material consideration when assessing and making a decision on planning applications.
- 7.7 With many student housing developments concern is raised over the impact of a concentration of students within the area. Aspects raised in representation for this application include noise and anti social behaviour of students also. This matter is addressed in paragraphs 8.48-8.50 of this report, where it is recommended that a condition of consent require the implementation of a management plan for the development which would include:
- Details of a full time management team and the provision of 24 hour security.
 - Details of a Management Code of Conduct that stipulates the behaviour of occupiers and residents of the building.
 - A requirement for each student residing in the building to sign a tenancy agreement to abide by the Management Code of Conduct.
 - Circumstances where a tenancy would be terminated and the steps to achieve this.
- 7.8 It is considered that such tools have been successfully used in other developments to control noise and antisocial behaviour attributed to student housing and that this tool would be appropriate to mitigate impacts of the scheme related to these matters.
- 7.9 As with many large development schemes, representations have raised concern that the scheme will result in overdevelopment of the area. Overdevelopment is a symptom caused by development when an area does not have appropriate infrastructure, facilities and transport connections to adequately support the developments in an area. It is shown in section 8 of this report that the development does not impact on transport capabilities and is adequately supported by facilities in the area.
- 7.10 Representations from the public have raised concern that no detail has been provided on the impact of noise from the trains bouncing back off the new development. Following the review of these objections the applicant was requested to provide details. As detailed in paragraphs 8.51-8.53 the information submitted shows that the maximum increase in noise will be negligible.
- 7.11 Representations have also raised concerns on the impact of loss of light, loss of privacy, impact on biodiversity and ecology value, construction noise, land contamination, Mile End Station capacity and increased traffic. These matters are all addressed within Section 8 of this report and are not considered to be of such a detrimental impact to warrant refusal of the application, either separately or cumulatively.
- 7.12 One representation has raised concern about the impact on the site known as Apple Tree Yard, within the arches immediately to the west of the site, behind Longnor Estate, and the existing allotment plots further to the west adjacent the railway viaduct. Network Rail have confirmed that Apple Tree Yard and the business there within the arches are not impacted and their access remains unaffected. Also the allotments which have been created by members of the public on Network Rail land will not be affected.
- 7.13 While officers can see the merits of such an offer, it is not appropriate to secure this as a planning obligation as it does not meet the tests in the CIL Regulations 2010 or the 05/05 Circular.

- 7.14 Representations have also raised issues relating to the impacts of the use of roof terraces. Again it is felt that the impacts of these are a management issue and could be adequately controlled through a Management Plan for the development, which could restrict hours of use.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principles of the Land Use
2. Impact on the Amenity of Adjoining Occupiers and the Surrounding Area
3. Traffic and Servicing Issues
4. Design and Layout of the Development
5. Sustainability
6. Planning Obligations

Principle of the Land Uses

Loss of existing uses

- 8.2 The subject site is currently occupied by a disused portion of the railway viaduct. This disused portion of the viaduct was formally coal or sand shoots that would likely have been associated with a coal depot belonging to the Great Eastern Railway. The Coal depot has long since been redeveloped and the area to the south of the site is now occupied by Student housing associated with the Queen Mary University.
- 8.3 Underneath the railway viaduct a number of the arches have been in use by Queen Mary University for storage purposes. While there appears to be no planning history providing approval for this uses, the arches would be likely to have been in this use for in excess of 10 years and therefore would benefit from immunity to enforcement action for this use under the planning system.
- 8.4 Policy 3C.4 of the London Plan protects land for transport functions, stating that changes of use of land from transport and transport support functions should only be approved if it is no longer required for this purpose, or if equally good alternatives are provided.
- 8.5 While the redundant railway viaduct currently occupying the site has in the past be used for transport purposes, this use is now no longer required. In addition, the applicant has stated that the viaduct is in a state of disrepair and would possibly require demolition in any event. It is therefore considered that the change of use of the land from a transport function is acceptable in terms of policy 3C.4 of the London Plan.
- 8.6 Policy SP08 of the Core Strategy identifies that Council should maximise the use of rail to take the load of the strategic road network and promote the sustainable transportation of freight. However, the redundant railway viaduct is not safeguarded under the Core Strategy and given the adjacent development would not likely be suitable for any future freight transport interchange. It is therefore considered that change of use of the land from a transport function would not conflict with policy SP08 of the Core Strategy.
- 8.7 Saved policy T27 of the UDP states that the replacement of existing aggregate handling facilities which are satisfactorily located will be resisted. While this site could be considered to have formally been an aggregate handling facility in its previous use, the use of the site for this function has long been abandoned. Furthermore, due to the now residential nature of the surrounding environment, it is considered that this site would no longer be acceptable for such a function. It is therefore considered that the proposed loss of the viaduct and ability to convert back to an aggregate handling facility would not conflict with saved policy T27 of the UDP.

8.8 While it is unknown when the arches under the viaduct were first used for storage, it is obvious that this use has been carried out for some time. The proposed development seeks to replace the existing storage use within a new storage building for Queen Mary University. As this existing use is to be replaced, it is considered that there is no policy conflict. Furthermore, the applicant has agreed to include a requirement to participate in the Council's Access to Employment initiatives within the S106 legal agreement.

Proposed Student Accommodation Use

8.9 The proposed development replaces the redundant railway viaduct with a new student housing development. The London Plan recognises the role of higher education in supporting London's position as a world city, along with the benefits resulting from associated employment opportunities, and by attracting investment into the economy. The London Plan 2008 provides the Mayor's strategic objectives the most relevant of which to this application are to:

8.10 *"Make the most sustainable and efficient use of space in London and encourage intensification and growth in areas of need and opportunity;and*

Achieve targets for new housing... that will cater for the needs of London's existing and future population."

8.11 In terms of housing, policy 3A.1 of the London Plan seeks to increase the supply of accommodation. This is supported by policy 3A.3, which requires that proposals achieve the maximum intensity of use compatible with local context, design policy principles and public transport capacity.

8.12 Policy 3A.5 of the London Plan requires boroughs to take steps to identify the full range of housing needs in their area. Paragraph 3.39 of the London Plan acknowledges the importance of purpose-built student housing and the role it plays in adding to the overall supply of housing whilst reducing pressure on the existing supply of market and affordable housing. Policy 3A.13 requires the borough's policies to provide for special needs housing, including student housing, and policy 3A.25 of the London Plan supports the provision of student accommodation.

8.13 It is therefore considered that the provision of student housing on this site would be in accordance with policies 3A.13 and 3A.25 of the London Plan, which support the provision of specialist student accommodation, and policies 3A.1 and 3A.3 of the London Plan which seek to increase the supply of residential accommodation and maximise the use of land.

8.14 The Draft Replacement London Plan was published in October 2009 for its first round of consultation. The Examination in Public commenced in June 2010 and concluded in December 2010, with the Inspector's report published in March 2011. The Draft Replacement London Plan therefore carries some weight in the planning process and needs to be considered in the making of decisions on planning applications within Greater London.

8.15 Policy 3.8 of the Draft Replacement London Plan says that boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with higher and further education agencies and without compromising capacity for conventional homes.

8.16 As with the London Plan, the Draft Replacement London Plan recognises the contribution of higher education to the economy and labour market and states in paragraph 3.44 that London's universities make a significant contribution to its economy and labour market. It is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation. While there is uncertainty over future growth in

the London student population and its accommodation needs, even if requirements from overseas students associated with the London Higher group of universities (the largest recent source of demand for new accommodation), was to fall by a half, this could still approximate to a need for 20,000 – 25,000 places over the 10 years to 2021. The Draft Replacement London Plan again recognises that any new provision may also tend to reduce pressure on other elements of the housing stock currently occupied by students, especially in the private rented sector.

- 8.17 Paragraph 3.45 of the Draft Replacement London Plan adds that addressing these demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. The Plan says that this may raise particular challenges locally, and especially in parts of inner London where almost three quarters of the capacity for new student accommodation is concentrated.
- 8.18 Importantly when considering the principle of student housing the Draft Replacement London Plan says that unless student accommodation is secured through a planning agreement for occupation by members of specified educational institutions for the predominant part of the year, it will normally be subject to the requirements of affordable housing policy.
- 8.19 The fundamental aim of policy 3.8 is therefore to ensure that not only is there is a sufficient supply of quality student accommodation, but that it is delivered in such a way as to not prejudice the availability of land for conventional housing and, in particular, affordable family homes.
- 8.20 In these respects, the application site is considered unsuitable for permanent housing (particularly affordable and family units) due to its position immediately adjacent an operational railway line and with immediate access into the Queen Mary University campus. Importantly, it lies within the QMUL “*Knowledge Hub*” identified within the Council’s Core Strategy 2010. Accordingly, the proposal would have no impact upon housing land availability. Indeed, by helping to address the shortage of student accommodation, the development could reduce the pressure on other land that is better suited to conventional housing development.
- 8.21 Furthermore, the recommended Section 106 Agreement includes a binding obligation whereby the student residential accommodation would only be occupied for the predominant part of the year by students attending Queen Mary University or from a previously agreed list of other further educational establishments or as approved in writing by the local planning authority. Consequently, there is no requirement for the development to provide affordable housing.
- 8.22 It is therefore considered that the proposed student housing use would be an acceptable land use and accord with policy 3.8 of the Draft Replacement London Plan.
- 8.23 The Core Strategy’s “*Vision*” for Mile End is: “*A lively and well connected place with a vibrant town centre complemented by the natural qualities offered by the local open spaces.*”
- 8.24 The Mile End Vision Key Diagram of the Core Strategy, displayed in figure 8.1, shows that the subject site would be located within the Queen Mary University Knowledge Hub. In terms of ‘*Opportunities and growth*,’ the document says that Mile End will undergo housing growth, with development on a number of sites, through infill and housing regeneration. The document notes that Queen Mary University is also continuing to grow.

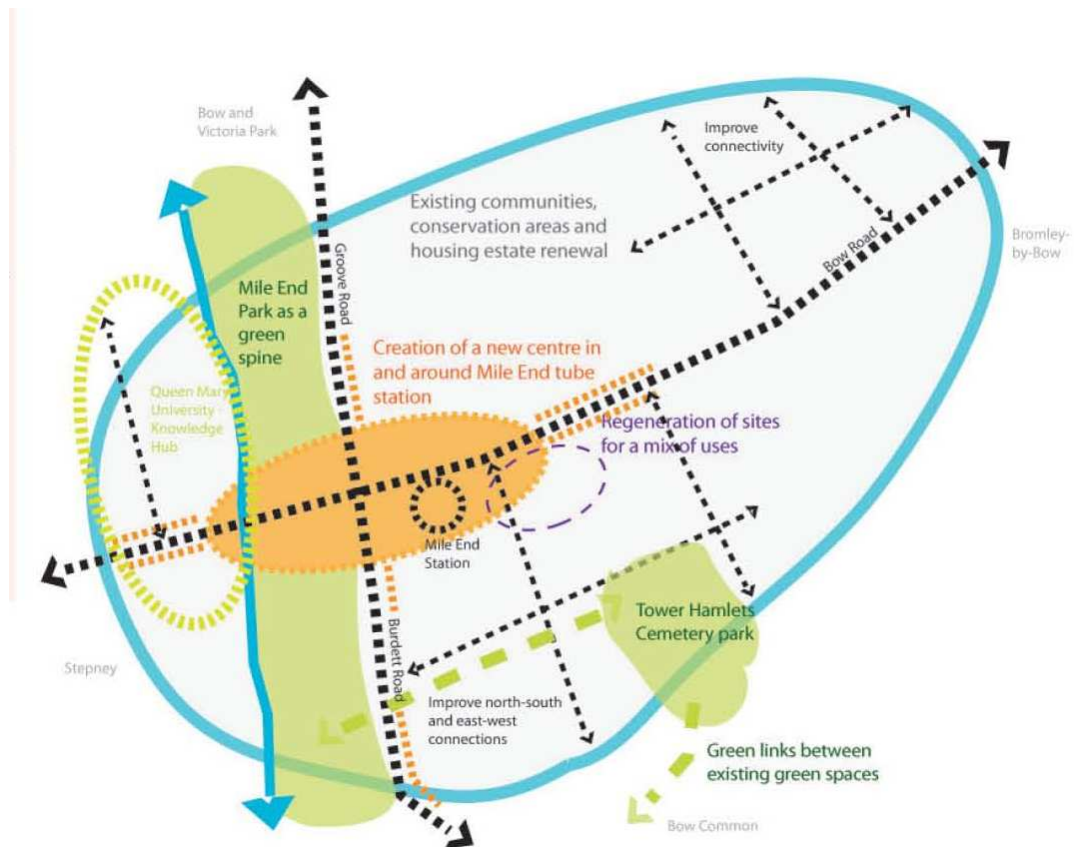


Figure 8.1 – Mile End Vision Diagram from the Core Strategy 2010

- 8.25 Policy SP02 of the Core Strategy seeks to provide for specialist housing needs within the borough by focusing student accommodation in close proximity to the universities that it is supporting or in locations that have good transport accessibility. Given the location of the student accommodation in immediate proximity to the Queen Mary University campus and in an area of high PTAL, discussed further in paragraph 8.59 the location is considered appropriate for student housing.
- 8.26 It is therefore considered that the development of student housing on the site would be in accordance with Policy SP02 of the Core Strategy and would support the vision and opportunities and growth outlined in the Core Strategy.
- 8.27 Saved policy HSG14 of the UDP states that the Council will encourage development which meets the needs of residents with special needs, including students. The UDP explains (paragraph 5.29) that the Council will consider student housing in a variety of locations providing there is no loss of permanent housing, which is the case here, and again notes that additional provision could release dwellings elsewhere in the borough in both the public and private rented sectors.
- 8.28 While not embedded in the saved policies, paragraph 3.2 of Chapter 10 of the UDP states that Council supports the wish of Queen Mary and Westfield Collage [Queen Mary University] to designate the College Site as a University Precinct. Figure 8.2, Map 10 of the UDP, which supports this statement, shows the subject site within this University Precinct. It is considered that student housing would be appropriate within the University Precinct, particularly given that there are a number of existing student housing developments in this area already.



Figure 8.2 – Map 10 from the UDP 1998 showing the QMWC University Precinct

- 8.29 It is therefore considered that provision of student housing on the site would be appropriate and would be supported by saved policy HSG14 of the UDP.

Density of Development

- 8.30 The Government's Planning Policy Statement 1: 'Delivering Sustainable Development' 2005 supports making efficient use of land. It advises that this should be achieved through higher density, mixed-use development and returning previously developed land and buildings to beneficial use.
- 8.31 The London Plan policies 4B.1 and 3A.3 and Draft Replacement London Plan policy 3.4 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility.
- 8.32 Policy HSG1 of the Council's interim planning guidance 2007 sets out criteria which should be taken into account when determining appropriate residential density. The following matters are relevant to this application:

- *The density range appropriate for the setting of the site, in accordance with Planning Standard 4: Tower Hamlets Density Matrix;*
- *The local context and character;*
- *The need to protect and enhance amenity;*
- *The need to incorporate good design principles;*
- *Access to a town centre (particularly major or district centres);*
- *The provision of adequate open space, including private and communal amenity space and public open space;*
- *The impact on the provision of services and infrastructure, including the cumulative impact; and*

- 8.33 Table 3A.2 of The London Plan and Planning Standard 4: Tower Hamlets Density Matrix provide a recommended residential density range of 200 – 700 habitable rooms per hectare for “Urban” sites with a PTAL range 4-6. The proposed density of the student housing accommodation is 1,037 habitable rooms per hectare, which while this exceeds the guidance, is over 300 habitable rooms per hectare less than the recently approved student housing scheme to the south side of Mile End Road at 438-490 Mile End Road.
- 8.34 As a matter of principle, it is questionable whether it is appropriate to apply a residential density calculation to student housing in the same way as a general purpose housing scheme. Subject to the design matters outlined in policy HSG1 (above) being satisfactory, the density proposed is considered acceptable for a site within greater London with an appropriate location and a good PTAL. These matters are considered further in the following sections of this report.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

Daylight and Sunlight

- 8.35 Policy 4B.10 of the London Plan, policy SP10 of the CS, saved policy DEV2 of the UDP, policy DEV1 of the IPG and policy 7.7 of the Draft Replacement London Plan require that developments preserve the amenity of the adjacent occupiers, including sunlight and daylight.
- 8.36 The applicant has provided Daylight and Sunlight Reports in support of their application outlining the daylight and sunlight received by the buildings adjacent to the development site. The Daylight and Sunlight Reports have assessed the impact on the daylight and sunlight levels against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.37 The reports state that the loss of daylight to rooms in the development to the north of the development site, known as Leamore Court, Meath Crescent, would be within the limits of the BRE guidelines and acceptable light would continue to be received by the windows to habitable rooms of this development. Furthermore the report states that the distribution of daylight to these rooms would not be significantly effected. In terms of sunlight levels received, the levels would continue to meet the BRE guidance also.
- 8.38 To the west of the development site is the Longnor Estate. The applicant's Daylight and Sunlight Reports assess the impact on the most impacted properties on Longnor Road and state that compliance with BRE guidelines is met in terms of the impact of the proposed development on daylight received by these properties.
- 8.39 To the south of the development site is the Queen Mary University student housing accommodation building of Pooley House. This building has been designed with projecting bays directing some of the windows to the east, away from the railway noise sources. This is

shown in figure 8.3 below. As a result, many of the north facing windows are heavily shaded by the overhangs and have existing failures of the BRE Vertical Sky Component daylight test.



Figure 8.3 – Photo showing the projecting bays on the northern side of Pooley House student accommodation block, Queen Mary University.

- 8.40 The proposed development to the north of Pooley House would result in further failures of the BRE tests and worsening of the existing failures. However, the accommodation affected is student housing, which is occupied by a transient population. The occupiers of these student accommodation rooms are normally only resident during the university terms. It is therefore considered, while Pooley House is significantly impacted in terms of the light received by the student accommodation, the occupants would not be long term inhabitants, as would be the case in residential flats and houses, and therefore the impacts are less in terms of the living environment.
- 8.41 The impact on the level of daylight received by these rooms needs to be balanced against the need for housing and student housing within the borough. As stated above, student housing is considered a suitable use on this site, where due to the proximity to the railway and location immediately adjacent the Queen Mary University campus, residential dwellings would not be so appropriate. Therefore, student housing on this site is considered to free up other sites within the borough for housing development and provide for student accommodation within the borough without impacting upon the supply of existing housing.
- 8.42 As such, given the strategic priority for development of housing within the borough, although there is some impact in terms of daylight on the existing student accommodation of Pooley House, on balance the benefits of the scheme are considered to outweigh the impact. The scheme is therefore considered to be, on balance, acceptable in terms of policy 4B.10 of the London Plan, policy SP10 of the CS, saved policy DEV2 of the UDP, policy DEV1 of the IPG and policy 7.7 of the Draft Replacement London Plan in relation to the impact on daylight and sunlight.
- Privacy
- 8.43 Issues of privacy/overlooking need to be considered in accordance with policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG, which inform that new developments should be designed to ensure that there is sufficient privacy for adjacent

habitable rooms.

- 8.44 The nearest residential properties on Longnor Road and in Leamore Court, Meath Crescent are well over 18m from the development. The closest windows to habitable rooms exist in the student housing of Pooley House to the south of the development. The distance between the new development and the windows facing the development in Pooley House is a minimum of 18m. The Council's UDP states that this distance reduces inter-visibility to a degree acceptable to most people.
- 8.45 It is therefore considered that the proposed development would be acceptable in terms of privacy and generally in accordance with policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG.

Noise and Vibration

- 8.46 In protecting the amenity of the surrounding area, policy SP03 of the CS, saved policies DEV2 and DEV 50 of the UDP and policies DEV1 and DEV 10 of the IPG also require the noise and vibration nuisance from a development to be minimised.
- 8.47 No specific details of the proposed noise and vibration levels of plant or ventilation systems to the proposed development has been provided with the application. However, it is considered that a condition of consent could ensure that details of the noise and vibration impacts of any proposed plant and ventilations systems would be submitted to Council for approval prior to installation. This would ensure that any acoustic attenuation required would be installed to mitigate the impact on the adjoining occupiers and surrounding area.
- 8.48 The main source of noise concern is likely to arise from students arriving at and departing from the building. The assessment of noise attributed to the movement of students to and from student housing is not dealt with by any single planning standard or guideline. Should statutory nuisance occur, the Council has powers under the Noise Act 1996 and the Environmental Protection Act 1990.
- 8.49 The application does not include any Building Management Statement setting out how potential issues of noise or anti social behaviour by students could be addressed. It is recommended that any planning permission is conditioned to require the approval and implementation of such a document which should comprise:
- Details of a full time management team and the provision of 24 hour security.
 - Details of a Management Code of Conduct that stipulates the behaviour of occupiers and residents of the building.
 - A requirement for each student residing in the building to sign a tenancy agreement to abide by the Management Code of Conduct.
 - Circumstances where a tenancy would be terminated and the steps to achieve this.
- 8.50 There are several examples of successfully managed student accommodation buildings in the borough which have not presented any concerns relating to noise disturbance to neighbouring properties. Environmental Protection have received no complaints over the past 2 years, from nearby properties to the following student accommodation development:
- Westfield Student Village; Queen Mary University of London; Westfield Way; Mile End; London E1 (accommodates 1176 students)
 - Albert Stern House, 253 Mile End Road, E1 4BJ (accommodates 45 students)
 - Ifor Evans Place, Mile End Road, E21 4BL (accommodates 36 students)
 - 50 Crispin Street, E1 6HQ (accommodates 365 students).
- 8.51 Representations have raised concern that the proposed development would result in a significant increase in the noise received by residential units to the north of the development site, due to the existing train noise reflecting back off the proposed building. Noise modelling

of the site has taken place in order to determine whether there will be any change to noise levels at the southern facade of Leamore Court, Meath Crescent (referred to as Meath Gardens in table 8.1) and Sutton Wharf due to reflections from the facade of the proposed building and the new noise barrier.

- 8.52 The results of the assessment are summarised in the table 8.1, below, which shows the highest increase anticipated at the floor where the highest increase occurs.

Receptor	Highest anticipated noise increase		
	dB L _{Aeq, 16hr day}	dB L _{Aeq, 8hr night}	dB L _{Amax,F night}
Meath Gardens	0.6	0.7	0.8
Sutton Wharf	0.7	0.7	0.8

Table 8.1 – Noise increase due to reflected noise at Meth Gardens and Suttons Wharf.

- 8.53 The calculated noise increase is less than 1 dB for all metrics at both locations. This level of noise increase is considered to be negligible and would have no significant impact over the existing noise levels and would not be considered to significantly impact on the living conditions of nearby residents.

Construction

- 8.54 It is acknowledged that the proposed development would result in some disruption to the amenity of the area and highway network due to the construction effects of the proposed development. However, these will be temporary in nature.
- 8.55 Demolition and construction is already controlled by requirements to adhere to numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995 and Air Quality Regulations 2000 and Health and Safety at Work Act 1974. However, PPS23 makes provision for the inclusion of conditions of consent to mitigate effects of construction.
- 8.57 It is therefore recommended that, if approved, a condition of consent is included, which would require the submission of a Construction Management Plan, in order to ensure that the best practice examples are followed and to avoid, remedy and mitigate the effects of construction.

Traffic and Servicing Issues

Trip Generation and public transport capacity

- 8.58 Policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policy SP09 of the CS, saved policy T16 of the UDP, policies DEV17 and DEV19 of the IPG and policies 6.1, 6.2, 6.3 and 6.4 of the Draft Replacement London Plan seek to restrain unnecessary trip generation, integrate development with transport capacity and promote sustainable transport and the use of public transport systems.
- 8.59 The existing site is a redundant railway viaduct and generates no trip movements, apart from when maintenance or monitoring work is being carried out by Network Rail. This is infrequent and would not be considered to contribute greatly to trip generation on the highway network. The public transport accessibility level (PTAL) of the site is 2-5 across the site. As the site will have access through the Queen Mary University campus, it can be considered to have a good PTAL.
- 8.60 The proposed development would result in occupation of the site by some 412 students plus staff associated with the operation of the development. Given the location of the site immediately adjacent to the major university campus of Queen Mary University the majority of the trips associated with the development are likely to be undertaken by walking.

Furthermore, the nature of university classes means that the trips are likely to be spread throughout the day, rather than concentrated at peak times, such as office accommodation would be.

8.61 The applicant's Transport Assessment has identified the estimated peak hour trip generation from the development, which is shown in table 8.2

Mode	AM Peak Hour (0800-0900)	PM Peak Hour (1700-1800)
	Two Way Peak Trips	
Pedestrians	69	99
Tube / Train	12	12
Bus	12	12
Cycle	6	6
Total	99	129

Table 8.2 – Trip distribution and adjusted two way peak trip generation.

8.62 The very low number of trip movements on the public transport system is not considered to significantly impact on the capacity of these systems. While Council's highways team initially questioned that comparative data used to generate these figures the applicant has provided a response stating that the data uses is the most relevant and up to date data available. It is therefore considered that this estimate is robust and appropriate and would be a fair reflection of the trip generation of the development.

8.63 It is considered that the car free nature of the development, providing only minimal disabled parking spaces and being Council parking permit free, the development would minimise the associated vehicle trips on the highway network.

8.64 Due to the developments location to the Queen Mary University and Whitechapel it is considered that the majority of trip movements would be made by walking, with trip movements on the public transport network, which has good accessibility from the site, secondary. Given that pedestrian movement will be the main trip mode, both Council's Highways Department and Transport for London have requested financial contributions to improve the pedestrian environment in the area, reducing the conflict between existing vehicles and pedestrians and improving the security of pedestrians.

8.65 The following measures have been agreed by the applicant and will be included in a S106 legal agreement, if the application is approved.

- A contribution of £50,000 to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- A contribution of £2,855.68 to Council for the upgrade the existing street lighting by replacing lights along Longnor Road.
- A contribution of £2,524.97 to Council for the upgrade the existing street lighting by replacing lights along Moody Street.
- A contribution of £57,000.00 to Council for footway improvement works in Longnor Road.

8.66 It is therefore considered that the development would successfully avoid unnecessary trip generation on highways and public transport systems, due to its proximity to the university,

facilities on Mile End Road and Whitechapel Town Centre. Furthermore, due to the car free nature of the development, it would achieve a shift to sustainable transport and the use of public transport systems. The development is therefore considered to be acceptable in terms of policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policy SP09 of the CS, saved policy T16 of the UDP, policies DEV17 and DEV19 of the IPG and policies 6.1, 6.2, 6.3 and 6.4 of the Draft Replacement London Plan.

- 8.67 It is also considered that there would not be a significant impact on the public transport capacity and the development is acceptable in terms of policies 3C.1 and 3C.2 of the London Plan 2008 and policy DEV17 of the IPG, in relation to impact on public transport capacity.

Travel Plans

- 8.68 Transport for London comments have requested that a Travel Plan be prepared for the development. However, Council's Strategic Transport Team have considered the type of development and do not consider that this would be an effective management tool. Instead Council officers are advocating a simpler and more user friendly travel advice note package. This would include detailed information on transport options within the area which are available to students, which would need to be displayed and given to occupiers of the development. It is recommended that this requirement be secured by a condition of consent.

Parking

- 6.69 London Plan Policies 3C.17 and 3C.23 seek to reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promoting use of public transport. This is supported by policy SP09 of the CS, policies DEV17 and DEV19 of the IPG and policy 6.3 of the Draft Replacement London Plan.

- 8.70 Parking provided on the site consists only of two disabled spaces and a loading space. No other parking is associated with the development. The applicant has also agreed to enter into a S106 legal agreement to exempt the occupiers or employees of the new development from obtaining parking permits for the Council's on street parking bays. This will prevent parking permits being issued to address of the new development.

- 8.71 It is therefore considered that the vehicle parking provisions would be minimised in accordance with policies 3C.17 and 3C.23 of London Plan 2008, policy SP09 of the CS, policies DEV17 and DEV19 of the IPG and policy 6.3 of the Draft Replacement London Plan.

Cycle Parking and Facilities

- 8.72 Policy 3C.22 of the London Plan 2008, policies SP09 and SP12 of the CS, policy DEV16 of the IPG and policy 6.9 of the Draft Replacement London Plan seek to provide better facilities and a safer environment for cyclists.

- 8.73 The applicant is proposing cycle storage for 240 cycles within the development. The proposed cycle storage is to be secure and located in four internal ground floor areas, adjacent the entrance cores to the buildings. This provision is in accordance with Council's standards and therefore provides adequate cycle storage for the development. Broxap Double Decker Cycle Storage system has been shown in the application, however it is recommended a condition of consent is included on any approval to ensure the layout and security of the cycle storage areas is acceptable.

- 8.74 Subject to this condition, it is considered that the proposed cycle storage would be acceptable for the use of the development and would accord with policy 3C.22 of the London Plan 2008, policies SP09 and SP12 of the CS, policy DEV16 of the IPG and policy 6.9 of the Draft Replacement London Plan.

Deliveries and Servicing

- 8.75 Policy T16 of the UDP and policy DEV17 of the IPG seek to provide adequate provision for the servicing and operation of developments, while minimising the impact on the highway.

- 8.76 Refuse collection and servicing would take place from the main parking entrance rear of the development, off Bradwell Street. This location allows for vehicles to turn on Bradwell Street and enter and exit the Council's adopted highway network in a forward gear.
- 8.77 Highways have requested a Delivery and Service Management Plan be conditioned to ensure mitigation of the impacts of servicing and prevent numerous delivery vehicles arriving at the same time. Such a management plan is common on developments within London and is aimed at ensuring the management of delivery times, numbers and vehicle types, to ensure that the limited servicing capacity is not overstressed. As such, it is recommended, if approved, that such a condition is imposed.
- 8.78 Subject to the recommended condition, it is considered that the proposed servicing arrangements are acceptable and would accord with policy T16 of the UDP and policy DEV17 of the IPG.

Design and Layout of the Development

Mass and Scale

- 8.79 Policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4 and 7.7 of the Draft Replacement London Plan seek to ensure developments are of appropriate mass and scale to integrate with the surrounding environment and protect the amenity of the surrounding environment and occupiers.
- 8.80 The height of the development has been based on the height of the immediately adjacent buildings to the north and south. Pooley House, immediately to the south is an 8 storey building. The developments on north side of the operational railway, in Leamore Court, Meath Crescent and Sutton's Wharf, are of 9-10 storeys in height. Future phases of Sutton's Wharf extend northwards along the canal, rising to 16 storeys in height.
- 8.81 The proposed student housing development will involve the erection of two separate buildings. The eastern building would have towers sitting on the four storey podium block rising to a height of eight storeys. The western block would also have two towers sitting on a four storey podium block. However on the western block, the tower at the western end would raise to ten storeys. The eastern tower of the western block would be only eight stories. The scale of the development in relation to the developments at Sutton's Wharf and Leamore Court, Meath Crescent is shown in figure 8.4 below.



Figure 8.4 – proposed development with the outline of developments at Sutton's Wharf and Leamore Court, Meath Crescent shown in the background.

- 8.82 The development has been split into two buildings to break the length of the building and add relief to the long mass of built form when viewed from the south. The height of the three

towers to the east of the building have been kept to an eight storey height to match the scale of the Pooley House, which is also eight storeys. The tower at the western end of the development has been increased in height to ten storeys to mark the termination of the university campus road to the south.

- 8.83 While the development has not been particularly related to the buildings of the Longnor Estate and the scale of the development along Longnor Road, the proposed development does form an effective termination to the north end of the Queen Mary University campus, which is considered its more immediate context.
- 8.84 Furthermore, it is considered that while there is a scale difference between the proposed development and the Longnor Estate, because of the obvious difference in style and purpose, the developments are not considered to sit uncomfortably together.
- 8.85 Given the surrounding context and scale of the existing building to the north of the proposed development and within the Queen Mary University campus to the south, the scale and mass of the development is considered acceptable and would suitably meet the requirements of policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4 and 7.7 of the Draft Replacement London Plan.

Appearance and Materials

- 8.86 Policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4, 7.5, 7.6 and 7.7 of the Draft Replacement London Plan also seek to ensure development is high quality in design.
- 8.87 The development site is located at the rear of Queen Mary University in close proximity to a number of high quality buildings within the Queen Mary University campus. The site is also located immediately adjacent the Regent's Canal Conservation Area. As such a high quality design is required to maintain the appearance and character of the area as well as the setting of the Conservation Area.
- 8.88 Significant design changes have been discussed and negotiated during the processing and assessment of this application, with input being received from design experts within the Council's Development, Design and Conservation Team, CABE and the Greater London Authority.
- 8.89 The applicant has taken on board advice and addressed the design issues raised. The resulting proposal for the appearance and materials of the development involves changes which include a simplification of setbacks and projections in plan and section, contextual responses to the north and south elevations and a simplification of the materials palette.
- 8.90 The elevations of the originally submitted scheme have been simplified in terms of both form and materials. The principle cladding material for the entire development is now stock brick with fenestration set within deep reveals. Projecting bays have been retained, but in a simpler rectangular form with more uniform glazing. Copper cladding, similar to that on Pooley House, will be used on the projecting bays, with a small element of zinc cladding retained around the glazing elements. This is shown in the CGI image in figure 8.5 below.



Figure 8.5 – Northern elevation of proposed student housing development

- 8.91 Council's Design Officer has reviewed the amended scheme and has confirmed that the proposed appearance and materials would be acceptable, subject to conditions requiring submission and approval of materials. Such a condition is recommended to ensure that the quality of the materials proposed is of an acceptable quality to produce a building of the required quality and appearance.
- 8.92 It is therefore considered that the proposed appearance and materials would be acceptable and would not adversely impact on the character of the area or the setting of the conservation area. In terms of appearance and materials the proposed development is considered to acceptably meet policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4, 7.5, 7.6 and 7.7 of the Draft Replacement London Plan.
- 8.93 In addition to the requirement to have an acceptable appearance, policies 4B.11, 4B.12 and 4B.13 of the London Plan, policy SP10 of the CS, policies DEV32 and DEV37 of the UDP, policies CON1 and CON2 of the IPG and policies 7.8 and 7.9 of the Draft Replacement London Plan, seek to preserve the historic assets of the city.
- 8.94 As discussed above, it is considered that the proposed development would be of an acceptable quality to ensure that the building would sit appropriately within the conservation area setting.
- 8.95 Representations made in relation to the application raise concerns around the loss of the railway viaduct, which was formally used as coal and sand shoots. The applicant has had a report undertaken, by London Museum of Archaeology, into the historic value of this portion of the railway viaduct. The report has concluded:

“In the light of English Heritage criteria for the statutory listing of buildings and heritage values defined in English Heritage conservation principles, it can be said that the buildings have medium evidential, historical, communal and aesthetic value and does not meet the published criteria for designations.

“The structure is not a designated heritage asset, it is possible that remnants of the original structure, the Braithwaite viaduct, remain embedded in the present viaduct immediately to the north of the site. If so, removing the structure on the present site would re-expose the 1830s viaduct.”

- 8.96 The report also states that the medium heritage significance of the structure suggests that a historic buildings survey to English Heritage specification Level 2, and at least one site visit at an appropriate time during demolition of the structure, would mitigate adverse effects of the proposed redevelopment of the site.

- 8.97 This report has been reviewed by English Heritage who has raised no objections with the report, only recommending a condition be imposed requiring a programme of recording and historic analysis.
- 8.98 Although the member of the public has questioned the level of significance placed on the structure by the Museum of London Archaeology report, it is considered that the conclusions of the report are acceptable. The report has been reviewed by English Heritage who has not raised concern about the quality of the report or any objection to the development.
- 8.99 Furthermore, following the comments received in the representation, the applicant was advised of the matter and Museum of London Archaeology requested to review the conclusions of their report. The following response was received confirming their position with regards to the significance level attributed to the viaduct.

"We have rated the heritage significance of the viaduct as 'medium', on a simple three-point scale from low to high, and we would not rate it higher; to do so would imply that it met the criteria for statutory listing, which it clearly does not. We receive the impression from [REDACTED] letter that he rates the heritage significance of the viaduct more highly than we do for reasons other than its intrinsic architectural or historic interest, which we have considered as objectively and dispassionately as we can."

- 8.100 It is therefore concluded, that while the development would result in the loss of the railway viaduct with a historic significance level of medium, subject to the recommended mitigating condition, the proposals would be on balance acceptable in terms of policies 4B.11, 4B.12 and 4B.13 of the London Plan, policy SP10 of the CS, policies DEV32 and DEV37 of the UDP, policies CON1 and CON2 of the IPG and policies 7.8 and 7.9 of the Draft Replacement London Plan.

Internal Amenity

- 8.101 Policy SP02 of the CS, saved policy DEV2 of the UDP and policy DEV2 of the IPG seek to ensure that new housing and accommodation, including specialist housing, is designed and built to a standard that would ensure that the living conditions within the development are appropriate for the future occupiers.
- 8.102 There are no particular standards that relate to the size of student accommodation rooms. However, the room sizes have been reviewed in terms of the suitability for the proposed use and it is considered that the rooms are of an appropriate size and layout and would provide an adequate level of internal amenity for the residents. Furthermore, the development provides appropriate communal areas for interaction between future occupants.
- 8.103 The applicant has provided a daylight and sunlight assessment for the proposed rooms, which identifies that the student bedrooms within the development would receive an acceptable level of daylight in accordance with the BRE test for daylight into a proposed development, as prescribed in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991). It is therefore considered that the proposed development would receive an appropriate level of daylight.
- 8.104 The site is located immediately adjacent an operational railway line. As such the noise environment created by the use of the railway has a significant impact on the acceptability of any proposed accommodation. The applicant has submitted noise reports detailing the impact of the noise environment and measures to mitigate the impact of noise.
- 8.105 Noise mitigation for the development is provided as a two metre high noise barrier adjacent to the railway and acoustic baffles on the building. The assessment has concluded that internal noise levels will meet both BS 8233 "good" criteria and the World Health

Organisation guidance for sleep disturbance, provided suitable glazing and ventilation systems are incorporated into the design. The developer has identified that the development can provide suitable glazing and ventilation, but at this stage has not submitted details of which particular products will be installed. As such, conditions of consent are recommended to ensure that appropriate glazing and ventilation is installed to provide a suitable internal environment for the future occupiers.

- 8.106 It is therefore concluded that the internal amenity provided by the development would be appropriate for the future occupiers of the student accommodation and would be acceptable in terms of policy SP02 of the CS, saved policy DEV2 of the UDP and policy DEV2 of the IPG.

External Amenity Space, open space and landscaping provision

- 8.107 Policies 3D.8, 4A.11, 4B.1, 4B.2 and 4B.3 of the London Plan 2008, policies SP02, SP04 and SP12 of the CS, policies DEV12 and HSG16 of the UDP, policies DEV1, DEV2 and DEV13 of IPG and policies 7.1 and 7.5 of the Draft Replacement London Plan promote the good design of public places and public realm and the provision of green spaces.
- 8.108 The proposed development provides communal roof terraces for the use of the occupiers of the accommodation. Again there are no specific standards related to the amount of amenity space required to be provided for student accommodation.
- 8.109 In each building, at fourth floor podium level, the student accommodation opens onto centrally located roof terraces. Flanked by towers on their east and west ends each terrace is open to the south where they overlook the Queen Mary University campus and to the north where they have particularly good views across the railway. The terraces are fully accessible by lift and stair from the podium floors below. They are proposed to be laid out as roof gardens incorporating seating and planting. Shrub planting is, necessarily, containerised and species will be selected to tolerate this condition. All planting will be provided with suitable irrigation systems so as to minimise day to day maintenance. In order to ensure the provision of this amenity space a condition relating to its accessibility and landscaping is recommended to be included on any approval of this application.
- 8.110 Further to the provision of amenity space onsite, the applicant has agreed to the Council's Communities, Localities and Culture Department's request for a financial contribution to public open space of £330,597.86. This will be secured through a S106 legal agreement should the application be approved.
- 8.111 The development proposes three distinct areas of public and semi-public realm. These areas are the entrance and parking area off Bradwell Street, the area immediately in front of the development between the development and Pooley House (Southern Pavement and Central Square) and the area adjacent the canal.
- 8.112 The main vehicle and pedestrian access to the student accommodation will be from a new entrance square off Bradwell Street to the west of the site. This space is defined by the southern façade of the western accommodation, the single storey storage buildings to its east and west of the Bradwell Street entrance. The area encompasses the disabled parking spaces and the loading and servicing area. It is proposed to screen the enclosing facades of the storage building with densely planted groups of native trees and shrubs.
- 8.113 The southern pavement runs east to west along the length of the development. It is of sufficient width to allow emergency and maintenance vehicle access from the entrance square at Bradwell Street. In order to discourage vehicle access and uncontrolled parking from the Queen Mary University campus, bollards or light fittings are proposed to be located along its pavement edge. In the centre of this area between the buildings is a central square area. This area is also clear of obstructions and open to the south where it faces Pooley House to enable an emergency vehicle to turn within the space. It is enclosed on its north

side by the wall of the retained elevated railway viaduct. This space is overlooked from student rooms located at the ends of the podium blocks.

- 8.114 The eastern most façade of the student accommodation building overlooks the Regents/Grand Union Canal. The building is set back from the canal edge creating an outdoor space accessible from student common rooms on its ground floor. The space is also accessible from the new southern pavement and from the western canal towpath (through the campus), which terminates at this point. The canal side space is proposed to be paved and provide seating so as to form an outdoor seating/amenity area next to the canal.
- 8.115 The applicant has submitted a general landscaping concept for the development. However, there is no specific detail on the landscaping proposed. It has been shown, through the information submitted to date, that appropriate landscaping can be provided to ensure that the proposed landscaping is of an acceptable level and quality. In order to ensure the quality of landscaping and that appropriate materials, plant species and sizes and appropriate lighting and equipment is provide, it is recommended that a condition of consent is imposed on the application if granted, which will ensure that a robust landscaping plan and landscape management plan is submitted for approval.
- 8.116 It is therefore considered that the provisions for amenity space, open space and landscaping would be acceptable and would accord with policies 3D.8, 4A.11, 4B.1, 4B.2 and 4B.3 of the London Plan 2008, policies SP02, SP04 and SP12 of the CS, policies DEV12 and HSG16 of the UDP, policies DEV1, DEV2 and DEV13 of IPG and policies 7.1 and 7.5 of the Draft Replacement London Plan.

Wind Micro-Environment

- 8.117 Planning guidance contained within the London Plan 2008 places great importance on the creation and maintenance of a high quality environment for London. Policy 4B.10 of the London Plan 2008, requires that

“All large-scale buildings including tall buildings, should be of the highest quality design and in particular: ... be sensitive to their impacts on micro-climates in terms of wind, sun, reflection and over-shadowing”.

- 8.118 Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 of the IPG also identifies microclimate as an important issue stating that:

“Development is required to protect, and where possible seek to improve, the amenity of surrounding and existing and future residents and building occupants as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should: ...not adversely affect the surrounding microclimate.”

- 8.119 The applicant has provided a desk top Wind Microclimate study which details the likely impact on the pedestrian environment as a result of the proposed tall building development. The report concludes that there are some areas within the development where the wind micro-climate may require some mitigation measures to be implemented. As such, it is recommended that a full assessment of the proposed micro-climate around the buildings is undertaken, including details of intended mitigation measures to be implemented. This should be required by condition, and would also be needed to be considered when proposing and assess the landscaping scheme to be proposed.
- 8.120 It is considered that through appropriate mitigation measures the proposed development would be able to be made acceptable in terms of the impact on microclimate wind conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 and policy DEV1 of the IPG.

Views

- 8.121 The subject site is not located within a strategic view, as identified and protected in the London Plan or Draft Replacement London Plan. While representations received have raised objections to the development on the basis that it will restrict views, it is an accepted planning principle that private views cannot be protected in planning consideration. Therefore, as views are recognised as not being a material planning consideration it is considered that a refusal could not be substantiated on this basis.

Access

- 8.122 Following initial concern regarding the inclusiveness of the development and the number of wheelchair accessible rooms the applicant has made a number of changes to address the concerns raised. The number of wheelchair accessible rooms included in this proposal is now 36 rooms (9%) out of a total of 412 rooms, with a further 4 wheelchair accessible rooms capable of being “retro-fitted.” This means that a total of 40 rooms (10%) are or are capable of being wheelchair accessible. These rooms are dispersed throughout the development at all upper levels and are all served by two wheelchair accessible lifts.
- 8.123 It is therefore considered that the access for mobility impaired persons is acceptable and would be in accordance with policy 4B.5 of the London Plan 2008, policy SP02 of the CS, policy DEV3 of the IPG and policy 7.2 of the Draft Replacement London Plan.

Waste Storage

- 8.124 Policy SP05 of the CS, saved policy DEV55 of the UDP and policy DEV15 of the IPG seek to ensure that waste is appropriately provided for within developments.
- 8.125 The subject development has been designed with a refuse store provided in each block, which is accessed from the adjacent the entrance lobby. A main holding store is located at the western end of the development, allowing vehicular collection via Longnor Road and Bradwell Street. This store has a capacity of 13 x 1100 litre eurobins, recycling bins and an area for the storage of bulky items. A smaller store is located in the eastern block. It is proposed that the full bins in this store will be rotated by an on site management team, with empty bins from the main holding store. Both stores will be naturally ventilated with louvred screens / doors and provided with wash down facilities to allow for regular cleaning. It is recommended to ensure that the appropriate management of the waste stores is carried out, a condition of consent requiring a management plan for the development, which includes the waste store management, is included on the permission, if granted.
- 8.126 With such a condition imposed, the waste and recycling storage is considered appropriate and would accord with policy SP05 of the CS, saved policy DEV55 of the UDP and policy DEV15 of the IPG.

Security

- 8.127 While it is acknowledged that Policy SP09 of the CS does not support gated communities, a major concern for Queen Mary University and the Metropolitan Police is security of the student housing. This applies to the existing student housing within the Queen Mary University Campus and that of the development proposed. Currently the University has perimeter security arrangements that restrict entry to the campus. Although the campus is normally open to the public between 7am and 7pm, Monday to Friday, the ability to secure the Westfield Village (the student housing area within the Queen Mary University campus) in the evenings and at other times as required, forms an essential part of the Universities arrangements for ensuring good levels of personal safety for the University Community, especially the more vulnerable first year undergraduate students. This desirability of being able to restrict public access though the University is shared by the Metropolitan Police.
- 8.128 The applicant has addressed security by providing an open metal screen, incorporating a pedestrian pass gate and an emergency access gate between the western accommodation

building and the storage building. These gates are lockable so as to maintain the security of the western campus boundary, while retaining the openness of the Entrance Square. The development would remain unfenced to the University campus. To ensure this aspect of openness it is recommended that a condition of consent be included removing permitted development rights to construct fencing between the campus and the development.

- 8.129 It is considered that this arrangement would adequately control access to the campus and maintain the security of the building and existing student housing within the Queen Mary University campus, while the development would remain publically accessible while the campus is open during the day.

Sustainability

- 8.130 The London Plan 2008 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. Policies within the CS, UDP, IPG and Draft Replacement London Plan also seek to reduce the impact of development on the environment, promoting sustainable development objectives.

Energy

- 8.131 The London Plan policies clearly set out a strategy for energy reduction and reducing CO2 emissions, and therefore, the impact on climate change. The strategy sets out the following principles:
- Using less energy – Through energy efficient design of development to reduce the need for energy usage.
 - Supplying energy efficiently – Through the provision of decentralised generation and utilising waste heat for example.
 - Using renewable energy – utilising energy sources which do not contribute to CO2 production, such as wind and solar.
- 8.132 The applicant has followed the energy hierarchy set out in policy 4A.1 of the London Plan and the proposals aim to reduce total site carbon emissions by 35%. The energy baseline and carbon emissions have been calculated using the Simplified Building Energy Model (SBEM). The anticipated emission rates are:
- Target Emission Rate – 41.7 kgCO2/m2
 - 'Be Lean' Emission Rate – 41.7 kgCO2/m2
 - 'Be Clean' Emission Rate – 28 kgCO2/m2
 - 'Be Green' Emission Rate – 27 kgCO2/m2
- 8.133 The scheme has been designed in accordance with Policy 4A.3 in seeking to minimise energy use through passive design measures to be in accordance with 2010 Building Regulations. Proposed u-values are 0.25 W/m2K walls; 0.2 W/m2K floor; 0.16 W/m2K roof; 1.7 W/m2K windows.
- 8.134 Decentralised energy is proposed through the provision of a community heating system. It is anticipated that the system will be fed by a 150kWth CHP Engine and result in a 33% reduction in total CO2 emissions. The energy centre is proposed to be located in the ground floor of the east podium block. The energy centre has been sized to accommodate a 9m³ thermal store. Gas fired boilers are proposed to provide top-up and back-up for the development.
- 8.135 Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that meeting the 20% of the buildings energy demand through renewable

technologies is not feasible. The proposals include the installation of Photovoltaic array (210m²) to reduce proposed emissions (development after energy efficiency measures) by 2%.

- 8.136 To ensure the proposed measures are met when the development is constructed, it is recommended that they be secured by condition. Overall, the Sustainable Energy Strategy is considered appropriate for the development and the London Plan energy hierarchy has been followed appropriately.
- 8.137 As such, the proposed development is considered acceptable in terms of policies 4A.1, 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan 2008 and policy SP11 of the CS.

Biodiversity

- 8.138 Policy 3D.14 of the London Plan 2008, policy SP04 of the CS, policies DEV57 and DEV61 of the UDP and policy 7.19 of the Draft Replacement London Plan seek to protect and enhance biodiversity and natural habitats.
- 8.139 A small portion of the eastern end of the subject site and the adjacent canal is designated as a Site of Nature Conservation or Importance. The applicant has provided an Ecology Report, which details the existing ecology of the site.
- 8.140 The Ecology Report identifies the site as comprising of (in order of abundance): bare ground, wasteland, tall ruderal, poor semi-improved grassland, scattered semi-mature deciduous trees and a small broad-leaved deciduous plantation. Furthermore, the Regent's Canal is adjacent and to the east of the Site. The canal supports locally uncommon aquatic flora, invertebrates including dragonflies and damselflies, a diverse fish community and breeding waterfowl.
- 8.141 The Council's Biodiversity Officer has reviewed the application and made a number of recommendations as to conditions, base on the Ecological Report to mitigate and enhance the biodiversity of the of the sites. It is recommended that the following conditions are included on any approval of the application, for the associated reasons.
- A condition should ensure that the recommendations in the Ecological Report, to dismantle certain structures by hand, are enforced, with an informative that in the unlikely event bats are found, work must stop immediately Natural England must be informed.
 - The black redstart survey in 2009 found no black redstarts on site, but that is somewhat out of date for a species which changes nest sites from year to year. Therefore, a survey for nesting black redstarts should be undertaken immediately before demolition starts. This should also be secured through condition.
 - The proposed green roofs should be brownfield-style green roofs ("brown roofs"). A condition should ensure that details of these are approved by the Council before construction starts and that they are then implemented as agreed.
 - A further condition that nest boxes for black redstarts should be provided in appropriate places.
 - A condition should also secure landscape enhancements for bats, to be determined after a bat activity survey.
 - Finally, a condition should ensure responsible eradication and disposal of Japanese knotweed from the site.
- 8.142 With the inclusion of such conditions, it is considered that the biodiversity of the site is likely to improve the range of habitats available and promote biodiversity in accordance with policies.
- 8.143 It is therefore considered that the proposed development would provide important biodiversity enhancements to this inner city location and that the proposed development

would be consistent with policy 3D.14 of the London Plan 2008, policy SP04 of the CS, policy DEV61 of the UDP and policy 7.19 of the Draft Replacement London Plan.

Water and Flooding Risk

- 8.144 The development site is located in Flood Risk Zone 1 and thus is not at risk from flooding from fluvial or tidal influenced sources within a return period of 1 in 1000 years. As the site does not exceed one hectare no formal Flood Risk Assessment is required. However the applicant has submitted a Flood Risk Appraisal to support their application.
- 8.145 As the site is at such a low risk of flooding from fluvial or tidal influenced sources, in accordance with PPS25, the site is considered appropriate for all land use types. The submitted Flood Risk Appraisal states that the existing area is impermeable in nature with heavily compacted soils located on the roof of the viaduct that exhibit impermeable characteristics (during high intensity rainfall events) due to the compacted nature and the fact the fill is not connected to any natural soil below the viaduct.
- 8.146 The appraisal goes on to state that the proposals will not increase the extent of impermeable area on the site. As a result the volume and rate of surface water runoff will not increase as a result of the proposed redevelopment.
- 8.147 As there will be no increase in impermeable area within the site, there will not be an increase in surface water runoff. Green roofs have been incorporated into the final building design along with raised planter areas on the roof terrace. These features will assist in reducing the peak rate of stormwater runoff generated from the site.
- 8.148 The Flood Risk Appraisal has recommended that rainwater harvesting and reuse should be incorporate into the final design to assist in reducing the peak runoff and potable water demand for the site. It is considered that this can be secured by condition and would assist to make the development more sustainable and use less water.
- 8.149 The applicant has not provided details of the proposed water usage or mitigation provisions. It is therefore considered that conditions be included so that low flow water use devices be used and that a BREEAM Assessment be required, in order to ensure the minimisation of water usage.
- 8.150 Due to the former industrial uses of the site, the Environment Agency has raised concerns that development on the site could open pathways for contaminants to enter underground water sources. As such they have recommended a number of conditions to prevent this occurring. As such, in order to protect underground water sources, it is recommended that these conditions be included on the application.
- 8.151 Subject to the recommended conditions the proposed development is considered in accordance with policies 4A.12, 4A.13, 4A.14 and 4A.16 of the London Plan 2008, policy SP04 of the CS, policies DEV69, U3 of the UDP and policies DEV7, DEV 8 and DEV21 of the IPG.

Construction Waste and Recycling

- 8.152 Policy 4A.28 of the London Plan 2008 and policy SP05 of the CS require developments to follow the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste.
- 8.153 Conditions of consent should require a Site Waste Management Plan to be submitted, detailing the particulars in relation to the development, to ensure that the development is implemented in accordance with the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste. If development is undertaken in accordance with an appropriate Site Waste Management Plan the development would be considered to be in accordance with policy 4A.28 of the London Plan

2008 and policy SP05 of the CS.

Planning Obligations

- 8.154 Policy SP13 of the CS, policy DEV 4 of the UDP and policy IMP1 of the IPG state that the Council will seek planning obligations to secure onsite or offsite provisions or financial contributions in order to mitigate the impacts of a development.
- 8.155 The applicant has agreed to the following being included in a Section 106 to ensure mitigation of the proposed development.

Financial Contributions

- Provide a contribution of **£15,000** to British Waterways for the undertaking of a study into the condition of the waterway wall.
- Provide a contribution of **£50,000** to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- Provide a contribution of **£75,000.00** to the Primary Care Trust for the provision of Health Care within the borough
- Provide a contribution of **£330,597.86** towards the provision of open space.
- Provide a contribution of **£42,848.00** towards the provision of library and ideas stores.
- Provide a contribution of **£192,891.00** towards the provision of leisure and community facilities.
- Provide a contribution of **£2,855.68** for the upgrade the existing street lighting by replacing lights along Longnor Road.
- Provide a contribution of **£2,524.97** for the upgrade the existing street lighting by replacing lights along Moody Street.
- Provide a contribution of **£57,000.00** for footway improvement works in Longnor Road.

Non-financial Contributions

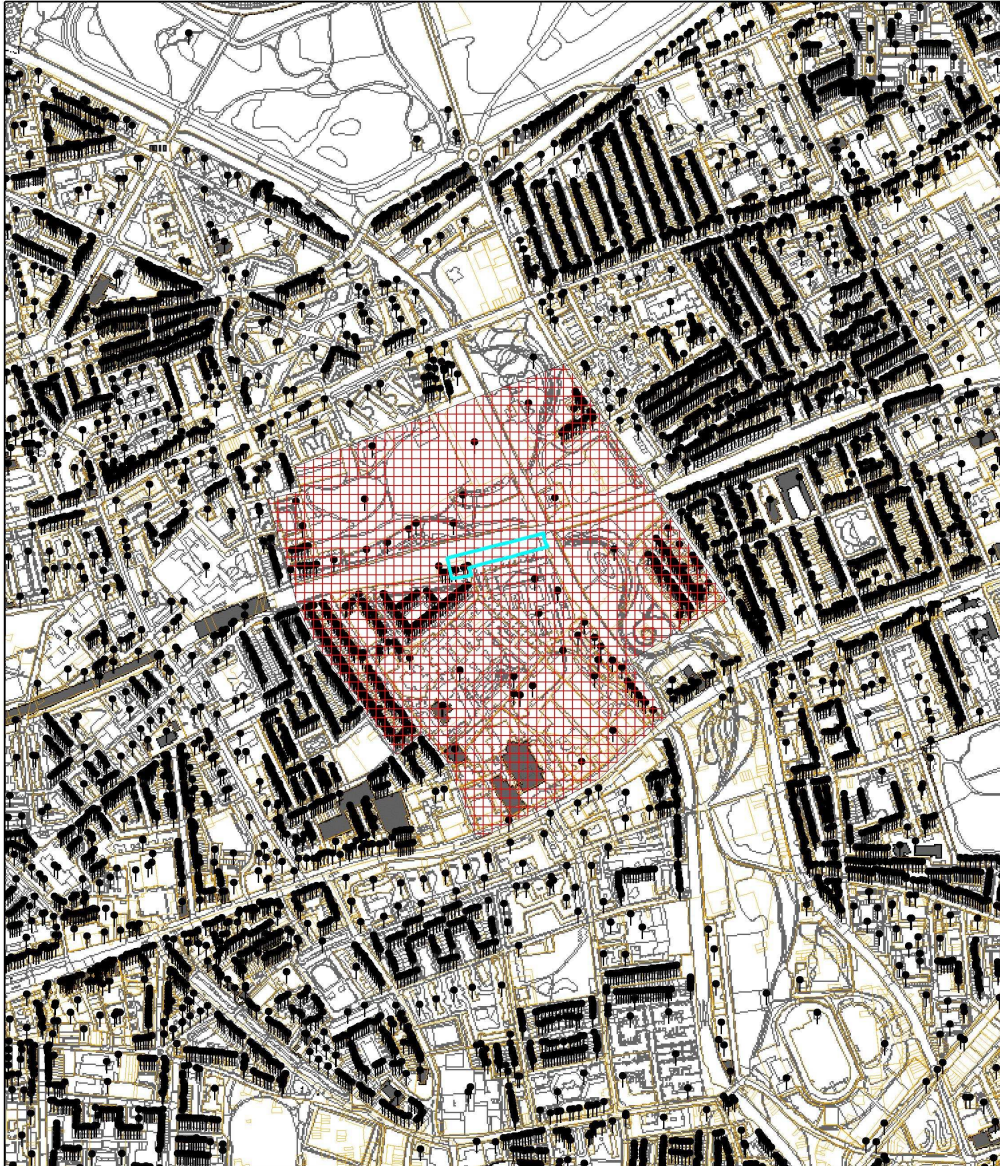
- Car free arrangements that prohibit residents and users of the development, other than disabled people, from purchasing on-street parking permits from the borough council.
 - Restriction of the use of the accommodation to students of Queen Mary University or London Metropolitan University, or other further educational establishments within the borough as has been approved in writing by the local planning authority.
 - To participate in the Council's Access to Employment initiative.
- 8.156 In accordance with policy SP13 of the CS, policy DEV 4 of the UDP and policy IMP1 of the IPG it is considered that the inclusion of these matters in a Section 106 Legal Agreement, together with the recommended conditions would adequately mitigate against the impacts of the development and meet the tests of the Community Infrastructure Levy Regulations 2010.

Conclusions

- 8.157 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.

This page is intentionally left blank

Planning Application
Site Map



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



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. London Borough of Tower Hamlets 100019288, 2010.

This page is intentionally left blank

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

4th August 2011 at 5:30 pm

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

INDEX

Agenda item no	Reference no	Location	Proposal
9.1	PA/11/01458	Redundant Railway Viaduct North of Pooley House, Westfield Way, London	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.

9.2	PA/10/02764 & PA/10/02765	Land bounded by Norton Folgate, Fleur De Lis Street, Blossom Street, Folgate Street, Norton Folgate, London	<p><u>PA/10/02764 – application for Full Planning Permission</u></p> <p>Redevelopment of the former Nicholls and Clarke site and adjoining depot site, for commercially led mixed use purposes, comprising buildings between 4 and 9 storeys in height measuring 48.40m AOD (plus plant), to provide approximately 18,775sqm of B1 (Office); approximately 1,816sqm of A1 (Retail) and A3 (Restaurant) and approximately 710sqm of A4 (Public House), together with the recreation of a new public space (Blossom Place); provision of new access to Blossom Place; highway works and public realm improvements to Shoreditch High Street and Blossom Street and provision of managed off-street servicing and parking facilities.</p> <p><u>PA/10/02765 – Conservation Area Consent application</u></p> <p>Conservation Area Consent for the demolition of No. 13 and No. 20 Norton Folgate, No. 2-9 Shoreditch High Street, No.16-17 and No.10 Blossom Street; partial demolition, refurbishment and conservation repair of 16-19 Norton Folgate, 5 -11a Folgate Street and 12-15 Blossom Street; and reconstruction (including façade retention) of 14-15 Norton Folgate to enable the redevelopment of the former Nicholls and Clarke site and adjoining depot site for commercially led mixed use purposes in association with planning application ref: PA/10/02764).</p>
-----	---------------------------------	--	---

Agenda Item number:	9.1
Reference number:	PA/11/01458
Location:	Redundant Railway Viaduct North of Pooley House, Westfield Way, London
Proposal:	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.

1. APPLICATION DETAILS

Drawing Numbers

- 1.1 There were errors within section 1 of the main committee report with regard to the following drawing numbers:

MHJ/SK21 A should read MHJ/SK21 B.
 MHJ/SK22 A should read MHJ/SK22 B.
 SL02 A should read SL02
 SL03 B should read SL03
 SL04 B should read SL04
 SL05 A should read SL05
 SL07 A should read SL07
 SL08 should be deleted.

2. ADOPTION OF LONDON PLAN 2011

- 2.1 On the 22nd July 2011 the Mayor adopted a new Spatial Development Strategy for Greater London, which is referred to as the 'London Plan 2011'. This replaces the previous Spatial Development Strategy for Greater London (Consolidated with Alterations since 2004), which was also referred to as the London Plan 2008.
- 2.2 The published committee report makes reference to policies in the London Plan 2008 and also the Draft Replacement London Plan (Consultation Draft October 2009). These should be disregarded, and weight instead should be given to relevant policies in the new London Plan 2011. For this application, the general thrust of relevant policies in the London Plan 2011 remains similar to those contained in the London Plan 2008. However, as a new Statutory Development Plan has been adopted, Members should note the following:-
- 2.3 Section 5 of the main committee report lists relevant policies, including those from the London Plan 2008 and the Draft Replacement London Plan (Consultation Draft October 2009). These lists of policies related to the London Plan 2008 and the Draft Replacement London Plan (Consultation Draft October 2009) should be disregarded. The following policies from the London Plan 2011 are relevant to this application:

The London Plan 2011

Policy	Title
2.18	Green infrastructure: the network of open and natural spaces
3.1	Ensuring equal life chances for all
3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.7	Large residential developments
3.8	Housing choice
3.9	Mixed and balanced communities
3.16	Protection and enhancement of social infrastructure
3.17	Health and social care facilities
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood risk management
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.15	Water use and supplies
5.17	Waste capacity
5.18	Construction, excavation and demolition waste
5.21	Contaminated land
6.2	Providing transport capacity and safeguarding land for transport
6.3	Assessing effects of development on transport capacity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.8	Heritage assets and archaeology
7.9	Heritage-led regeneration
7.19	Biodiversity and access to nature
7.30	London's canals and other rivers and waterspaces
8.2	Planning obligations

3. CORRECTION & RELATED ANALYSIS

- 3.1 Paragraph 7.12 of the main report states that Apple Tree Yard and the businesses there within the arches are not impacted and their access remains unaffected. Further consideration of this matter confirms that this is not the case.
- 3.2 It is now understood that the portion of viaduct being removed does include these arches. Therefore, these arches are to be removed without replacement provision within the scheme. Network Rail has provided evidence advising that the use of these premises for commercial purposes without Network Rail approval. A lease

was provided to Tower Hamlets Environmental Trust in 1997 for use of the arches, although no planning permission was given for a change of use. The lease was for charity use only and had a restriction which did not allow commercial use.

3.3 It is understood that Tower Hamlets Environmental Trust sub-let the arches to various tenants for commercial uses, without Network Rail approval. It is understood that this represented a breach of the lease, which has led to the termination of the lease with Tower Hamlets Environmental Trust by Network Rail.

3.4 In 2007 the Council granted permission for the change of use of one of the arches with the following description.

“Change of use from community workshop and facilities to food preparation business including the sale and on-site consumption of food, salad and soup. No primary cooking”

3.5 It appears that Network Rail was not correctly notified of this application by the applicant and had no knowledge of the approval. Furthermore, it appears that the description was not correct, given that there is no record that planning permission was ever sought or granted for the use of the arches as community workshops.

3.6 Network Rail has provided confirmation that due to the nature of the construction of the arches, with openings in the top of the arches and the potential for the unstable infill to the openings to drop out, that there is a risk to the construction and that the arches are unsuitable for occupation. They have also stated that it is necessary to demolish and remove the structures to remove this risk.

3.7 Policy S5 of the Unitary Development Plan (1998) states that applications for changes of use from A1 Use outside District Centres and Local Parades may be favourably considered where there is adequate provision in the locality for essential shops to meet local needs and that the proposed uses would not be detrimental to the amenity of residents.

3.8 Adequate provision for local shops is provided within the university campus and on Bancroft Road. Furthermore, it is considered, following the information supplied on the quality of the viaduct, that the premises would not be appropriate for continued use.

3.9 The appropriateness of the new development in terms of amenity is discussed in the main report and it is considered that on balance the scheme is acceptable. It is therefore considered that the loss of the A1 retail use is acceptable and would accord with Policy S5 of the Unitary Development Plan (1998).

3.10 Network Rail have state that only one business remains operating from the arches and that does not operate out of the arch where planning permission has been granted. In discussions with Network Rail they have stated that they cannot commit to providing relocation premises for the business but are willing to assist with this. As the use of the other arches is not in accordance with a planning permission it is not considered that the loss of these arches would be contrary to any policies.

4. LOCAL REPRESENTATION UPDATE

4.1 A further written representation objecting to the application has been received from Councillor Whitelock, Ward Councillor for Mile End and Globe Town.

4.2 Councillor Whitelock’s representation in objection raises the following comments:

- I have been contacted directly by residents deeply concerned about this

application, which significantly adds to the developments already underway around Meath Gardens and Regents Canal. As the report itself notes (para. 7.1), a number of residents have formally lodged objections to the development – 25 in total as separate representations plus an unspecified number on the online petition. For information, I understand 57 residents have signed this petition. These are largely from residents living in the Suttons Wharf and Meath Crescent developments, which as the report notes (para. 4.10) are located to the north of the site. I completely support my constituents in their concerns.

- While I do not object in principle to the building of student housing, members will know there is already a significant amount of similar purpose-built blocks in my ward. Having Queen Mary University in the area is of course something to be proud of, but it does bring problems for the local community, such as high levels of population churn, tensions between permanent and temporary residents, and increased levels of antisocial behaviour, noise disturbance, alcohol misuse and crime (often targeted at not just perpetuated by students). Residents living around Bancroft Road and the Longnor estate have often raised issues with me of this nature and it seems obvious an even higher density of student housing could exacerbate the problem.
- In addition, as the report notes (para. 7.2), residents have expressed a range of further concerns about increased pressure on local amenities (which with over 400 extra student rooms will not be insignificant), excessive height and scale of the building (causing overlooking for nearby properties and a general negative impact on the area's outlook), and the risk of overdevelopment, given the already densely populated area around Suttons Wharf, with the north element of that development already under construction.
- Given the strength of feeling against the development and the fact that it will add nothing in terms of additional housing for the borough's residents, I am somewhat surprised at officers' recommendation that the application be granted. Given the development is solely for students it will do nothing to increase supply of social housing for the many overcrowded families on the Common Housing Register waiting list – which I know is one of the Mayor's and the Council's key priorities. A use of the land for social housing would have been easier to support. The benefits in terms of supporting the student population are far outweighed by the disruption that will be caused to existing residents in the surrounding estates and streets – both while construction is underway and in the longer term. I therefore urge the Strategic Development Committee to heed my constituents' concerns and reject this proposal.

4.3 A Petition in support of the application with 26 signatories has also been received from the Longnor Tenants and Residents Association stating that they would like to fully support the application and are satisfied that the impact upon the residents would in the long term be positive.

5. UPDATED SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

5.1 The local planning authority has considered the particular circumstances of the application against the policies contained in The London Plan 2011, the Council's planning policies contained in the adopted Tower Hamlets Core Strategy 2010, the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007 and associated supplementary planning guidance and Government Planning Policy Guidance and has found that:

- The provision of a student housing is supported by policies 3.3 and 3.8 of

The London Plan 2011, policy SP02 of the adopted Tower Hamlets Core Strategy 2010, and policy and HSG14 of the Tower Hamlets Unitary Development Plan 1998, which provides for the specialist housing needs of the borough through working with the borough's universities to enable the appropriate provision of student accommodation that meets identified needs by:

- i. Focusing student accommodation supporting London Metropolitan University at Aldgate or on locations that have good public transport accessibility
 - ii. Focusing student accommodation supporting Queen Mary University London in close proximity to the University.
- The new building in terms of height, scale, design and appearance is acceptable and in line with national advice in PPS5, policies 7.1, 7.4, 7.5, 7.6, 7.7 and 7.8 of The London Plan 2011, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1, DEV2 and CON2 of the Council's Interim Planning Guidance 2007 which seek to ensure development is of a high quality design, and preserves or enhances heritage assets and their settings.
 - Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable and in line with policies 6.3, 6.9, 6.10 and 6.13 of the London Plan 2011, policy SP09 of the Tower Hamlets Core Strategy 2010, policy T16 of the Tower Hamlets Unitary Development Plan 1998, policies DEV16, DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance 2007 and national advice in PPG13, which seek to minimise trip generation and ensure developments can be supported within the existing transport infrastructure.
 - Sustainability and renewable energy matters are appropriately addressed in line with policies 5.1, 5.2, 5.3, 5.4, 5.5, 5.6 and 5.7 of The London Plan 2011, policy SP11 of the adopted Tower Hamlets Core Strategy 2010, policies DEV5, DEV6, DEV7, DEV8, DEV9 and DEV 11 of the Council's Interim Planning Guidance 2007, which seek to ensure development is sustainable due to reduced carbon emissions, design measures, water quality, conservation, sustainable drainage, and sustainable construction materials.
 - The scheme would not result in the overdevelopment of the site or result in any of the problems typically associated with overdevelopment. As such, the scheme is in line with policy 3.4 of The London Plan 2011, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's interim planning guidance 2007, which seek to provide an acceptable standard of development throughout the borough.
 - The management of the demolition and construction phase would accord with policy DEV12 of the Council's interim planning guidance 2007.
 - Contributions have been secured towards environmental improvements of pedestrian facilities, community facilities, open space, highways improvements, car free arrangements and arrangements to ensure that accommodation is used as Student Housing for the student of Queen Mary University, London Metropolitan University or other further education facilities agreed with the Council. This is in line with Circular 05/2005, the

Community Infrastructure Levy Regulations 2010, policy 8.2 of The London Plan 2011, policy SP13 of the adopted Tower Hamlets Core Strategy 2010, 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 contributions toward infrastructure and services required to facilitate development.

6. RECOMMENDATION

- 6.1 The officer recommendation remains unchanged and planning permission should be GRANTED for the updated reasons outlined in Section 5 of this addendum report.

Agenda Item number:	9.2
Reference number:	PA/10/02764 &PA/10/02765
Location:	Land bounded by Norton Folgate, Fleur De Lis Street, Blossom Street, Folgate Street, Norton Folgate, London
Proposal:	<p><u>PA/10/02764 – application for Full Planning Permission</u> Redevelopment of the former Nicholls and Clarke site and adjoining depot site, for commercially led mixed use purposes, comprising buildings between 4 and 9 storeys in height measuring 48.40m AOD (plus plant), to provide approximately 18,775sqm of B1 (Office); approximately 1,816sqm of A1 (Retail) and A3 (Restaurant) and approximately 710sqm of A4 (Public House), together with the recreation of a new public space (Blossom Place); provision of new access to Blossom Place; highway works and public realm improvements to Shoreditch High Street and Blossom Street and provision of managed off-street servicing and parking facilities.</p> <p><u>PA/10/02765 – Conservation Area Consent application</u> Conservation Area Consent for the demolition of No. 13 and No. 20 Norton Folgate, No. 2-9 Shoreditch High Street, No.16-17 and No.10 Blossom Street; partial demolition, refurbishment and conservation repair of 16-19 Norton Folgate, 5 -11a Folgate Street and 12-15 Blossom Street; and reconstruction (including façade retention) of 14-15 Norton Folgate to enable the redevelopment of the former Nicholls and Clarke site and adjoining depot site for commercially led mixed use purposes in association with planning application ref: PA/10/02764).</p>

1.0 ADDITIONAL INFORMATION

Applicant's Details

- 1.1 The documents listed in section 1 of the report should include reference to the
- Addendum Transport Statement dated June 2011.
 - Framework Travel Plan dated July 2011

Background

- 1.2 Paragraph 4.5 which summarises the changes to the proposed scheme should also make reference to the fact that the retention of existing office floorspace above the public house will preserve the original fabric within this Arts and Crafts building and increase the overall amount of floorspace on the site which is to be retained.

External Consultee Responses

- 1.3 Since the main report was written, further responses have been submitted by the following bodies, following the re-consultation exercise on 29 June 2011. These include:
- 1.4 London City Airport:
Comment: proposal does not conflict with any safeguarding criteria. No objection to the height of development proposed.
- 1.5 National Air Traffic Services:
Comment: The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

1.6 English Heritage:
Comment: Our specialist staff have considered the revised information and we do not wish to offer any further comments.

1.7 Design Council for London
Comment: The revised scheme is not substantially different to the original scheme. Design Council has no further comments to their original submission made last year.

2.0 Material Considerations

2.1 Para 11.26 of the main committee report which describes the proposed works to Folgate Street incorrectly refers to proposed 'residential accommodation' above the public house. This should be amended to state that the proposal now seeks to retain and refurbish the existing office floorspace above the public house. This will assist in preserving and enhancing these locally listed properties and the character and appearance of the conservation area in general.

2.2 Para 11.46 of the main committee report which deals with the height of the proposal notes how the tallest element of the proposal sits in the north west corner of the site. It is worth clarifying that the tallest element of proposal actually sits behind a lower storey building of 7 storeys which fronts Shoreditch High Street.

2.3 Para 11.124 of the main committee report which describes the archaeological implications should also mention that investigations were carried out by the applicant at the Councils request and confirmed that the walls in question did not possess any fragments of earlier walls. This reconfirms the position that proposal would have any adverse impacts on the archaeological value of the site.

3.0 ADOPTION OF LONDON PLAN 2011

3.1 On the 22nd July 2011 the Mayor adopted a new Spatial Development Strategy for Greater London, which is referred to as the 'London Plan 2011'. This replaces the previous Spatial Development Strategy for Greater London (Consolidated with Alterations since 2004), which was referred to as the London Plan 2008.

3.2 The published committee report makes reference to policies in the London Plan 2008. These should be disregarded, and weight instead should be given to relevant policies in the new London Plan 2011. For this application, the general thrust of the relevant policies in the London Plan 2011 remains similar to those contained in the London Plan 2008. However, as a new Statutory Development Plan has been adopted, Members should note the following:-

3.3 Paragraph 8.1 of the main committee report lists relevant policies from London Plan 2008 and a list of relevant policies from the Draft Replacement London Plan (Consultation Draft October 2009). These lists of policies should be disregarded. Following the adoption of the London Plan 2011, the following policies are relevant to this application:

Policy	Title
Policy 2.9	Inner London
Policy 2.10	CAZ – strategic priorities
Policy 2.11	CAZ – strategic functions
Policy 2.12	CAZ – predominantly local activities
Policy 2.14	Areas for regeneration
Policy 4.1	Developing London's economy
Policy 4.2	Offices
Policy 4.3	Mixed use development and offices

Policy 4.7	Retail and town centre development
Policy 4.8	Supporting a successful and diverse retail sector
Policy 4.12	Improving opportunities for all
Policy 5.1	Climate change mitigation
Policy 5.2	Minimising carbon dioxide emissions
Policy 5.3	Sustainable design and construction
Policy 5.7	Renewable energy
Policy 5.8	Innovative energy technologies
Policy 5.9	Overheating and cooling
Policy 5.10	Urban greening
Policy 5.11	Green roofs and development site environs
Policy 5.13	Sustainable drainage
Policy 5.14	Water quality and waste water infrastructure
Policy 5.15	Water use and supplies
Policy 5.21	Contaminated land
Policy 6.1	Strategic approach
Policy 6.3	Assessing effects of development on transport capacity
Policy 6.4	Enhancing London's transport connectivity
Policy 6.5	Funding Crossrail and other strategically important transport infrastructure
Policy 6.6	Aviation
Policy 6.7	Better Streets and Surface Transport
Policy 6.9	Cycling
Policy 6.10	Walking
Policy 6.13	Parking
Policy 7.1	Building London's neighbourhoods and communities
Policy 7.2	An inclusive environment
Policy 7.3	Secured by design
Policy 7.4	Local character
Policy 7.5	Public realm
Policy 7.6	Architecture
Policy 7.7	Location and design of tall and large buildings
Policy 7.8	Heritage assets and archaeology
Policy 7.9	Heritage-led regeneration
Policy 7.11	London View Management Framework
Policy 7.12	Implementing the London View Management Framework
Policy 7.13	Safety, security and resilience to emergency
Policy 7.14	Improving air quality
Policy 7.15	Reducing noise and enhancing soundscapes
Policy 8.1	Implementation
Policy 8.2	Planning obligations
Policy 8.3	Community infrastructure levy

3.5 The main policy changes which relate to this development are the changes to the energy policies. It is expected that the development will provide sufficient energy saving measures and renewable technology to satisfy the GLA and LBTH Energy Officers. The constraints on the site prevent the development meeting the 20-25% carbon reduction as required by London Plan Policy 5.2 and Core Strategy Policy SP11. Despite this, the Council's Energy Officer welcomes the applicant's commitment to sustainability and in particular the applications committee to achieving a BREEAM Excellent development. The GLA also support this position as noted in their latest response of July 2011 where by they confirm that the energy aspect of the proposal is acceptable.

- 3.6 Officers consider that the proposed development is in accordance with the aims of the London Plan 2011 and the reasons for approval have been updated to reflect this change in policy below.

4. RECOMMENDATION

- 4.1 The recommendation remains unchanged and should be granted for following reasons:
- 4.2 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 (1998), the Council's Interim Planning Guidance (2007), Adopted Core Strategy (2010), associated supplementary planning guidance; the London Plan (2011) and Government Planning Policy Guidance and has found that:

With regard to the Conservation Area Consent:

1. The demolition of No. 13 and No. 20 Norton Folgate, No. 2-9 Shoreditch High Street, No. 16-17 Blossom Street and No.10 Blossom Street is considered acceptable because these buildings are not considered to contribute positively to the character and appearance of the Elder Street Conservation Area. As such, their demolition is considered to meet the objectives of policies 7.8 and 7.9 of the London Plan (2011); saved policy DEV28 of the Unitary Development Plan (1998); policy CON2 of the Interim Policy Guidance (2007) and policy SP10 of the Core Strategy (2010) alongside the advice set out in Planning Policy Statement 5: Planning for the Historic Environment, which seek to ensure appropriate demolition of buildings in Conservation Areas.
2. The partial demolition/refurbishment and general conservation repair work proposed to 16-19 Norton Folgate, 5 -11a Folgate Street and 12-15 Blossom Street and 14-15 Norton Folgate is considered acceptable as these works will both preserve and enhance the character and appearance of these buildings and the conservation area in general in accordance with policies 7.8 and 7.9 of the London Plan (2011); saved policy DEV28 of the Unitary Development Plan (1998) as well as policy CON2 of the Council's Interim Policy Guidance (2007) and policy SP10 of the Core Strategy (2010) plus the advice set out in Planning Policy Statement 5: Planning for the Historic Environment, which seek to ensure appropriate demolition of buildings in Conservation Areas.

With regard to the Planning Application:

1. The scheme will provide an employment-led mixed use development which safeguards the use of the site as a preferred office location within the Central Activities Zone and the City Fringe and would also facilitate locally-based employment, training and labour opportunities for the local community and residents of Tower Hamlets in accordance with policies 2.9, 2.10, 2.11, 2.12, 4.1, 4.2, 4.3 of the London Plan (2011); saved policies CAZ1, DEV3, EMP1, EMP7 and EMP8 of the Council's Unitary Development Plan (1998), policy EE2 of the Interim Planning Guidance (2007) and policies SP01 and SP06 of the Core Strategy (2010) and the IPG City Fringe Action Area Plan (2007) which seek to support the employment growth in key strategic locations, and the growth of existing and future businesses in accessible and appropriate locations.
2. The height, scale, bulk and design of the building is acceptable and in line with regional and local criteria for tall buildings. As such, the scheme accords with policies 7.6 and 7.7 of the London Plan (2011); saved policies DEV1 and DEV2

of the Council's Unitary Development Plan (1998), policies DEV1, DEV2, DEV3, DEV27 of the Council's Interim Planning Guidance (2007) and policy SP10 of the Core Strategy Development Plan Document (2010) which seek to ensure buildings, including tall buildings and places are of a high quality of design and suitably located.

3. The scheme will preserve and enhance the character and appearance of the Elder Street Conservation Area and provide a range of conservation and design benefits. As such, the scheme accords with policies 7.8 and 7.9 of the London Plan (2011); saved policy DEV28 of the Council's Unitary Development Plan (1998), policy CON2 of the Council's Interim Planning Guidance (October 2007) and policy SP10 of the Core Strategy Development Plan Document (2010), along side the advice set out in Planning Policy Statement 5: Planning for the Historic Environment which seek to protect London's built heritage and preserve or enhance the character and appearance of conservations area.
4. The development would form a positive addition to London's skyline, without causing detriment to local or long distant views, in accordance with policies 7.11 and 7.12 of the London Plan (2011); policy DEV27 of the Interim Planning Guidance (2007) and policy SP10 of the Core Strategy Development Plan Document (2010) which seek to ensure tall buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
5. The impact of the development on the amenity of adjoining neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure and noise is acceptable given the general compliance with relevant BRE Guidance and the urban context of the development. As such, the development accords with saved policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policies SP02 and SP10 of the Council's Core Strategy (2010) which seek to ensure development does not have an adverse impact on neighbouring amenity.
6. Transport matters, including parking, access and servicing, are acceptable and in line with policies 6.1, 6.2, 6.3, 6.4, 6.9, 6.10, 6.13, 7.2 of the London Plan (2011); saved policies T16, T18 and T19 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 and SP09 of the Core Strategy Development Plan Document (2010) which seek to ensure developments minimise parking and promote sustainable transport options.
7. Sustainability matters, including energy and climate change adaptability are acceptable and in line with policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10, 5.11 of the London Plan (2011), policies DEV5 to DEV9 of the Council's Interim Planning Guidance (2007) and policies SP04, SP05 and SP11 of the of the Core Strategy Development Plan Document (2010), which seek to promote sustainable development practices and energy efficiency.
8. Archaeological matters, in particular, the site's location within a Scheduled Ancient Monument (Medieval Priory and Hospital of St. Mary Spital) is acceptable and the proposal is in line with Policy 7.8 of the London Plan (2011); Saved Policy DEV42 of the UDP (1996) and CON4 of the IPG (2007) which seek to resist development which would adversely affect archeologically remains including Scheduled Ancient Monuments and the objectives of PPS5.
9. Contributions have been secured towards the provision of Crossrail, public realm and street scene improvements; employment, training and access to

employment for local people, as well as travel plan monitoring in line with Regulation 122 of Community Infrastructure Levy (2010); Government Circular 05/05; policies 8.1, 8.2, 8.3 of the London Plan (2011), saved policy DEV4 of the Council's Unitary Development Plan (1998); policy IMP1 of the Council's Interim Planning Guidance (2007); and policy SO1, S03, SP08 and SP13 of the Core Strategy (2010), which seek to secure contributions toward infrastructure (including Crossrail) and services required to facilitate and mitigate against the proposed development.

CONSIDERATION OF PREVIOUS COMMITTEE MEETING & REASONS FOR REFUSAL

4.3 As outlined in the main committee report, officers do not consider that the initial reasons which Members were minded to refuse the application are defensible in light of the changes made to the scheme and officers conclude with the recommendation that permission should be granted. However, if Members are minded to refuse the amended application, (subject to any direction by the Mayor of London), the suggested reasons for refusal are as follows and now include reference to the London Plan 2011:

4.4 1. The proposed development fails to provide sufficient regenerative benefits and does not make adequate provision for local employment to adequately mitigate the impact of the development. As such, this is contrary to Government Circular 05/05, the Community Infrastructure Levy Regulations (2010), policies 3B.1, 3B.2, 3B.11, 8.1, 8.2, 8.3 of the London Plan (2011), saved policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2010), which seek to secure contributions toward infrastructure, including employment benefits and services to facilitate the proposed development.

2. The application fails to provide sufficient archaeological information to enable an accurate assessment of the impact the proposal on the Scheduled Ancient Monument (Former Priory and Hospital of St Mary Spital) contrary to the advice set out in PPS5, policies 7.8 of the London Plan (2011); saved policy DEV42 of the UDP (1998) and CON4 of the IPG (2007) which seek to resist development which would adversely affect archaeological remains including Scheduled Ancient Monuments.

3. The application fails to provide sufficient information relating to refuse storage and collection arrangements to enable an accurate assessment of the impact the proposal on the surrounding road network and as such could potentially result in unacceptable traffic congestion, highway safety and parking impacts, contrary to PPS1, PPG13, Policies 6.1, 6.2, 6.3, 6.4, 6.5 of the London Plan (2011); Policies T16, T18, T19, T21 of the LBTH UDP (1998), Policies DEV17, DEV18, DEV19 of the LBTH Interim Planning Guidance (2007) and policies SP08 and SP09 of the Core Strategy (2010) which seek to ensure the proposal does not impact on the local road network.

4. The application fails to provide sufficient information relating to the proposed use, treatment and permeability of the proposed 'Blossom Place' open space, to enable an accurate assessment of the appropriateness of this open space in this location, contrary to policy 7.5 of the London Plan (2011); Policies DEV12 of the UDP (1998), Policy DEV13 of Tower Hamlets IPG (2007), and Policies SP02, SP04 and SP12 of the Core Strategy (2010), seek high quality urban and landscape design; promote the good design of public spaces and the provision of green spaces.

5. The detailed design and treatment of the corner building between Norton Folgate and Folgate Street by reason of poor window fenestration would fail to respect the local street scene and in particular views from Norton Folgate north towards the entrance of the Elder Street Conservation Area, and as a result, would fail to preserve or enhance the character and appearance of the Conservation Area contrary to the

advice of PPS5, policies 7.4, 7.6, 7.8 of the London Plan (2011); saved policies DEV1, DEV2 and DEV28 of the Tower Hamlets Unitary Development Plan (1998), policies DEV1, DEV2 and CON2 of the Council's Interim Planning Guidance (2007) and policy SP10 of the adopted Tower Hamlets Core Strategy (2010), which seek to ensure development is of a high quality design and which preserves or enhances heritage assets, their settings and views into the Conservation Area.

6. The proposed residential units above the existing public house is considered unacceptable at this location as it would have an adverse impact on the residential amenity of future occupiers, in particular the potential noise nuisances associated with the comings and goings of the existing public house as required by saved policies DEV1, DEV2, S7 and DEV50 of the adopted Unitary Development Plan (1998), policies SP01, SO25 and SP12 (Spitalfields Vision) of the Core Strategy 2010, and policies DEV1, DEV10, RT5 of the Interim Planning Guidance (2007), which seek to protect residential amenity and disturbances associated with A4 which form part of the evening and night time economy.

- 4.5 Paragraph 15.2 – 16.5 of the main committee report outlines the difficulties Officers will have in satisfactorily defending the stated reasons for refusal (in the light of amendments and additional information received following the previous Strategic Development Committee resolution. As such, officers remain of the view that planning permission and conservation area consent should be granted as per Officers' recommendation highlighted in Sections 2.4 above.

Agenda Item 7

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

1. INTRODUCTION

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

2. FURTHER INFORMATION

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

3. ADVICE OF ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the Development Plan and other material policy documents. The Development Plan is:
- the adopted Tower Hamlets Unitary Development Plan (UDP)1998 as saved September 2007
 - the London Plan 2011
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
- 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 and the draft National Planning Policy Statement.
- 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

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:
Application, plans, adopted UDP, Interim
Planning Guidance and London Plan

Tick if copy supplied for register:

Name and telephone no. of holder:
Eileen McGrath (020) 7364 5321

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.

- 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 Core Strategy and 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 and Core Strategy but also the emerging Local Development Framework documents and their more up-to-date evidence base, which reflect more closely current Council and London-wide policy and guidance.
- 3.8 In accordance with Article 31 of the Development Management Procedure Order 2010, 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

Committee: Strategic Development	Date: 15 th September 2011	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Simon Ryan		Ref No: PA/11/00163	
		Ward(s): St Katharine's and Wapping	

1. INTRODUCTION

- 1.1 This item previously appeared on the agenda for the Strategic Development Committee, scheduled for 4th August 2011. However, on the day of the Committee there was lack of clarity as to whether all consultees had received consultation letters. In view of this lack of clarity, officers withdrew the item from the agenda and as a consequence, the item was not considered by the Committee.
- 1.2 Prior to the 4th August 2011 Committee, the Council received some late representations, which have now been incorporated into this report.

2. APPLICATION DETAILS

Location:	Tower House, 38-40 Trinity Square, London EC3N 4DJ
Existing Use:	Vacant construction site and Tower Hill Underground station ticket hall
Proposal:	Erection of a 9-storey building with basement, comprising a 370-room hotel (Use Class C1) with associated ancillary hotel facilities including cafe (Use Class A3), bar (Use Class A4) and meeting rooms (Use Class B1) with plant and storage at basement and roof level. The application also proposes the formation of a pedestrian walkway alongside the section of Roman Wall to the east of the site; the creation of a lift overrun to facilitate a lift shaft from ticket hall level to platform level within the adjacent London Underground station and associated step free access works; works of hard and soft landscaping; and other works incidental to the application
Drawing Nos:	<ul style="list-style-type: none">• Drawing nos. 00_001 G, 00_002 F, 00_003 E, 00_101 E, 00_102 C, 00_103 E, 20_215 F, 20_216 F, 20_221 J, 20_222 H, 20_223 G, 20_224 G, 20_231 M, 20_232 N, 20_233 G, 20_239 G, 20_240 G, 20_241 G, 21_401 C, 21_405 C, 21_406 B, 79_203, 79_413 D, 90_206 C and 90_252 A• Design and Access Statement• Design and Access Statement Addendum (incorporating public realm and landscaping works) dated June 2011• Impact Statement dated January 2011• Achaological Assessment dated September 2002• Townscape, Visual Impact and Built Heritage Report
Applicant:	CitizenM Hotels
Owner:	Various, including London Underground Ltd, TfL, Historic Royal Palaces, The Corporation of London, Tower Hill Improvement Trust, DEFRA and EDF
Historic Building:	No – however the adjacent buildings at nos. 41 and 42 Trinity Square are Grade II Listed, whilst portions of the adjacent Roman Wall are Grade I Listed and also a Scheduled Monument
Conservation Area:	The Tower Conservation Area

3 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 3.1
- A hotel-led scheme will contribute to the strategic target for new hotel accommodation. It will complement the Central Activity Zone's role as a premier visitor destination and in this respect, will support London's world city status. The scheme therefore accords with policy 4.5 of the London Plan (2011), saved policies ART1, EMP3 and CAZ1 of the Council's Unitary Development Plan (1998), policies SP06 and SP12 of the Core Strategy Local Development Framework (2010) and policies EE2 and CFR15 of the Council's Interim Planning Guidance (October 2007) which seek to promote tourism and hotel developments within the Central Activity Zone
 - The ancillary cafe (Use Class A3), bar (Use Class A4) and meeting rooms (Use Class B1) are acceptable as they will provide for the needs of the development and demand from surrounding uses, and also present employment in a suitable location. As such, it is in line with saved policies DEV1 and DEV3 of the Council's Unitary Development Plan (1998), policy SP06 of the Core Strategy Local Development Framework (2010) and policies DEV1 and CFR1 of the Council's Interim Planning Guidance (October 2007) which seek to support mixed use developments and local job creation
 - The height, materials, scale, bulk and design of the building is acceptable and is considered to respect, preserve and enhance the character and setting of the Tower of London World Heritage Site, the Tower Conservation Area, the adjacent Listed Buildings and the adjacent Scheduled Ancient Monument. As such, the proposal is in accordance with Planning Policy Statement 5 (2010), policies 7.3, 7.8, 7.9 and 7.10 of the London Plan (2011) as well as saved policy DEV1 of the LBTH UDP (1998), policies DEV2, CON1, CON2 and CFR18 of the Interim Planning Guidance (2007) and policies SP10 and SP12 of the Core Strategy Development Plan Document (2010) which seek to protect the character, appearance and setting of heritage assets. The proposal is also in accordance with the aims and objectives of Tower of London World Heritage Site Management Plan (Historic Royal Palaces, 2007)
 - The proposal does not detrimentally impact upon protected views as detailed within the London Plan London Views Management Framework Revised Supplementary Planning Guidance (July 2010) and maintains local or long distance views in accordance policies 7.11 and 7.12 of the London Plan (2011) and policy SP10 of the Core Strategy Development Plan Document (2010) which seek to ensure large scale buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
 - The development and associated public realm are considered to be inclusive and also improves the permeability of the immediate area. As such, it complies with policies 7.2, 7.4 and 7.5 of the London Plan (2011), saved policy DEV1 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010) and policies DEV3, DEV4, CFR1, CFR2 and CFR18 of the Council's Interim Planning Guidance (October 2007) which seek to maximise safety and security for those using the development and ensure public open spaces incorporate inclusive design principles. The scheme is also in accordance with the aims of the Tower of London World Heritage Site Management Plan (2007) which seeks to improve public realm and linkages to the Tower of London
 - It is not considered that the proposal would give rise to any undue impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding residents or occupiers. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of

the Core Strategy Local Development Framework (2010) and policy DEV1 of the Council's Interim Planning Guidance (October 2007), which seek to protect residential amenity.

- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policies 6.4, 6.7, 6.9, 6.10, 6.11, 6.12 and 6.13 of the London Plan (2011), saved policies T16 and T19 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy Local Development Framework (2010) and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- Sustainability matters, including energy, are acceptable and in line with policies 5.1 – 5.3 of the London Plan (2011), policy SP11 of the Core Strategy Local Development Framework (2010) and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007), which seek to promote sustainable, low carbon development practices.
- Financial contributions have been secured towards the provision of transport and highways improvements; employment & training initiatives; and leisure and tourism promotion in line with Government Circular 05/05, the Community Infrastructure Levy Regulations 2010, saved policy DEV4 of the Council's Unitary Development Plan (1998) and policy SP13 of the Core Strategy (2010) which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

4 RECOMMENDATION

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

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

Financial Contributions

- a) Highways & Transportation: **£103,000**, comprising:
 - £3,000 towards monitoring the Travel Plan
 - £50,000 towards the Legible London wayfinding scheme
 - £50,000 towards the Cycle Hire Scheme
- b) Employment & Enterprise: **£105,642** towards the training and development of unemployed residents in Tower Hamlets to access either:
 - Jobs within the hotel developmental end-use phase;
 - Jobs during the construction phase of the development;
 - Jobs or training within Hospitality, Leisure, Travel & Tourism employment sectors.
- c) Leisure & Tourism promotion: **£54,500**; comprising:
 - £26,500 towards developing a destination map of the Borough for visitors
 - £28,000 towards business tourism promotion and implementing a programme with Visit London to promote Tower Hamlets as a business tourism destination in the UK, European and International Meeting, Incentive, Conference and Exhibition Market

Non-Financial Contributions

- d) Delivery of public realm improvements and step-free access works;
- e) No coach parking or drop-offs / pick-ups from Trinity Square or Coopers Row;

- f) Code of Construction Practice - To mitigate against environmental impacts of construction;
- g) Reasonable endeavours for 20% goods/services to be procured during the construction phase should be achieved by businesses in Tower Hamlets;
- h) Reasonable endeavours for 20% of the construction phase workforce will be local residents of Tower Hamlets;
- i) The equivalent of 20% of the workforce or 59 people residing in Tower Hamlets are given HLTT (Hospitality, Leisure, Travel & Tourism) sector related training;
- j) Access to Employment - To promote employment of local people during and post construction, including an employment and training strategy;
- k) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Total financial contribution: **£263,142**

- 4.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
- 4.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 1) Permission valid for 3 years;
- 2) Submission of details and samples of all materials;
- 3) Submission of hard and soft landscaping details;
- 4) Submission of details of highways works;
- 5) Contamination;
- 6) Construction Management and Logistics Plan;
- 7) Construction Environmental Management Plan;
- 8) Foul and surface water drainage;
- 9) Monitoring and protection of ground water;
- 10) Archaeology;
- 11) Air quality assessment;
- 12) Evacuation plan;
- 13) Scheme of necessary highways improvements to be agreed (s278 agreement);
- 14) Piling and foundations;
- 15) Landscape management;
- 16) Ventilation and extraction;
- 17) Refuse and recycling;
- 18) Travel Plan;
- 19) Coach, Delivery and Service Management Plan;
- 20) 5% Accessible hotel rooms and 5% future proofed;
- 21) Access management plan;
- 22) Pedestrian audit;
- 23) BREEAM;
- 24) Means of access and egress for people with disabilities;
- 25) Hours of building works;
- 26) Hours of opening of terrace;
- 27) Hammer driven piling;
- 28) Noise levels and insulation;
- 29) Vibration;
- 30) Compliance with the submitted Energy Strategy;
- 31) Integration of Combined Heat and Power;
- 32) Hotel Use Only;
- 33) Secure by design statement;
- 34) Period of hotel suite occupation no longer than 90 consecutive days;

- 35) Approved plans; and
- 36) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

4.4 Informatives

- 1) Section 106 agreement required;
 - 2) Section 278 & 72 Highways agreements required;
 - 3) Contact Thames Water regarding installation of a non-return valve, petrol/oil-interceptors, water efficiency measures and storm flows;
 - 4) Changes to the current licensing exemption on dewatering;
 - 5) Contact LBTH Environmental Health;
 - 6) Contact Environment Agency;
 - 7) Section 61 Agreement (Control of Pollution Act 1974) required;
 - 8) Closure of road network during Olympic and Paralympic Games
 - 9) Contact London Fire & Emergency Planning Authority; and
 - 10) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.
- 4.5 That, if by 1st November 2011, the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

5 PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1 The application proposes the erection of a 9-storey building with basement, comprising a 370-room hotel with associated ancillary hotel facilities including café and bar at ground floor level bedrooms and meeting rooms at upper floor levels. Plant and storage facilities are contained at basement and roof level.
- 5.2 The application also proposes associated site-wide hard landscaping and highways works, together with step-free access works within the vicinity of the application site and Tower Hill Underground Station. The hotel is proposed to be serviced on-street from Trinity Square.
- 5.3 The proposal incorporates the retention of the existing Tower Hill Station ticket hall and proposes the introduction of step free access within the station to the platforms, as well as improvements to the street level ticket hall such as new signage, lighting, public art and an external canopy.

Site and Surroundings

- 5.5 The site, which measures 0.19ha in area, is located within the westernmost area of the Borough, close to the boundary with the City of London. The site is presently occupied by a single storey ticket hall for the Tower Hill London Underground Station, following the demolition of buildings which previously sat above and around the ticket hall, namely two brick buildings and a 6 storey post-war office block. These were demolished following the granting of Conservation Area Consent in 2005, as detailed below.
- 5.6 The site lies approximately 75m north of the outer wall of the Tower of London and is part of a group of buildings which form a backdrop to the Tower. The site is located upon a prominent corner and is bounded by a pedestrian route, Trinity Place, to the south; Trinity Square (the street around Trinity Square Gardens) to the west; the listed terraced buildings at nos. 41 and 42 Trinity Square directly to the north; and a brick building containing an electricity substation, which has its main frontage to The Crescent, to the east. The site is currently occupied by the single storey ticket hall of the London Underground Tower Hill Station and a hoarded, vacant construction site beyond, following the demolition of the office

building which previously occupied the site.

- 5.7 Whilst the land use in the surrounding area is predominantly commercial or civic, the built form within the area varies in height, scale, materials and age. Immediately adjacent to the site are nos. 41 and 42 Trinity Square, a pair of Grade II listed terraced properties of 5 and 4 storeys in height respectively. The scale of buildings further to the north along Coopers Row increases substantially; the Grange Hotel, built between 1961 and 1963 rises to 12 storeys in height, and beyond is situated No.1 America Square, completed in 1991, which is built over the railway line into Fenchurch Street station and is 15 storeys high. Immediately to the east of the site is a brick built electricity substation, beyond which lies the 5 storey London Guildhall University building, with frontages to Trinity Place and the Minories. The back of the building encloses the Crescent which comprises a terrace of properties in predominantly commercial use.
- 5.7 Within Trinity Square, the buildings around the square are largely built of Portland Stone, are broadly neo-classical in style and are mostly 5-7 storeys in height, with the exception of the Port of London Authority Building which is significantly taller. Most of the buildings date from the early 20th Century with the exception of Trinity House which dates from the late 18th Century. The statutory status of the various heritage assets within the area are detailed below.
- 5.8 The site is separated from the Tower of London by the busy Tower Hill road and the public realm immediately to the south of the site. The public realm is set over a number of levels to accommodate the pedestrian underpass to the Tower of London, the Tower Hill Underground Station entrance and Wakefield Gardens – an area of soft landscaping and a raised platform which offers direct views of The Tower.
- 5.9 In terms of built heritage, the application site is located within the Tower Conservation Area and is approximately 65 metres to the north of the Tower of London World Heritage Site. The site is also within close proximity of the Crescent Conservation Area, the Lloyd's Avenue Conservation Area and the Fenchurch Street Conservation Area, all of which are located within the City of London. There are a number of listed buildings within the wider vicinity, including:
- The Grade II listed nos. 41 and 42 Trinity Square immediately adjacent to the north;
 - Portions of the adjacent Grade I Listed Roman London Wall (also a Scheduled Monument);
 - The Grade II Listed Port of London Authority building at 10 Trinity Square;
 - The Grade I Listed Trinity House within Trinity Square;
 - The Grade II Listed railings to Trinity Square
 - The Grade I Listed Church of All Hallows;
 - The Grade II* Listed Merchant Seamen's Memorial in Trinity Gardens;
 - The Grade II Mercantile War Memorial in Trinity Gardens; and
 - The Tower of London, which is Grade I Listed, a World Heritage Site and a Scheduled Monument
- 5.10 The adjacent open space of Trinity Square Gardens is also a protected London Square. The proposed building is located within Townscape View 25A.1 – 3 (The Queen's Walk to Tower of London) of the London View Management Framework SPG (2010), and also falls within River Prospect 10A.1 (Tower Bridge) as defined by the LVMF SPG.
- 5.11 In terms of the Development Plan context, the site is located within the Central Activities Zone (CAZ). The site is also designated as a development site (reference CF33) within the Interim Planning Guidance City Fringe Area Action Plan (2007), which cites employment (B1), retail (A1-A4) and public open space as the preferred uses.

5.12 The site has an excellent level of accessibility to public transport, with a Public Transport Access Level of 6b ('Excellent') where 1 represents the lowest and 6b the highest. As detailed above, the site is located immediately adjacent to and above Tower Hill Underground station, which is served by the District and Circle Lines, with Tower Gateway DLR station approximately 100 metres to the east and Fenchurch Street mainline station 140 metres to the north of the site. Numerous bus routes also serve a number of surrounding streets, including routes 15, 25, 42, 78, 100 and RV1, whilst river taxi services also call at the nearby St Katharine's Pier and Tower Millennium Pier.

Relevant Planning History

5.13 The following planning decisions are relevant to the application:

- PA/02/01400 Planning permission was granted on 25th April 2005 for the redevelopment to provide offices, accommodation for London Underground, tourist information/retail kiosk together with associated car parking, servicing and plant in a seven storey building plus basement and plant room and creation of a pedestrian passageway alongside the west side of the section of Roman wall abutting the east side of the existing building. This permission has been implemented by way of demolition of the existing buildings and installation of services to the site. Pre-commencement conditions have also been discharged
- PA/02/01401 Conservation Area Consent was granted on 25th April 2005 for the demolition of buildings on site. This consent has been implemented following the demolition of all buildings in 2009
- PA/07/00266 Permission was granted on 20th April 2007 to allow the variation of condition 2 of planning permission reference PA/02/1400 to allow internal and external alterations. These included the removal of basement car parking and the replacement with plant, internal layout rearrangements, removal of plant from roof and replacement with office accommodation and replacement of louvered walls with glazing
- PA/08/00593 Permission was granted on 11th June 2008 to allow the variation of condition 2 of planning permission reference PA/02/1400 to allow further internal and external alterations, the most significant being the replacement of the roof terrace with office accommodation and the 7th floor being moved southwards by 4.5m to the rear of the pergola supports
- PA/10/01735 An application was received in August 2010 for the following: Erection of a 9-storey building with basement, comprising a 370-room hotel (Use Class C1) with associated ancillary hotel facilities including café (Use Class A3), bar (Use Class A4) and meeting rooms (Use Class B1) with plant and storage at basement and roof level. The application also proposes the formation of a pedestrian passageway alongside the section of Roman wall to the east of the site together with associated site-wide hard and soft landscaping. The application was withdrawn by the applicant on 10th November 2010.

6. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

- 6.2 Proposals: Central Activities Zone
Area of Archaeological Importance or Potential

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use development
	DEV4	Planning Obligations
	DEV12	Provision of Landscaping in Development
	DEV50	Noise
	DEV51	Contaminated Land
	DEV55	Development and Waste Disposal
	DEV69	Water Resources
	EMP1	Encouraging New Employment Uses
	EMP6	Employing Local People
	CAZ1	Location of Central London Core Activities
	T16	Impact of Traffic
	T18	Pedestrian Safety and Convenience
	T21	Existing Pedestrians Routes
	S7	Restaurants
	ART7	Hotel Developments

Interim Planning Guidance for the purposes of Development Control

6.3	Proposals:	CF33	Employment (B1), retail (A1, A2, A3 and A4) and public open space Central Activities Zone Archaeological Priority Area
-----	------------	------	--

Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	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
	DEV27	Tall Buildings
	EE2	Redevelopment / Change of Use of Employment Sites
	RT5	Evening and Night-time Economy
	CON1	Listed Buildings
	CON2	Conservation Areas
	CON3	Protection of London Squares
	CON4	Archaeology and Ancient Monuments
	CON5	Protection and Management of Important Views
	CFR1	City Fringe spatial strategy
	CFR2	Transport and movement
	CFR6	Infrastructure and services
	CFR7	Infrastructure capacity

CFR8	Waste
CFR15	Employment uses in St Katharine's sub-area
CFR17	Retail, evening and night-time economy in St Katharine's sub-area
CFR18	Design and built form in St Katharine's sub-area
CFR19	Local connectivity in St Katharine's sub-area

Supplementary Planning Guidance/Documents

- 6.4
- Designing Out Crime
 - Landscape Requirements

Local Development Framework Core Strategy (2010)

6.5

SO1 – SO25	Strategic Objectives for Tower Hamlets
SP01	Refocusing on our town centres
SP02	Urban living for everyone
SP03	Creating healthy and liveable neighbourhoods
SP04	Creating a green and blue grid
SP05	Dealing with waste
SP06	Delivering successful employment hubs
SP07	Improving education and skills
SP08	Making connected places
SP09	Creating attractive and safe streets and spaces
SP10	Creating distinct and durable places
SP11	Working towards a zero-carbon borough
SP12	Delivering placemaking – Priorities and Principles – Tower of London
SP13	Planning Obligations

New London Plan 2011

6.6

<u>Policy</u>	<u>Title</u>
2.9	Inner London
2.10	Central Activities Zone – Strategic Priorities
2.11	Central Activities Zone – Strategic Functions
2.12	Central Activities Zone – Predominantly Local Activities
4.1	Developing London's economy
4.3	Mixed use development and offices
4.5	London's visitor attractions
4.10	New and emerging economic sectors
4.11	Encouraging a connected economy
4.12	Improved opportunities for all
5.1	Climate Change Mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.5	Decentralised energy networks
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.8	Innovative energy technologies
5.13	Sustainable drainage
5.18	Water use and supplies
5.21	Contaminated land
6.4	Enhancing London's transport connectivity
6.5	Crossrail
6.7	Better streets and surface transport
6.8	Coaches

6.9	Cycling
6.10	Walking
6.11	Smoothing traffic flow and tackling congestion
6.12	Road network capacity
6.13	Parking
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.8	Heritage Assets and Archaeology
7.10	World Heritage Sites
7.11	London View management Framework
7.12	Implementing the LVMF
8.2	Planning obligations

London Plan – Relevant Supplementary Planning Guidance

- | | |
|-----|--|
| 6.7 | <ul style="list-style-type: none"> • Accessible London: Achieving an Inclusive Environment (April 2004) • Sustainable Design and Construction (May 2006) • London View Management Framework (July 2010) |
|-----|--|

Government Planning Policy Guidance/Statements

6.8	PPS1	Delivering Sustainable Development Planning and Climate Change – Supplement to PPS1
	PPS4	Planning for Sustainable Economic Growth
	PPS5	Planning for the Historic Environment
	PPS9	Biodiversity & Conservation
	PPG13	Transport
	PPG24	Planning and Noise
	PPS22	Renewable Energy

Other Relevant Guidance

- | | |
|-----|---|
| 6.9 | <p>Tower of London World Heritage Site Management Plan (Historic Royal Palaces, 2007)</p> <p>Tower of London World Heritage Site Local Setting Study (WHS, November 2010)</p> |
|-----|---|

Community Plan

- | | |
|------|--|
| 6.10 | <p>The following Community Plan objectives relate to the application:</p> <ul style="list-style-type: none"> A better place for living safely A better place for creating and sharing prosperity A better place for excellent public services |
|------|--|

7. CONSULTATION RESPONSE

- | | |
|-----|--|
| 7.1 | The views of officers within the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. |
| 7.2 | The following were consulted regarding the application: |

LBTH Accessibility Officer

- 7.3 No objections, subject to conditions requiring 5% of hotel rooms to be fully accessible with hoist and 5% readily convertible. Also a condition requiring the step free access works to be in place prior to commencement of use

(OFFICER COMMENT: Conditions have been attached to this effect, whilst the delivery of the step free access works is secured within the associated s106 Agreement)

LBTH Communities, Localities and Culture

- 7.4 No objections. In light of the emerging Planning Obligations SPD which was approved for consultation purposes by Cabinet on 6 July. This draft sets out a formula and threshold for contribution requirements towards Public Realm improvements based on the size of the hotel and likely employment figures. Accordingly, based on 100 employees and 740 hotel occupants, a contribution of £607,752 is requested

(OFFICER COMMENT: This contribution request is not considered to be compliant with the relevant regulations and has not therefore been requested. This is discussed later in the report)

LBTH Crime Prevention Officer

- 7.5 This is a straight forward site as the building does not have any recessed entrances at the front or the rear. Also, hotels are usually well managed. Possibly have some concerns over the rear exit.

(OFFICER COMMENT: This matter is discussed further within the design section of the material planning considerations, below)

LBTH Enterprise & Employment

- 7.6 The Enterprise and Employment team have raised no objections to the proposal and have requested the following be secured:

- Proposed employment/enterprise contributions at construction phase:
 - 20% of goods/services procured during construction should be achieved by businesses in Tower Hamlets;
 - Best endeavours from the developer to ensure 20% of the construction workforce are Tower Hamlets residents, supported by Skillsmatch Construction Services. Where this is not appropriate, the Council will seek a financial contribution of £30,533 to support/provide for training/skills needs of local residents in accessing new job opportunities in the construction phase of new developments
- Proposed employment/enterprise contributions and end user phase:
 - A contribution of £39,709 towards the training and development of unemployed residents in Tower Hamlets to access either jobs within the hotel development end user phase or jobs or training within employment sectors in the final development
 - Of the final development workforce, the equivalent of 20% residing in Tower Hamlets be given sector related training, namely the Employment First Training Programme, delivered by SEETEC
 - If the developer is unable to deliver the aforementioned training, a monetary contribution of £35,400 is required for the delivery of the training to local residents

(OFFICER COMMENT: The applicant has agreed to the above contribution and obligations, as detailed within the s106 Heads of Terms in paragraph 4.1. The method of calculating the financial contribution is detailed within section 9 of this report)

LBTH Environmental Health

7.7 Environmental Health (Air Quality)

No objections, subject to the imposition of a Construction Environment Management Plan.

Environmental Health (Commercial Health & Safety)

No objections

Environmental Health (Contaminated Land)

No objections subject to the attachment of an appropriate condition requiring any contaminated land to be properly treated and made safe before development commences

Environmental Health (Food Safety)

No objections subject to the attachment of an appropriate informative regarding food safety

Environmental Health (Noise & Vibration)

No objection subject to the imposition of a condition requiring the approval of a Construction Management Plan and conditions to limit noise associated with plant and machinery.

Environmental Health (Smell/Pollution)

Details of any extraction, ventilation and filtration systems to be installed should be submitted for approval

(OFFICER COMMENT: The requested conditions and informatives have been attached to the draft decision notice, as detailed above at paragraph 4.3)

LBTH Highways

7.8 Parking

The proposed development is entirely car-free and given that the site has a Public Transport Access Level (PTAL) of 6b (where 1 = poor and 6b = excellent), this is considered to be acceptable

Coach Parking

Since the previously withdrawn planning application [ref. PA/10/01735], the applicant has provided further details and has demonstrated that large luxury coaches are able to safely access Trinity Square from the north via Cooper's Row. Subject to the City of London confirming that access to the site from the north is acceptable (as Cooper's Row falls within their adopted highway network), LBTH Highways have no objections to coaches accessing the site from Cooper's Row and egressing from Trinity Square onto Tower Hill/Byward Street.

Notwithstanding the above, it is considered preferable for coach parking to be accommodated at the nearby purpose-built Coach Park located on Lower Thames Street. Accordingly, in order to restrict the potential for coaches to visit the site, should planning permission be granted, a condition or s106 obligation should be secured which prevents the proposed hotel from accepting bookings from tour operators, travel agents or other persons that may result in users of the development being transported to and from the site in coaches which set down and pick up/drop off passengers at the site. This would minimise the likelihood of coaches arriving at the hotel.

Cycle Parking

A total of 35 Sheffield-style cycle stands are proposed to be provided within the development

at basement level. This meets the minimum cycle parking requirements as defined within the Interim Planning Guidance (2007) and is therefore acceptable.

Trip Generation

The Trip Generation section of the submitted Transport Assessment demonstrates that the proposed development will result in a decrease in the number of person trips over the extant B1 use for which Planning Permission has previously been granted. The methodology used and the trips forecast (including the use of surveys undertaken for the Britannia Hotel, Marsh Wall) are considered to be suitable/representative of a hotel use. As such, no objections are raised.

Servicing Arrangements

Whilst on-site servicing would normally be preferred by Highways, the applicant has provided further information including additional pedestrian surveys and a FRUIN assessment to justify the pursuance of on-street servicing. As a result, LBTH Highways consider that sufficient justification has been made and the applicant has adequately demonstrated that on-street servicing would have no undue impacts. Accordingly no objections are raised, subject to a condition being attached which prevents servicing from taking place between 0700 -1000 hours and 1600 -1900 hours inclusive. This would ensure that servicing activities do not occur during peak hours. The submitted Servicing and Coach Management Plan is to be updated prior to occupation and secured via S106/planning condition should planning permission be granted.

Widening of Pavement in Trinity Square

Highways welcome the proposed works to widen the pavement immediately to the west of the hotel. This would be secured at the applicant's expense via a S.278 agreement, along with the works to realign the pavement/kerb line along the southern edge of Trinity Square.

Oversailing of Canopy

A Projection Licence would be required for the proposed canopy, A Projection Licence would be required for the proposed canopy, however the Applicant should be informed that the Highways Department do not wish to issue the technical approvals and licence required in order to make the proposed canopy legal and therefore the Applicant is advised to remove the canopy from their proposals. (OFFICER COMMENT: There are no policies within the development plan which could support a refusal of the scheme based on the canopy. Furthermore, it is considered that the canopy is a positive feature in terms of design, subject to details of materials)

S106 Contributions

Highways fully support the contribution requests from TfL towards the Legible London wayfinding scheme and also the Cycle Hire scheme. A £3,000 contribution for the monitoring of the Travel Plan should also be secured.

Conditions

Should planning permission be granted, conditions would be required to secure the following:

1. Submission of details of necessary highways works
2. Submission of Travel Plan
3. Submission of details of canopy
4. Submission of details of basement
5. Hours of servicing
6. Servicing and Coach Management Plan to be updated prior to occupation of the site
7. Construction Management Plan to be submitted and approved
8. All private forecourt/areas to be drained within the site and not into public highway

(OFFICER COMMENT: The requested contributions and conditions have been secured within the s106 and attached to the decision notice respectively, as detailed within section 4

of this report. Highways and transportation matters are discussed in greater detail within section 9 of this report)

LBTH Investment & Business

7.9 No objections, subject to securing the following contributions:

- Business tourism promotion: £28,000 towards implementing a programme with Visit London to promote Tower Hamlets as a business tourism destination in the UK, European and International Meeting, Incentive, Conference and Exhibition Market; and
- £26,500 towards developing a destination map of the Borough for visitors

(OFFICER COMMENT: The requested contributions have been agreed with the applicant, as detailed within the s106 Heads of Terms in paragraph 4.1. The s106 contributions are discussed in greater detail below within section 9 of the report)

LBTH Sustainable Development

7.9 Energy

No objections – the applicant has followed the energy hierarchy as set in the London Plan. The proposed overall 56.7% reduction in carbon emissions through energy efficiency measures and a combined heat and power system is considered acceptable and should be secured by condition.

Sustainability

No objections - the applicant has submitted a Sustainability Statement which commits the development to achieve a BREEAM (Building Research Establishment Environmental Assessment Method for buildings) rating of 'Excellent' as minimum with an aspiration to achieve 'Outstanding'. Conditions should be attached to secure this.

(OFFICER COMMENT: Conditions have been attached as requested. Energy and sustainability measures are discussed in further detail within section 9 of this report)

LBTH Waste Policy & Development

7.10 No comments received.

Ancient Monuments Society (statutory consultee)

7.11 No comments received.

City of London Corporation (statutory consultee)

- 7.12
- The proposal appears to be at odds with the advice contained within the draft Tower of London Local Setting Study, which commented that the [previously approved] 8-storey office building would have an extensively glazed façade, increasing the sense of commercial architecture facing the Tower
 - Advise LBTH to consider whether the proposed development, because of its predominantly glazed design would detract from the setting of the Tower of London World Heritage Site
 - The City's policy for developments of this nature is to request that all servicing is carried out within the premises and not on public highway, however, it is acknowledged that additional analysis and assessment has been undertaken to demonstrate that the impact of the proposal is likely to be minimal.
 - Should planning permission be granted for this development, the City would expect that all servicing is carried out between the hours of 1000 and 1600 hours, which fall outside of peak pedestrian footfall

- The widening of the footway concourse onto Trinity Square, outside Tower Hill Station exit, fronting the development is welcomed
- The public realm proposals and step free access works around the site are welcomed

(OFFICER COMMENT: Officers do not consider that the proposed design is detrimental to the setting of Tower of London World Heritage site, as discussed within section 9 of the report below. With regard to servicing, Officers consider that sufficient justification has been made and the applicant has adequately demonstrated that on-street servicing would have no undue impacts. The requested condition restricting servicing times has been attached accordingly).

English Heritage (statutory consultee)

7.13 Ancient Monuments

The applicant will be required to submit an application for Scheduled Monument Consent for works to and within close proximity of the adjacent Roman Wall before development can begin (OFFICER COMMENT: A condition has been attached to this effect)

Archaeology

A condition is requested requiring the submission and implementation of a programme of archaeological work (OFFICER COMMENT: A condition has been attached to this effect)

Historic Buildings and Areas

The proposed development is located on a prominent site within the defined local setting of the Tower of London World Heritage Site. A development of the scale proposed would be visible in many key views of the Tower of London.

The site is also located within the Tower Conservation Area and was previously occupied by an undistinguished post war building which detracted from a rich and varied group of historic buildings. The group includes remains of the Roman Wall (Scheduled Monument and listed at Grade I), Trinity House (listed at Grade I), the Port of London Authority Building (listed at Grade II*), the Mercantile Marine Memorial (listed at Grade II), and nos. 41 and 42 Trinity Square (listed at Grade II). The structure of the Exit Hall of the Tower Hill underground Station has been retained and the proposed structure would continue to accommodate this important facility.

The detailed design of the principal facades has evolved over a prolonged period involving much discussion; the external massing reflects an extant permission on the site.

We feel that the texture of the main body of the facade, as now proposed, would relate well, to the surrounding richly varied architectural context. We welcome the changes since the previous (withdrawn) submission relating to the use of Portland stone on the principal facades. We have consistently commented on the importance of ensuring that the upper floors have a recessive quality in key views including LVMF View 25A.1 and LVMF 25A2 and we note the confirmation that the glazing of the top two floors would be of a low-reflectivity type.

It is essential that the proposal is fully assessed in terms of its impact on the Outstanding Universal Value of the Tower of London World Heritage Site. Should your Council be minded to approve the scheme, we would advise that suitably robust conditions are attached to any permission to ensure that the necessary quality is fully achieved in terms of materials and architectural details.

Accordingly, English Heritage recommends that the application should be determined in accordance with national and local policy guidance, and on the basis of your [LBTH] specialist conservation advice.

Environment Agency (statutory consultee)

7.14 No objections.

Historic Royal Palaces (statutory consultee)

- 7.15
- Historic Royal Palaces welcomes the change of use of the proposed development on this site from offices to an hotel, with street level facilities that will help to animate the frontages behind the underground station and improve facilities for visitors to the area
 - The design represents a significant improvement upon the office scheme previously approved
 - The proposal would be more comfortable in the setting of the World Heritage Site (and particularly in views from Tower Hill) if it were a storey lower; but on balance the resubmitted proposal offers benefits for the area in terms of use
 - Achieving step free access is admirable and the public realm works are acceptable
 - The omission of the extension of the walkway alongside the Roman Wall is regrettable, however the land ownership reasons are understood and it is noted that the walkway could be completed in the future

(OFFICER COMMENT: With regard to the point concerning the walkway alongside the Roman Wall, the originally submitted drawings proposed a walkway beside the full length of the adjacent Roman Wall, linking the Tower Hill Underground station area to the Crescent to the north. However, due to land ownership issues, this has been revised to provide a walkway within the application site area only)

London Borough of Southwark (statutory consultee)

7.16 No comments received to date. Any comments will be provided by way of update report.

London Fire and Emergency Planning Authority (LFEPA) (statutory consultee)

7.17 No objections.

London Underground (statutory consultee)

- 7.18 No objections subject to the imposition of a condition requiring the submission and agreement of detailed design and method statements for all foundations, basement and ground floor structures as well as piling. London Underground state that the proposed construction of two lift shafts, one serving each platform, together with the associated step free ramps within the public realm, presents a real opportunity to upgrade the station and achieve a complete step free solution at this strategically important station for both tourist and business travellers.

(OFFICER COMMENT: The requested condition has been attached as detailed within section 4 of this report)

Transport for London (TfL) (statutory consultee)

7.19 No objections in principle to the proposal. TfL make the following comments:

- TfL are supportive of the decision to use Portland Stone to clad the lift overrun and staircase which emerge from the Underground ticket hall (OFFICER COMMENT: the lift overrun has since been amended to a glazed finish);
- TfL would like to be notified of any alterations to the façade of the ticket hall, along with the detailed design of the canopy; (OFFICER COMMENT: A condition has been attached to this effect)
- A contribution of £50,000 towards the Legible London wayfinding signage scheme in the

area is requested; (OFFICER COMMENT: The applicant has agreed to this contribution request)

- A contribution of £50,000 towards improvements to the Cycle Hire scheme in the area, to be used to introduce new docking stations or enhance existing facilities is requested; (OFFICER COMMENT: The applicant has agreed to this contribution request)
- Confirmation of coach drop off/set down arrangements is required – TfL remain concerned that this may impact upon the interchange movements between Tower Hill and Fenchurch Street mainline station. Thought should be given to enforcement measures to prevent coach operators from parking coaches in this area and also whether drop offs and set downs could take place during off-peak periods; (OFFICER COMMENT: The applicant has agreed to an obligation within the s106 legal agreement which prevents the applicant from accepting any bookings that may result in users of the development being transported to and from the site in coaches which set down, park or pick up passengers within the immediate vicinity of the site. A condition has also been attached which requires the submission of a Delivery and Servicing Management Plan, as well as a condition which only allows servicing during the off-peak periods identified within the submitted pedestrian and vehicle movement periods. Officers consider that such measures would significantly reduce the likelihood of coaches arriving at the hotel. This is further discussed within section 9 of this report, below)
- A contribution of £30,000 for accessibility to the north eastern end of Tower Bridge is requested (OFFICER COMMENT: Officers do not consider that such works are necessary to mitigate the impact of the proposal and accordingly the request does not meet the necessary statutory tests for s106 contributions. As such, this contribution has not been sought)
- A Travel Plan should be submitted and agreed; (OFFICER COMMENT: A condition has been attached to this effect)
- A Delivery and Service Plan and a Construction Logistics Plan should be submitted and agreed (OFFICER COMMENT: Conditions have been attached to this effect)
- Should planning permission be granted, an informative should be added regarding the closure of certain roads during the Olympic and Paralympic Games 2012 which may affect construction (OFFICER COMMENT: An informative has been attached to this effect)

Design Council / Commission for Architecture and the Built Environment (CABE)

7.20 CABE commented that they did not have the resources to review the scheme.

EDF Energy Networks

7.21 No comments received.

HM Tower of London

7.22 See Historic Royal Palaces' comments

London Wildlife Trust

7.23 No comments received.

Tower Hill Improvement Trust

7.24 No comments received.

Thames Water

7.25 No objections subject to conditions relating to the provision of appropriate surface water drainage, the submission and agreement of an impact piling method statement and the

submission of an impact statement upon the existing water supply

(OFFICER COMMENT: Conditions have been attached as requested)

8. LOCAL REPRESENTATION

8.1 A total of 291 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: 14 Objecting: 6 Supporting: 7 Neither: 1
No of petitions received: None received

8.2 The following local groups/societies made representations:

- Trinity Square Group, in objection.

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:

In Objection

Design & Conservation

- The proposed building dominates over and detracts from the adjacent and nearby listed buildings by reason of its height, bulk, scale and massing
- The proposal causes harm to the Tower Conservation Area and the setting of the nearby World Heritage site
- The proposed building detracts views of the Tower of London from the north along Cooper's Row
- A lower, smaller building would better integrate into the surroundings
- The design is out of context when considered within Trinity Square
- The development plan and other policies and guidance call for development of the highest quality as the site is recognised to be a site of extreme sensitivity in an outstandingly important conservation area of national and international importance and within the setting of the Tower of London WHS of universal significance and importance

Land Use

- The area is already very well served with hotels
- A hotel would be a more intensive use of the site than an office

Highways & Transportation

- The proposed servicing arrangements would cause conflict with other road users and in particular the numerous pedestrians who use the area
- Policy is to reduce pedestrian/vehicular conflict, not increase it
- The development is contrary to the Tower Hill Gateway Interchange Report (THGI) (2009) produced by Alan Baxter Associates, as it will introduce additional vehicle and pedestrian conflict in Trinity Square, plus the submitted pedestrian surveys differ from those contained within the THGI report (OFFICER COMMENT: LBTH Highways do not consider that the THGI report carries weight as it has not been used to inform or develop any LBTH policies, documents or studies, nor has it been adopted as an SPD by TfL or any other authorities. Nevertheless, with regard to the disparities between the submitted

pedestrian flows and those identified in the THGI report, LBTH Highways do not consider it appropriate to compare pedestrian flows representative of an hour with those of a three hour period, respectively)

- Policy recognises that there is a need for improvement of the ability for pedestrians, in particular commuters and tourists, to use the immediately adjoining public highways within a safe and acceptable environment. The proposed development would worsen the situation

Amenity

- The proposal would result in the loss of light to the western elevation of 6 & 7 The Crescent and it should be stepped down in height accordingly
- Noise disturbance and noise mitigation measures are required to prevent disturbance to nearby occupiers from the proposed bar/restaurant and also any roof mounted plant
- The proposal could generate litter and loitering near nearby office buildings
- Security concerns regarding the opening up of the walkway adjacent to the Roman Wall

(OFFICER COMMENT: These Issues are addressed in Section 9 of this report.

In Support

Employment

- The proposal would create employment opportunities
- The erection of a hotel would provide employment both directly and indirectly to surrounding restaurants, cafes, licensed premises and shops

Design & Conservation

- The proposal would reveal the hidden Roman Wall
- The upgrade to the façade of the Tower Hill ticket hall would improve the aesthetic of the area
- The proposal would improve local amenities around the tube station
- The proposal would return Tower Hill to being an active landmark rather than a construction site
- The proposed building would blend in with the scale and height of buildings fronting Trinity Square and would soften the stark façade of the Grange Hotel side elevation

Step Free Access Works

- The step free access works to Tower Hill Station are welcomed
- The proposed widening of the concourse area outside the egress of the underground station upper level and the inclusion of a lift are positive
- The step free access works would not only benefit those with impaired mobility, but also tourists and travellers with suitcases, parents with pushchairs and the general flow of commuters in the area

Land Use

- There is a shortage of affordable hotels in the area
- The proposed hotel is ideally suited for both business and tourist guests

Other

- The additional signage is welcomed and would benefit the area
- The proposed walkway adjacent to the Roman Wall should have adequate lighting

- An acoustic report should be submitted which demonstrates adequate sound and vibration mitigation during construction

8.4 The following procedural issues were raised in representations, and are addressed below:

- The Trinity Square Group have submitted a Counsel Opinion with regard to the weight that should be afforded to the previous planning permissions when determining the current proposal. The opinion states, inter alia that consideration should be given to the new application totally afresh, untrammelled by the previous planning permissions. The opinion also notes that the development plan has been amended since the previously permitted schemes were consented
- The Counsel Opinion states that City of London UDP and draft Core Strategy planning policies need to be taken into account or that all pre-conditions have been met. The Trinity Square Group's consultant also questions whether the development pursuant to the previous planning permission is a viable fall back option. In light of this they argue that only very limited weight can be given to the previous planning permissions granted.
- The Counsel Opinion also states that there is no evidence that the previous planning permissions have been implemented

(OFFICER COMMENT: The current application has been considered on its individual merits and in accordance with the current development plan, as detailed above in section 5.1. All other relevant material considerations have also been taken into account in accordance with the provisions of the Planning and Compulsory Purchase Act 2004. With regard to the need to consider the City of London's planning policies, it should be noted that the City of London was statutorily consulted and has not raised any concerns about conflicts with their planning policies. Due to the location of the site in relation to the common boundary between the Tower Hamlets and the City of London, the City of London UDP 2002 and draft City of London LDF Core Strategy September 2010 are capable of being material considerations. However, they do not form part of the Development Plan for the purposes of the decision and therefore it is for the Committee what weight should be given to these policies)

8.5 Immediately prior to the 4th August 2011 Strategic Development Committee (a previous report on this application was withdrawn from the agenda – see paragraphs 1.1 and 1.2 above), the Council received some late representations which are summarised below.

8.6 The Trinity Square Group raised further concerns over the effect of the development proposals on an already highly constrained transport network as well as the Tower of London World Heritage Site. Their specific points were as follows:

- The Tower of London Setting Study does not support commercial looking development opposite the Tower of London;
- The proposal is detrimental to the World Heritage Site and the Historic Royal Palaces have said that a storey should be removed;
- The development fails to preserve the setting of nearby listed buildings through the increased height over the previous building on the site;
- Lack of on site servicing with all servicing proposed on street. Delivery vehicles will block the bend at Trinity Square/Coopers Row creating pedestrian and vehicle conflict. City of London's concerns on this point have not been addressed and S.106 obligations and/or use of conditions are not sufficient to overcome concerns;
- Inadequate provision for coaches;
- Footpath capacity is insufficient to deal with current high pedestrian flows. The operation of a hotel without adequate off site servicing in this location conflicts with the enhanced role of the area envisaged by TfL Gateway Interchange Report, as a gathering point for visitors to the World Heritage Site and an improved environment for commuters.

8.7 A further representation was received from Marianne Fredericks (Ward Councillor – for Ward

of Tower – City Corporation). She raised the following concerns:

- Hotel provision is already abundant – with no market need or a further hotel. Tower Ward is already well served by hotels (with serviced apartments also). The hotels range for 3* to 5 *, catering for all budgets;
- Local infrastructure is at capacity – with heavy footfall between Tower Hill Station and Fenchurch Street Station – and there will be risks to the public. There has been a vast increase in traffic flows following approval of a number of hotels. The net addition of more laundry lorries, refuse trucks and delivery vehicles will exacerbate this overcrowding. She refers to the City Corporation’s comments that it would expect all servicing to take place between the hours of 1000 and 1600, along with additional footway widening. The reports summary makes no mention of this and the pavement remains unchanged. The eastern pavement width remains inadequate;
- The Councillor refers to the City Corporation’s letter - City’s policy for development of this nature is to request that all servicing should be carried out within the site and not on the highway. Were this development to fall within the City’s boundary, the applicant would have been required to provide on site servicing. Also, localised widening of the footway on the eastern side, fronting the development would be required;
- The Councillor notes that LBTH Highways has no objection to coaches accessing the site via Coopers Row, but this street is not the jurisdiction of LBTH. There is no reference that the City of London have accepted access Coopers Row;
- The pavement width outside the proposed hotel should be widened as the footway is currently unable to cope with existing volumes;
- The previous office consent would have controlled access. The Councillor requested confirmation that Counter Terrorism Officers at the City of London Police have been consulted. Can the Council also confirm that security measures have been incorporated in the design of the building to deal with the risks of security attacks?
- The 2007 City Fringe Area Action Plan 2007 specifically identifies the site for employment uses. The existing office consent provides a far greater level of employment opportunities. The public realm benefits were to be and could be delivered with office scheme.
- If the Committee is minded to grant planning permission, conditions should be imposed to limit servicing between the hours of 10pm and 7am and to limit tables and chairs to be placed outside the restaurant/café between 9pm and 7am
- Concern over the extent of consultation on the current application (residents and business residing/operating within the area covered by the City Corporation).

OFFICER COMMENT The majority of these issues have already been raised and are addressed in Section 9 of this report. Officers consulted LBTH Crime Prevention on the proposed development and it is not considered necessary to consult Anti-Terrorism Officers or other similar organisations in this proposed development.

Notwithstanding the above, the applicant has further consulted with British Transport Police regarding the general alleged security threats and the Council has received a copy of further correspondence that responds to points raised by third parties. The comments are as follows:

Whilst it is clearly important that counter terrorism matters be considered, the description of the location as “highly sensitive” is inaccurate and to a degree misleading. In terms of the wider London context, the location is not that unusual. The main intent of counter terrorism advice is not to seek to prevent such developments, but to encourage proportionate design features which, in the event of an attack, may mitigate the extent of any damage and injury.

The recommended conditions seek to control the hours of servicing – to ensure that servicing takes place outside the main peaks of pedestrian activity in the vicinity of the site. A condition is recommended to control the hours of use of the external terrace area.

Following the queries around neighbour consultation, officers have dispatched consultation letters to residents and businesses residing/operating within 20 metres of the site boundary (within the City of London administrative area). Further site notices have been displayed and a further advertisement placed within East End Life. At the time of writing, no further letters had been received. Any late representations will be summarised in a future Update Report.

9. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Employment
3. Design
4. Heritage and Conservation
5. Transportation and Highways
6. Amenity
7. Energy Efficiency and Sustainability
8. S106 Agreement

Land Use

- 9.2 The application proposes the erection of a 370-room hotel (Use Class C1) with associated ancillary hotel facilities including café and bar (Use Classes A3 and A4 respectively) at ground floor level and meeting rooms (Use Class B1) at upper floor levels.
- 9.3 The site is located within the Central Activities Zone, where mixed use developments are encouraged to provide vitality and diversity in Central London. The Central Activities Zone is recognised as not only an area of business growth, but also an area where recreational, commercial, social and cultural uses are also important in supporting role of the CAZ and the quality of life for those living, working and visiting the area.
- 9.4 According to the adopted London Plan, tourism is seen as a key growth industry for London. To accommodate this growth, Policy 4.5 of the London Plan (2011) specifies a target of 40,000 net additional hotel bedrooms by 2031 respectively. The policies identify the Central Activities Zone (CAZ) as a priority location for new hotel accommodation and seek to maximise densities. Policy 4.5 also states that new visitor accommodation should be delivered in appropriate locations, where there is good public transport access, and further intensification of provision in areas of existing concentration within the CAZ should not be resisted, except where this will compromise local amenity or the balance of local land uses. Whilst it is acknowledged that there is a growing cluster of hotels within the immediate vicinity, such as those found in Coopers Row, it is considered that the area is an appropriate location for hotels given its role as a significant transport node, and would also maintain a healthy balance of land uses including retail and office.
- 9.5 Saved policies ART7 and CAZ1 of the UDP (1998) state that the Council will normally give favourable consideration to major hotel developments within the Central Area Zone (CAZ). In addition to this, policy SP06 of the Core Strategy (2010) states that hotel developments should be concentrated in the Central Activities Zone and City Fringe Activity Area, both of which the application site is located within.
- 9.6 It is recognised that the IPG City Fringe Area Action Plan (2007) specifically identifies the application site for office based employment (Use Class B1), as well as retail (A1, A2, A3 and A4) and public open space. However, in light of the direct and indirect employment opportunities that will be created by the proposal, together with the public realm benefits proposed and the objectives of the abovementioned policies, it is considered on balance that the proposed land uses are acceptable.

Employment

- 9.7 Saved UDP policy EMP3 and policy EE2 of IPG (2007) consider the change of use and redevelopment of outmoded or surplus office floorspace and seek to protect it wherever possible.
- 9.8 As detailed above within this report, the application site benefits from an extant planning permission for an office development which was approved in 2005. Whilst the application at the time did not state the anticipated level of employment, it is generally considered that it would be higher than the proposed hotel, which the applicant details would employ between 70-90 people on a full time basis.
- 9.9 The applicant has submitted an Office Demand Report within their Impact Statement. It concludes that the application site, due to its location on the fringe of the city and in particular, the EC3N eastern submarket of the City of London's EC3 insurance district, is constrained by competition from proposed developments in more prime locations.
- 9.10 Notwithstanding the above, given the acceptability of the hotel use and the economic benefits arising from tourism and additional visitor facilities, it is considered that on balance, the level of employment together with the broad range of job opportunities provided and given the ability to ensure the resultant jobs are maximised in a manner that can benefit local residents via the S.106 agreement, it is considered that an anticipated lower level of employment is justified in accordance with policies EMP3 of the UDP 1998, SP06 of the Core Strategy (2010) and EE2 of the IPG (2007).

Design

- 9.11 Good design is central to all the objectives of the London Plan. Chapter 7 of the London Plan (2011) specifies a number of policies aimed at high quality design, which incorporate the principles of good design and sets high design standard objectives in order to create a city of diverse, strong, secure and accessible neighbourhoods as well as a city that delights the senses. In particular, policy 7.2 seeks to achieve the highest standards of inclusive and accessible design; policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and scale, mass and orientation of buildings around it; whilst policy 7.5 seeks to enhance the public realm by ensuring that London's public spaces are secure, accessible, easy to understand and incorporate the highest quality landscaping, planting, furniture and surfaces.
- 9.12 Policies DEV1 and DEV2 of the UDP (1998) and the IPG (2007) state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 9.13 Policy SP10 of the Core Strategy (2010) seeks to ensure that developments promote good design to create high quality, attractive and durable buildings, whilst the Vision for the Tower of London, as detailed within Annex 9 of the Core Strategy, prioritises, inter alia, the improvement of the overall quality of the public realm, regeneration to provide improvements to accessibility from the Tower of London to surrounding areas and new development to be of the highest quality and creatively respond to the historic character of the area.
- 9.14 Lastly, policy CFR18 of the IPG City Fringe Area Action Plan (2007), requires new development within the St. Katharine's sub-area to be integrated with the public realm, appropriately address heritage assets and promote major public realm enhancements, including the creation of new and connected public spaces and substantial improvements to the Tower Gateway public transport interchange to create an attractive and memorable entrance to Tower Hamlets and the Tower of London. The policy also requires development to contribute to the pedestrian environment by promoting development that addresses the street, with active frontages adjacent to key pedestrian routes and public spaces, in

particular the public transport interchange at Tower Gateway.

Analysis

- 9.15 As detailed earlier in this report, the proposed building constitutes a 9-storey building with basement, comprising a 370-room hotel with associated ancillary hotel facilities including café and bar at ground floor level, bedrooms and meeting rooms at upper floor levels. Plant and storage facilities are contained at basement and roof level. The proposal incorporates the retention of the existing Tower Hill Station ticket hall and proposes the introduction of step free access within the station to the platforms, as well as improvements to the street level ticket hall such as new signage, lighting, public art and an external canopy.



Image 1: the proposal as viewed from Trinity Square Gardens

- 9.16 As can be seen in **Image 1** above, the proposed building takes the approximate form of a square in plan and a cuboid in volume, with a set back top. The ground floor is divided between the Tower Hill London Underground ticket and exit hall on its southern side, with the proposed hotel's reception, lobby, café and bar area in the northern side. A canopy runs over the majority of the ground floor. In terms of materials, the ground floor is largely glazed with some areas of stone, whilst the middle element (floors 1-6) of the building is framed by Portland stone with clear glazed windows with horizontal ceramic frits glass and vertical metal fins providing a scattered fenestration pattern. As can be seen below, the west façade (as well as the north) incorporates a logo etched into Portland stone.
- 9.17 The upper floor levels are set back from the main building line along their southern and western frontages and at the south east corner. These floors have a metal frame and the elevations have full height vertical fins of metal with a clear glazing.
- 9.18 The scale, mass and height of the building is considered to be appropriate to the surrounding context. As detailed earlier in this report, the area is characterised by a range of building heights and a varied roofline, with heights varying from 4-5 storeys in height at the adjacent 41 Trinity Square to 12-15 storeys further north along Coopers Row. As detailed below in the heritage and conservation section of this report, the building is considered to be appropriate

within short, medium and strategic views and does not appear to overwhelm neighbouring lower buildings (see **Image 2** below). Furthermore, it is considered appropriate to have an increase in height and scale on such a prominent corner site, particularly as it will add legibility to the Tower Hill Underground station above which it will sit.



Image 2: The proposal viewed from east of the Tower of London

- 9.19 The design, in particular the materials and articulation of the principle façades, is the result of extensive discussion between the applicant and officers. It is considered that the division of the building into a clear base, middle and top successfully respects the general form and expression of buildings around Trinity Square. In particular, the recessed bands running horizontally around the proposed building are aligned in order to respect the plinth and cornice line of neighbouring building at the adjacent 41 Trinity Square, whilst the use of Portland stone in general respects the predominant facing material of the buildings situated in Trinity Square.
- 9.20 In terms of the impact of the proposal upon the public realm, it will reinstate the continuity of built form along Trinity Square and Trinity Place, improving the definition of both and also provide active frontages on both the west and east frontages with the hotel lobby and terrace respectively. The proposed public realm works also expand the pedestrianised area immediately beyond the Underground station exit hall to the south and west, which when considered alongside the step free access works around the station (discussed later in the report) would significantly contribute to the pedestrian environment, as required by policy CFR18 of the City Fringe Area Action Plan. Furthermore, it is not considered that the proposed glazed lift overrun would appear as an incongruous feature within the public realm.
- 9.21 With regard to Core Strategy policy SP10's requirements for development to be of the highest quality and to creatively respond to the historic character of the area, it is considered that the proposal successfully achieves this. It is not seeking to repeat or mimic the historic context, but rather to produce a clearly modern building, with the appropriate presence a hotel needs without being unduly prominent in its context. It is thus fittingly civic and at an appropriate scale to its neighbours. The overall finned elevations are an interesting and appropriate response to the need for a multi-fenestrated facade driven by the hotel use.

- 9.22 With regard to secure by design aspects of the proposal, with adequate lighting and security measures within the public areas, it is not considered that the proposal would create an unsafe public environment. A condition requiring the submission of a detailed secure by design strategy has been recommended.
- 9.23 In light of the above, it is considered that the design of the proposal satisfies the abovementioned policies.

Heritage and Conservation

- 9.24 PPS5 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a heritage asset, such as a World Heritage Site, Listed Building, scheduled monument or a conservation area, to have special regard to the preservation and enhancement of the setting of the asset. In particular, policy HE9.1 of PPS5 states that there should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be.
- 9.25 Chapter 7 of the London Plan (2011) sets out policies relating to London's living places and spaces. Policies 7.8 and 7.9 seek to preserve, record, refurbish and enhance heritage assets wherever appropriate and reinforce the qualities that make the heritage asset significant, including buildings, landscape features and views.
- 9.26 Policy 7.10 of the London Plan (2011) refers to World Heritage Sites and requires new development not to have a negative impact on the Site's Outstanding Universal Values, whilst policies 7.11 and 7.12 refer to the London View Management Framework, of which the site falls within, including views 25A.1 and 25A.2 and the Tower Bridge River Prospect.
- 9.27 Policy SP10 of the Core Strategy (2010) seeks to ensure that new development preserves or enhances the wider built heritage and historic environment of the borough, enabling the creation of locally distinctive neighbourhoods. The Vision for the Tower of London area, as detailed within Annex 9 of the Core Strategy, prioritises the continued protection and enhancement of the Outstanding Universal Value of the Tower of London World Heritage Site and its setting, whilst also improving the overall quality of the public realm and accessibility. Other principles include ensuring that buildings respond sensitively to the setting of the Tower of London and do not negatively impact on strategic or local views, and seeking the highest architectural quality.
- 9.28 Policies CON1 – CON5 of the IPG (2007) seek to protect heritage assets such as Listed Buildings, conservation areas, ancient monuments and important views. Policy CFR18 of the City Fringe Area Action Plan requires new development to respect the setting of the Tower of London and the Tower Conservation Area.
- 9.29 As detailed above within section 6 of this report, an additional material consideration is the guidance contained within the Tower of London World Heritage Site Management Plan (Historic Royal Palaces, 2007) and the Tower of London World Heritage Site Local Setting Study (Tower of London World Heritage Site Consultative Committee, November 2010). The application site is located within the defined local setting of the Tower of London WHS. These promote high standards of architectural design which is appropriate to the context, seek ways in which to mitigate the impact of major roads and improve the way in which pedestrians experience the local setting. In particular, the documents aim to:
1. Ensure that the Tower is the dominant building from within the local setting (night and day)
 2. Encourage built development that respects the setting of the WHS and enhances appreciation of its Outstanding Universal Value

3. Protect, enhance and, where possible, recover lost and historic routes within the local setting
4. Provide an intuitive and easily accessible environment for pedestrians within the local setting that is appropriate to the historic context
5. Create a coherent identity for the local setting through a co-ordinated strategy for use of materials, street furniture, lighting and signage
6. Celebrate the history of the local setting by incorporating specific relevant interpretation
7. Introduce 'visual thresholds' that reflect the historic transition between the local setting and surrounding city

Analysis

9.30 As detailed above within the Design section of this report, the design of the proposal is the result of extensive discussion between the applicant and officers. It is considered that the proposal successfully respects the general form and expression of buildings around Trinity Square and does not appear as unduly dominant or incongruous within the street scene or when viewed against neighbouring buildings.

9.31 English Heritage, within their consultation response dated 14th April 2011, state the following:

"We feel that the texture of the main body of the façade, as now proposed, would relate well, to the surrounding richly varied architectural context. We welcome the changes since the previous (withdrawn) submission relating to the use of Portland stone on the principal facades. We have consistently commented on the importance of ensuring that the upper floors have a recessive quality in key views including LVMF views 25A.1 and 25A.2 and we note the confirmation that the glazing of the top two floors would be of a low-reflectivity type."

Furthermore, Historic Royal Palaces, within their consultation comments, welcome the change of use of the proposed development on this site from offices to a hotel, with street level facilities that will help to animate the frontages behind the underground station and improve facilities for visitors to the area. HRP note that the design represents a significant improvement upon the office scheme previously approved and state the following:

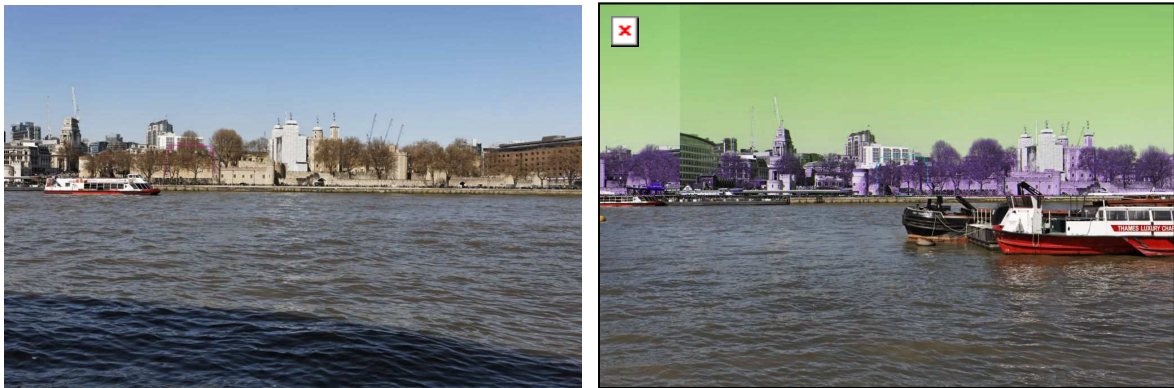
"Overall, the physical interventions appear to be modest and there will be little or no impact on the view north from the Tower wall walk, or views out from the World Heritage Site. The scheme does not conflict with any of the aims or objectives of the recently published Tower of London Local Setting Study."

Historic Royal Palaces therefore has no objection in principle to the revised proposals, subject to agreement of an appropriate detailed design and the materials to be used"

9.32 It is considered that the design of the building, with its Portland stone frame and finned elevations are an interesting and appropriate response to the need for a multi-fenestrated façade driven by the hotel use. In the setting of the WHS it is not considered that the building would be out of scale, nor in terms of the other considerations of setting of listed buildings or Conservation Area. In the case of the latter it is considered that the proposal would protect the setting of the Tower Conservation Area by virtue of infilling an unsightly vacant site with a building of suitable scale, use and design.

9.33 In summary, it is not considered that the proposed building would harm the setting of the adjacent and nearby listed buildings, the Tower Conservation Area nor the setting of the World Heritage Site. The proposed building's design and scale are considered to protect and enhance the setting of the aforementioned heritage assets; the clear outline of the building and simple façade detailing would be very helpful in this regard and in particular, the overall setting of the Tower would not be significantly altered. Furthermore, the proposal's incorporation of step free access works around the Tower Hill Underground station and the

revealing of the Roman Wall immediately adjacent make additional benefits to the setting of the WHS, in accordance with the Tower of London World Heritage Site Management Plan.



Images 3 & 4: The proposal shown in a dotted outline from LVMF views 25A.1 (L) and 25A.2 (R)

9.34 With regard to the London View Management Framework, of which the site falls within, including views 25A.1, 25A.2 and 25A.3 (as shown above in **Images 3 & 4**) and the Tower Bridge River Prospect, it is not considered that the proposal would appear unduly prominent within these views, as supported by English Heritage within their consultation response.

9.35 In light of the above, it is considered that the proposal is acceptable in heritage and conservation terms, and would protect and enhance the setting of the numerous heritage assets within close proximity of the site, including listed buildings, the Tower Conservation Area, the Roman Wall scheduled monument and the Tower of London World Heritage Site. The proposal is therefore in accordance with PPS5 and the abovementioned development plan policies.

Step Free Access Works and Inclusive Design

9.36 Policy 7.2 of the London Plan (2011) and Saved UDP Policy DEV1 and DEV3 of the IPG seek to ensure that developments are accessible, usable and permeable for all users and that development can be used easily by as many people as possible without undue effort, separation or special treatment.

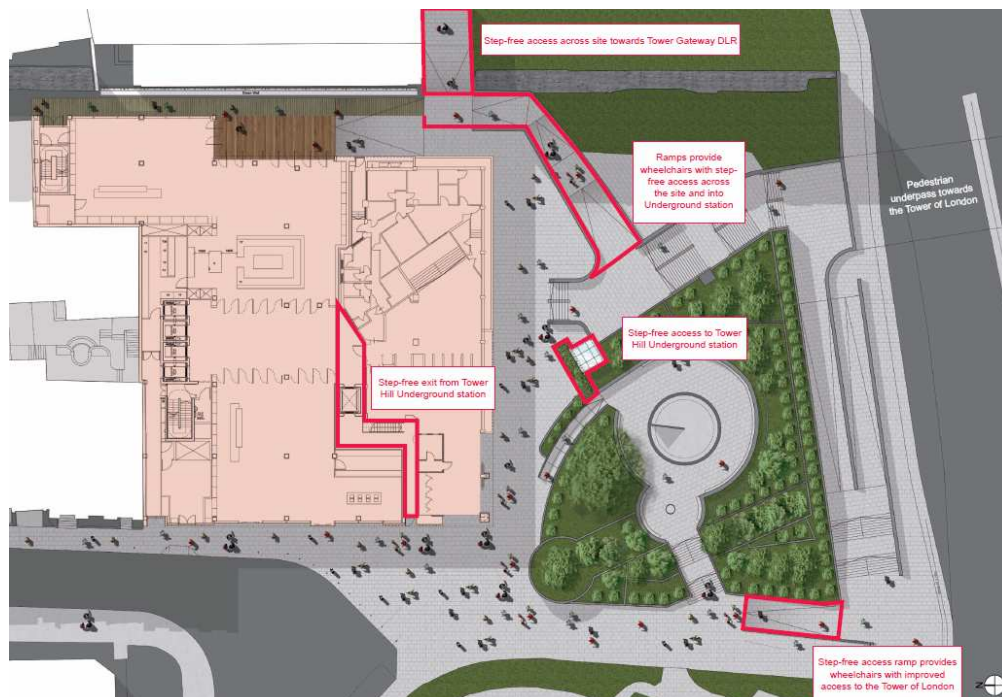


Image 5: The proposed Step Free Access Works

9.37 As detailed earlier in this report, the application also proposes step free access public realm works within the vicinity of the application site and the Tower Hill Underground station. This involves the construction of two lift shafts, one serving the eastbound platform and one serving the westbound platform of the District and Circle Lines. Currently the nearest step free access station is Westminster or West Ham on either end of the District line. As can be seen in **Image 5** above, the public realm would also be upgraded to incorporate associated step free ramps linking the station to the Tower Gateway DLR interchange, to the Tower of London and towards Fenchurch Street station and its environs.

9.38 London Underground have commented as follows upon the proposal:

“[The proposed step free access works] presents a real opportunity to upgrade the station to eventually achieve a complete step free access solution. Tower Hill underground station is a strategically important station for LU given its location and increased use by both tourists and business travellers. The station is in close proximity to Network Rail’s Fenchurch Street station and Tower Gateway DLR station, both of which provide step-free access (SFA). Many passengers travelling through these two stations interchange at Tower Hill station to access London Underground services. Approval of this development will enable provision for future step free interchange... LU believes that delivery of the proposed scheme will be a vast improvement for the travelling public using the station. The current external station environment is in need of upgrade and improvement, particularly given its position as the main public service travel hub for visitors to the Tower of London and Tower Bridge”

9.39 Officers have held extensive discussions with the applicant in order to ensure that the proposed step free access works achieve the development plan aims of a truly inclusive hotel development but also to ensure that the character and setting of the various heritage assets is preserved or enhanced. By securing the delivery of the step free access works prior to the opening of the hotel and requiring the submission of details and samples of all surface materials to the public realm and lift shaft overrun, it is considered that the proposal achieves these aims.

9.40 Accordingly, the proposal is considered to be in accordance with the aims and objectives of the aforementioned development plan policies as well as the aims of the Tower of London World Heritage Site Management Plan (Historic Royal Palaces, 2007) and the Tower of London World Heritage Site Local Setting Study (Tower of London World Heritage Site Consultative Committee, November 2010).

Transportation & Highways

9.41 PPG13 and the London Plan (2011) seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car.

9.42 Saved UDP policies T16, T18, T19 and T21 require the assessment of the operation requirements of the development proposal and the impacts of traffic generation. They also seek to prioritise pedestrians and encourage improvements to the pedestrian environment. IPG policies DEV 16, 17, 18 and 19 require the submission of transport assessments including travel plans and set maximum parking standards for the Borough. Core Strategy policies SP08 and SP09 seek to deliver accessible, efficient and sustainable transport network and to ensure new development has no adverse impact on the safety and capacity of the road network, whilst ensuring that new developments have a high level of connectivity with the existing and proposed transport and pedestrian network.

9.43 As detailed within section 5 of this report, the site has an excellent level of accessibility to public transport, with a Public Transport Access Level of 6b (‘Excellent’) where 1 represents the lowest and 6b the highest. As detailed above, the site is located immediately adjacent to

and above Tower Hill Underground station, which is served by the District and Circle Lines, with Tower Gateway DLR station approximately 100 metres to the east and Fenchurch Street mainline station 140 metres to the north of the site. Numerous bus routes also serve a number of surrounding streets, including routes 15, 25, 42, 78, 100 and RV1, whilst river taxi services also call at the nearby St Katharine's Pier and Tower Millennium Pier.

- 9.44 The proposal does not affect the layout of the integrated Tower Hill Underground station, apart from the establishment of step free access as detailed above. The surrounding highway network is to remain largely unaltered, with the exception of a small area of the Trinity Square turning head immediately to the west of the site, which is to be pedestrianised, which is considered to benefit pedestrian movement and in particular passenger access and egress from Tower Hill Underground station, thereby improving the permeability of this site and improve local connectivity in the area in line with the relevant transport, pedestrian and public realm policies outlined above. The existing taxi bay on Trinity Square will remain in-situ.

Car Parking

- 9.45 Policy 6.13 of the London Plan (2011), saved Policy T16 of the UDP, policies DEV17, DEV18 and DEV19 of the IPG and Policy SP09 of the Core Strategy seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 9.46 The proposed development is entirely car-free and given that the site has a Public Transport Access Level (PTAL) of 6b (excellent), this is considered to be acceptable.

Coach Parking

- 9.47 Planning Standard 3 of the Interim Planning Guidance (2007) requires a coach parking bay to be provided for every 100 hotel bedrooms. IPG policy DEV19 states that proposals which do not accord with the standard should demonstrate that the variation is necessary through a detailed transport assessment.
- 9.48 The application does not propose any provision for on-site coach parking, however, within the submitted Servicing and Coach Management Plan, the applicant states that any parking of coaches (including pick up and set down) would be undertaken at the nearby Tower Hill Coach Park, located in Lower Thames Street and contains 16 coach parking bays. The applicant has stated that they would not accept coach tour related hotel bookings and would accept an obligation (through a S.106 Agreement) to that effect, in the same manner that the City of London has imposed on hotels in close vicinity of the application site.
- 9.49 Both TfL and LBTH Highways are satisfied that coaches and servicing vehicles can access the site from Cooper's Row and egress from Trinity Square onto Tower Hill/Byward Street, and the applicant has demonstrated that large luxury coaches are able to safely access Trinity Square from the north via Cooper's Row. However, it is acknowledged that the site has high pedestrian movements and given the proposal incorporates on-street servicing (discussed below) any coach parking should not take place in Trinity Square.
- 9.50 Accordingly, the applicant has agreed to an obligation within the s106 legal agreement which prevents the applicant from accepting any bookings that may result in users of the development being transported to and from the site in coaches which set down, park or pick up passengers within the immediate vicinity of the site. As detailed below in the analysis of the servicing and delivery aspects of the proposal, a condition has also been attached which requires the submission of a Delivery and Servicing Management Plan, as well as a condition which only allows servicing during the off-peak periods identified within the submitted pedestrian and vehicle movement periods. Officers consider that such measures would significantly reduce the likelihood of coaches arriving at the hotel and therefore any conflict between coaches and servicing vehicles.

9.51 In conclusion, given the site's city fringe location, its excellent PTAL rating (being located immediately adjacent to an Underground Station and within close proximity of DLR, national rail and bus links), the proximity of the dedicated Tower Hill Coach Park together with the aforementioned obligation preventing the proposed hotel from accepting bookings from tour operators, travel agents or other persons that may result in users of the development being transported to and from the site in coaches which set down and pick up/drop off passengers at the site, it is considered that the likelihood of coaches arriving at the hotel is minimised and therefore would not unduly detriment pedestrian movement nor the safe operation of the highway. The proposal is therefore considered to accord with the aforementioned development plan policies.

Servicing and Deliveries

9.52 It is proposed for servicing and deliveries to take place on-street, from the kerbside of Trinity Square immediately adjacent to the western façade of the proposed building. This area is currently controlled by parking restrictions (single yellow line) and permits any vehicle undertaking such activities at kerbside for up to a maximum dwell time of 20 minutes.

9.53 Within the submitted Servicing Plan, the applicant details that it is envisaged that the hotel would only generate 6 goods vehicles a day, with each one having a maximum kerbside dwell time of 20 minutes for the reasons detailed above. The applicant has also undertaken a survey of a comparable hotel within the Borough, which estimates that there would be 18 vehicle movements per day. Notwithstanding this, it would be possible to secure the lesser vehicle trips by way of requiring the submission and agreement of a Delivery & Service Management Plan by condition.

9.54 During the course of the previously withdrawn application and the intervening period prior to submission of the current application, Officers have held extensive discussions with the applicant regarding the proposed on-street servicing strategy. The Council's Highways department have commented that whilst on-site servicing would normally be preferred by Highways, the applicant has provided further detailed information including additional pedestrian surveys and a FRUIN assessment (a method endorsed by TfL) to justify the pursuance of on-street servicing.

9.55 The additional pedestrian surveys demonstrate the peak movement periods within this area of Trinity Square to be between 0700-1000 hours and 1600-1900 hours. Together with the identified service vehicle movements detailed within the application, LBTH Highways consider that sufficient justification has been made and the applicant has adequately demonstrated that on-street servicing would have no undue impacts, subject to a condition being attached which prevents servicing from taking place between 0700-1000 hours and 1600-1900 hours inclusive. This would ensure that servicing activities do not occur during peak hours of pedestrian movement.

9.56 It is also proposed that servicing and deliveries would be managed and co-ordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation. LBTH Highways also require the submitted Servicing and Coach Management Plan to be updated prior to occupation and secured via a planning condition should planning permission be granted. These measures are supported by Transport for London and such conditions and obligations have been attached as detailed above in section 4 of this report. Accordingly, it is considered that the proposed service and delivery strategy is in accordance with the abovementioned policies.

Refuse

9.57 The application details that the proposal incorporates waste storage at ground floor level which would be collected at kerbside on Trinity Square, as outlined above.

- 9.58 It is recommended that any grant of permission is subject to a condition requiring the implementation of an agreed Delivery & Servicing Plan (DSP), as previously detailed.

Widening of Pavement in Trinity Square

- 9.59 Highways welcome the proposed works to widen the pavement immediately to the west of the hotel. This would be secured at the applicant's expense via S.278/S.72 Agreements, along with the works to realign the pavement/kerb line along the southern edge of Trinity Square.

Cycle Parking

- 9.60 The Interim Planning Guidance (2007) requires 1 cycle parking space per 10 staff and 1 cycle parking space per 15 residents, generating a total requirement of 41 spaces.
- 9.61 A total of 35 Sheffield-style cycle stands are proposed to be provided within the development at basement level, with each stand capable of securing two bicycles. This therefore exceeds the minimum cycle parking requirements as defined within the Interim Planning Guidance (2007) and is therefore acceptable.

Amenity

Daylight and Sunlight

- 9.62 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (1991).
- 9.63 Policy 7.7 of the London Plan (2011) requires that all large-scale buildings, including tall buildings pay particular attention in residential environments including general amenity considerations and overshadowing. Furthermore, they should be sensitive to their impact on micro-climate in terms of sun, reflection and overshadowing. Saved Policies DEV1 and DEV2 of the UDP (1998) and Policies DEV1 and DEV27 of the IPG (2007) require that developments should not result in a material deterioration of sunlight and daylight conditions. Core Strategy Policy SP10 also seeks to protect amenity, and promotes well-being including preventing loss of privacy and access to daylight and sunlight.
- 9.64 The application is accompanied by a Daylight and Sunlight Assessment within the submitted Impact Statement (which considered the impact of the development on neighbouring residential windows) and concluded that the impact of the proposed scheme is within BRE guidelines in respect of daylight consideration and also that sunlight will not be impacted. Officers are in agreement with these conclusions.
- 9.65 There are a number of commercial windows in the vicinity of the site and further work has been undertaken by the applicant's daylight/sunlight advisor to assess impact on these non residential windows. Specific objection has been raised regarding loss of light to western windows of 6 and 7 The Crescent. These windows are already enclosed and receive limited daylight and whilst the % loss exceeds 20%, in view of the current light levels, this is not considered significant. In summary, whilst some of these windows will be impacted to a limited extent, in view of the location of these windows, the urban character of the area, the non residential use of neighbouring buildings and the previous office building that was present on the site, officers are of the view, on balance, that any reduction of daylight and sunlight to these commercial properties would not be significant and would not sustain a refusal of planning permission.
- 9.66 It is considered that the proposed development is generally in accordance with the BRE guidance, Policy 7.6 and 7.7 of the London Plan (2011), saved Policies DEV1 and DEV2 of

the UDP (1998), Policies DEV1 and DEV27 of the IPG (2007) and Policy SP10 of the Core Strategy (2010) with regards to sunlight and daylight and on balance, the proposals are not likely to cause any adverse impacts to warrant refusal of planning permission.

Air Quality

- 9.67 PPS23 and Policy 7.14 of the London Plan (2011) relate to the need to consider the impact of a development on air quality. Policies DEV2 of the UDP (1998) and Policy DEV5 of the IPG (2007) and Core Strategy Policy SP02 seek to protect the Borough from the effect of air pollution and Policy DEV11 in particular requires the submission of an air quality assessment where a development is likely to have a significant impact on air quality. Tower Hamlets Air Quality Action Plan (2003) also examines the various measures for improving air quality in the Borough.
- 9.68 The application is supported by an Air Quality Assessment scoping document within the submitted Impact Statement which is considered to be acceptable basis to deal with air quality impacts. A condition has been attached requiring the submission of a Construction Environmental Management Plan prior to commencement.

Noise and Vibration

- 9.69 PPG24 is the principal guidance adopted within England for assessing the impact of noise on proposed developments. The guidance uses noise categories ranging from NEC A where noise doesn't normally need to be considered, through to NEC D where planning permission should normally be refused on noise grounds.
- 9.70 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies, saved policies DEV2 and DEV50 of the UDP (1998), policies DEV1, DEV10, DEV12, DEV27 and HSG15 of the IPG (2007), and policies SP03 and SP10 of the Core Strategy (2010) seek to minimise the adverse effects of noise.
- 8.71 The applicant will be required to incorporate appropriate noise insulation measures in accordance with Building Regulations. Notwithstanding the predominantly commercial nature of the surrounding area, it is also considered appropriate to condition the operation of the outdoor terrace area including hours of operation. Finally, conditions are also recommended to ensure any plant and machinery incorporates sufficient noise attenuation measures.
- 9.72 In terms of noise and vibration during demolition and construction, conditions are also recommended which restrict construction hours and noise emissions and requesting the submission of a Construction Management Plan which will further assist in ensuring noise reductions.
- 9.73 As such, it is considered that the proposals are generally in keeping with Planning Policy Guidance Note 24, Policy 7.15 of the London Plan (2011), Saved policies DEV2 and DEV50 of Tower Hamlets UDP (1998), policies DEV1, DEV10, DEV12 and DEV27 of Tower Hamlets IPG (2007), and policies SP03 and SP10 of the Core Strategy (2010).

Privacy

- 9.74 Core Strategy Policy SP10 seeks to ensure that buildings promote good design principles to create buildings, spaces and places that are high-quality and protect amenity including preventing loss of privacy. Considering that the submitted Impact Statement identifies only 1 residential habitable window nearby, with the vast majority of properties being commercial, it is considered that the development does not result in any undue loss of privacy to residents, or commercial occupiers.

Energy Efficiency and Sustainability

- 9.75 At a national level, PPS22 and PPS1 encourage developments to incorporate renewable energy and to promote energy efficiency. At a strategic level, Policies 5.1 and 5.2 of the London Plan (2011) seek to achieve a reduction in London's carbon emissions of 60% (below 1990 levels) by 2025.
- 9.76 The Mayor's Energy Strategy sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 9.77 Policy 5.2 of the London Plan (2011) requires a 25% reduction (2010-2013) and 40% (2013-2016) for non-residential buildings.
- 9.78 Saved Policy DEV2 of the UDP (1998), DEV 6 of the IPG (2007) and SP02 of the Core Strategy (2010) seek to incorporate the principle of sustainable development, including use of energy efficient design and materials, promoting renewable technologies.
- 9.79 The submitted energy strategy follows the London Mayor's energy hierarchy as detailed above, as follows:
- Be Lean: The scheme minimises energy use through passive design measures anticipated to result in carbon savings of approximately 29.2%;
 - Be Clean: A combined heat and power system is proposed and has been calculated to provide a carbon reduction of 26.3%;
 - Be Green: The proposed development does not incorporate renewable technologies. Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that meeting the 20% of the building's energy demand is not feasible. The applicant has demonstrated compliance with the Draft Replacement London Plan (2009) through achieving a 44% reduction above Part L 2006.
- 9.80 The proposed overall 56.7% reduction in carbon emissions through energy efficiency measures and a CHP power system is considered to be acceptable and in accordance with the abovementioned development plan policies. The strategy is proposed to be secured by condition.
- 9.81 In terms of sustainability, policy 5.3 of the London Plan (2011) seeks development to meet the highest standards of sustainable design and construction. The applicant has submitted a Sustainability Statement which commits the development to achieve a BREEAM rating of 'Excellent' as a minimum with an aspiration to achieve 'Outstanding'. A condition has been attached which requires the applicant to undertake and submit a BREEAM assessment to demonstrate the development has been designed to target 'Outstanding'.

Section 106 Agreement

- 9.82 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should be:
- (i) Relevant to planning;
 - (ii) Necessary to make the proposed development acceptable in planning terms;
 - (iii) Directly related to the proposed development;
 - (iv) Fairly and reasonably related in scale and kind to the proposed development; and
 - (v) Reasonable in all other respects.
- 9.83 More recently, Regulation 122 of the Community Infrastructure Levy Regulations 2010

brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

9.84 Policies 8.1, 8.2, 8.3 of the London Plan (2011), Saved policy DEV4 of the UDP (1998), policy IMP1 of the IPG (2007) and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations through their deliverance in kind or through financial contributions.

9.85 As detailed above within section 3.1 of this report, LBTH Officers have identified the following contributions to mitigate against the impacts of the proposed development, which the applicant has agreed. As such, it is recommended that a S106 legal agreement secure the following Heads of Terms:

Financial Contributions

- a) Highways & Transportation: **£103,000**, comprising:
 - £3,000 towards monitoring the Travel Plan
 - £50,000 towards the Legible London wayfinding scheme
 - £50,000 towards the Cycle Hire Scheme
- b) Employment & Enterprise: **£105,642** towards the training and development of unemployed residents in Tower Hamlets to access either:
 - Jobs within the hotel developmental end-use phase; or
 - Jobs or training within Hospitality, Leisure, Travel & Tourism employment sectors in the final development
- c) Leisure & Tourism promotion: **£54,500**; comprising:
 - £26,500 towards developing a destination map of the Borough for visitors
 - £28,000 towards business tourism promotion and implementing a programme with Visit London to promote Tower Hamlets as a business tourism destination in the UK, European and International Meeting, Incentive, Conference and Exhibition Market

Non-Financial Contributions

- d) Delivery of public realm improvements and step-free access works;
- e) No coach parking or drop-offs / pick-ups from Trinity Square or Coopers Row;
- f) Code of Construction Practice - To mitigate against environmental impacts of construction;
- g) Reasonable endeavours for 20% goods/services to be procured during the construction phase should be achieved by businesses in Tower Hamlets;
- h) Reasonable endeavours for 20% of the construction phase workforce will be local residents of Tower Hamlet;
- i) The equivalent of 20% of the workforce residing in Tower Hamlets are given HLTT (Hospitality, Leisure, Travel & Tourism) sector related training;
- j) Access to Employment - To promote employment of local people during and post construction, including an employment and training strategy;

9.86 The developer is proposing step free access works from the public realm down onto Tower Hill (A3211), which falls outside the development site. They propose the inclusion of an obligation in the S.106 agreement to use their best endeavours to carry out this work. The land on which the works will be carried out is unregistered and the developer has been unable to determine ownership at this time. While it is considered highly beneficial for step free works in this location to be carried out, in light of the other step free works that will be

secured, it is not considered that they are necessary to make the development acceptable in planning terms (and therefore that they meet the tests of the CIL Regulations). Therefore while it is proposed to accept a covenant in the S.106 agreement, such an obligation should not be considered a reason for granting planning permission. It is also noted that without the owner of this piece of land entering into the S.106 agreement such a covenant would not bind this piece of land.

Highways and Transportation

Travel Plan monitoring

- 9.87 Travel plans are a key tool to ensuring developments minimise adverse environmental impacts of the travel demand that it generates. Development of the nature and scale proposed will generate different travel demands when compared to the former or existing use considering its redundant nature at present. As such, a Travel Plan is required. It is considered that the agreement will also seek to secure a travel plan co-ordinator to ensure implementation of the travel plan and on going monitoring.
- 9.88 A standard contribution of £3,000 is also requested towards the Council's costs of monitoring the implementation of the travel plan over a five year period.

Legible London Wayfinding Scheme

- 9.89 Transport for London has requested £50,000 towards improving signage in the area, which would improve wayfinding for commuters, tourists and users of the area in general. TfL state that it helps visitors walk to their destination quickly and easily and the easy-to-use system presents information in a range of ways, including on maps and signs, to help people find their way. It's also integrated with other transport modes so when people are leaving the Underground, for example, they can quickly identify the route to their destination. Given the poor legibility currently experienced within the immediate environs of Tower Hill Underground station, this contribution would be a significantly improvement to the area.

Cycle Hire Scheme

- 9.90 A contribution of £50,000 has been requested by TfL towards the cycle hire scheme in the area. TfL explain that the contribution would be used for example to introduce new cycle docking stations, or enhance existing facilities in the local area to meet the additional demand created by users of the proposed hotel.

Employment and Enterprise

- 9.91 *Proposed employment/enterprise contributions at construction phase:*

To ensure local businesses benefit from this development LBTH expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets. LBTH will support the developer to achieve their target through ensuring they work closely with the council to access businesses on the approved list (Construction Line), and the East London Business Place.

The developer should exercise best endeavours to ensure that 20% of the construction phase workforce will be local residents of Tower Hamlets. LBTH will support the developer in achieving this target through providing suitable candidates through the Skillsmatch Construction Services. Where the provision of local labour is not possible or appropriate, the Council will seek to secure a financial contribution to support and/or provide for training and skills needs of local residents in accessing new job opportunities in the construction phase of

new developments. The financial contribution that would be required is £30,533.

9.92 *Proposed employment/enterprise contributions at end-use phase:*

The council seeks a £39,709 monetary contribution towards the training and development of unemployed residents in Tower Hamlets to access either:

- jobs within the hotel development end-use phase and the B1 provision
- jobs or training within employment sectors in the final development

In addition, the Council requests that, of the final development workforce (296 employees based on a 1.25 FTE employee density per 4* rating bedroom in a hotel), or the equivalent of 20% of the final workforce, will be those residing in Tower Hamlets and will be given the following sector related training:

The Employment First Training Programme, which is delivered by SEETEC. This course has been accepted by large LOCOG contractors such as Sodexo and Aramark as a qualified standard for new industry entrants in the HLTT sector.

Modules include:

- Team Working
- Customer Service
- Food and Safety Level 2
- Health and Safety Level 2
- Dealing with difficult situations
- Time Management
- Communication and influencing

If the developer is unable to provide or deliver the training, we will request a monetary contribution of £35,400 for the delivery of this training to local residents.

Monitoring for all obligations will be discussed and agreed with the developer prior to commencement of works.

These three financial contributions would total the £105,642.

Other Contribution Requests

9.93 As detailed earlier within this report, LBTH Communities, Localities and Culture requested a contribution of £607,752 towards public realm works, based on the formula detailed within the draft Planning Obligations SPD recently approved by Cabinet. Given the limited weight of the aforementioned SPD and also the extensive public realm and step free access works which are proposed within the vicinity of the application site and also the adjacent Tower Hill Underground station entrance (which the applicant details are to be delivered at a cost of £575,000 for the landscaping works and step free access works, whilst the creation of the lift accesses is valued at approximately £1.99m), it is not considered that the requested contribution is necessary to make the development acceptable in planning terms.

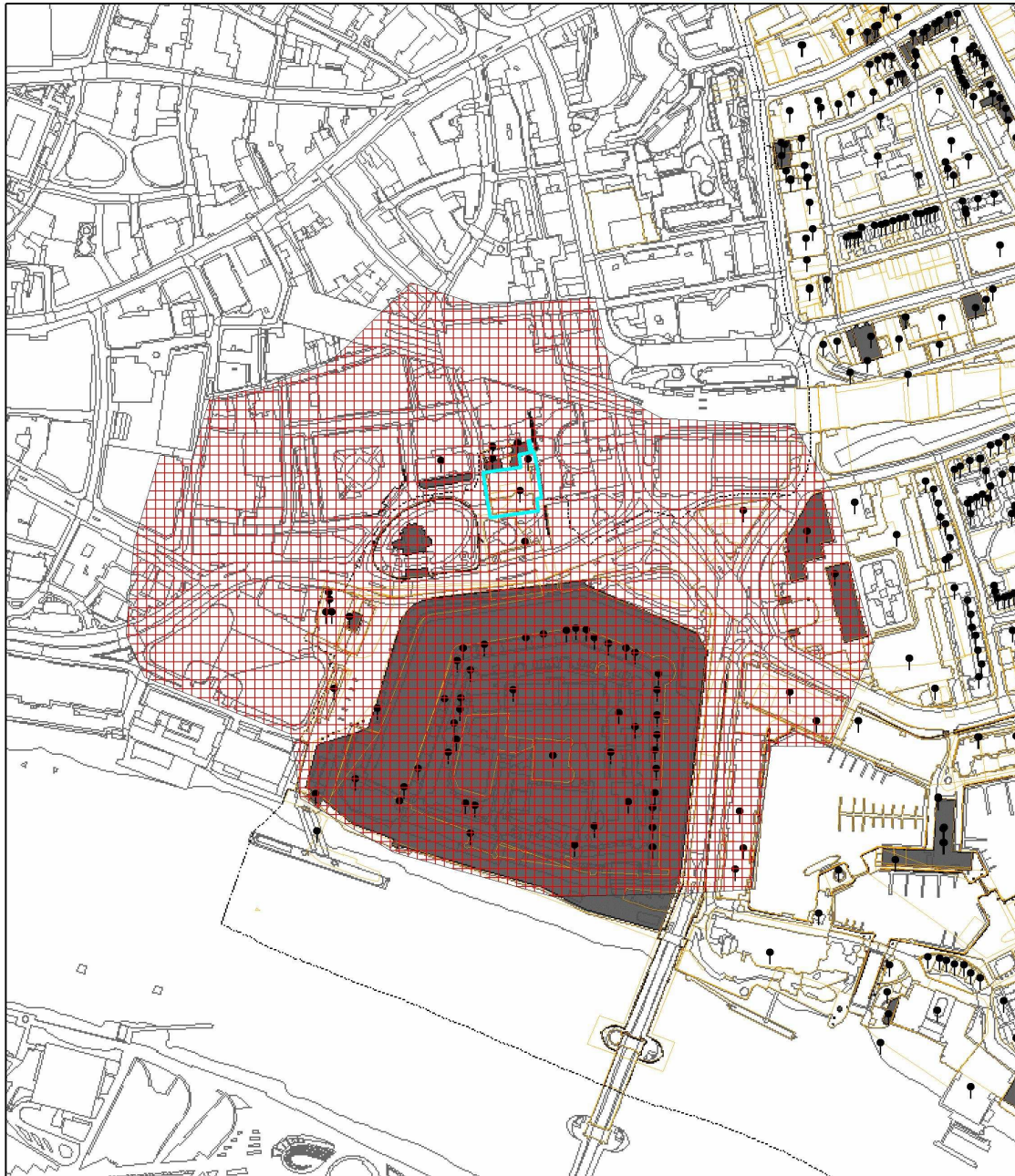
9.94 It is also considered that the majority of the step free access works are necessary to mitigate the impact of the scheme and create an inclusive development, accordingly, the delivery of these prior to the commencement of the hotel use are recommended to be secured via the s106 agreement.

10 Conclusions

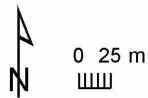
10.1 All other relevant policies and considerations have been taken into account. Planning

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
-  Other Planning Applications
-  Consultation Area
-  Land Parcel Address Point



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. London Borough of Tower Hamlets 100019288, 2010.

This page is intentionally left blank

Agenda Item 7.2

Committee: Strategic Development Committee	Date: 15 September 2011	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No PA/10/2093	
		Ward(s): East India and Lansbury	

1. APPLICATION DETAILS

1 **Location:** Tweed House, Teviot Street, E14

1.2 **Existing Use:** Residential

1.3 **Proposal:** Demolition of existing building and associated garage buildings; partial demolition of the adjacent towpath wall and the erection of a new residential development to provide 115 units comprising of 33 x 1 bed, 43 x 2 bed, 31 x 3 bed, 7 x 4 bed and 1 x 5 bed), 1 disabled parking space, 166 cycle parking facilities, landscaped open space and private amenity space.

1.4 **Drawing Nos:** 2322-JW-001-P01, 2322-JW-005-P03, 2322-JW-010-P02, 2322-JW-012-P01, 2322-JW-013-P01, 2322-JW-014-P01, 2322-JW-015-P01, 2322-JW-016-P01, 2322-JW-017-P01, 2322-JW-018-P01, 2322-JW-019-P01, 2322-JW-020-P01, 2322-JW-021-P01, 2322-JW-022-P02, 2322-JW-023-P01, 2322-JW-024-P01, 2322-JW-030-P01, 2322-JW-031-P01, 2322-JW-032-P02, 2322-JW-035-P01, 2322-JW-036-P01, 2322-JW-037-P02, 2322-JW-038-P02, 2322-JW-039-P01, 2322-JW-051-P01, 2322-JW-052-P01, 2322-JW-053-P01, 2322-JW-054-P01, 2322-JW-055-P01, 2322-JW-056-P01, 2322-JW-057-P01, 2322-JW-058-P01, 2322-JW-059-P01, 2322-JW-060-P01, 2322-JW-061-P01, 2322-JW-062-P01, 2322-JW-063-P01, 2322-JW-064-P01, 2322-JW-065-P01, 2322-JW-066-P01, 2322-JW-067-P01, 2322-JW-068-P01, 2322-JW-069-P01, 2322-JW-070-P01, 2322-JW-071-P01, 2322-JW-072-P01, 2322-JW-073-P01, 2322-JW-074-P01, 2322-JW-075-P01, 2322-JW-076-P01, 2322-JW-077-P01, 2322-JW-078-P01, 2322-JW-079-P01, 2322-JW-080-P01, 2322-JW-081-P01, 2322-JW-082-P01, 2322-JW-083-P01, 2322-JW-084-P01, 2322-JW-085-P01, 2322-JW-086-P01, 2322-JW-087-P01, 2322-JW-090-P01, 2322-JW-011-P02

1.5 **Supporting documentation**

- Planning & Impact Statement and Statement of Community Involvement by Leaside Regeneration dated September 2010
- Design, Access & Heritage Statement by Jestico & Whiles dated 16 August 2010
- Renewable Energy Statement by Energy Council dated December 2010 (Issue 4)
- Air Quality Impact Assessment by Scott Wilson consultants

dated December 2010

- Noise Assessment by Scott Wilson consultants dated December 2010
- Open Space Assessment dated January 2011
- Residential Framework Travel Plan dated July 2010 by Scott Wilson consultants
- Environmental Report by Scott Wilson dated August 2010
- Appendices to the Environmental Report dated July 2010
- Residential Framework Travel Plan dated July 2010 by Scott Wilson
- Tweed House- financial appraisal dated Sept 2010
- Open Space Assessment dated January 2011

1.6 **Applicant:** Poplar HARCA and Telford Homes

1.7 **Owner:** Poplar HARCA

1.8 **Historic Building:** N/A

1.9 **Conservation Area:** The site does not fall within a Conservation Area although it lies adjacent to Limehouse Cut Conservation Area

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 adopted Core Strategy (2010); Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan (2011) 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 Planning Policy Statements (PPS) which seek to maximise the development potential of sites. As such, the development complies with PPS1 & PPS3; policy 3.3 of the London Plan (2011); SP02 of the Core Strategy (2010) and HSG1 of the Council's Interim Planning Guidance (2007) 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 3.8; 3.9; 3.11, 3.12 & 3.13 of the London Plan (2011); policy SP02 of the Core Strategy (2010); policy HSG7 of the Council's Unitary Development Plan (1998) and policies HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) 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 3.4 of the London Plan (2011), SP02, & SP10 of the Core Strategy (2010) & policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1, DEV2 & HSG1 of Council's Interim Planning Guidance (2007) which seek to provide an acceptable standard of accommodation.
- The provision of private and communal amenity space and child play space is considered to be acceptable. As such, the amenity space proposed is broadly in line with policies 3.6 of the London Plan (2011); SP02 of the adopted Core Strategy (2010); policies HSG16 and OS9 of the Council's Unitary Development Plan (1998) and HSG7 of the Council's Interim Planning Guidance (2007) which seeks to ensure that adequate amenity space is provided.

- The building height, scale, bulk and design is acceptable and in line with policies' 7.2; 7.3; 7.4; 7.6; 7.7 & 7.8 of the London Plan (2011); policies SP02 & SP10 of the adopted Core Strategy (2010); policies DEV1 of the Council's Unitary Development Plan (1998) & policy DEV2 of the Council's Interim Planning Guidance (2007) which seeks to ensure buildings are of a high quality design and suitably located.
- Transport matters, including parking, access and servicing, are acceptable and in line with policies 6.9 & 6.13 of the London Plan (2011); policy SP09 of the adopted Core Strategy (2010), 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) which seek to ensure there are no detrimental highways impacts created by the development.
- The proposal would not give rise to any undue impacts in terms of loss of privacy, sunlight and daylight upon the surrounding properties. As such, the proposal is considered to satisfy policy 7.7 of the London Plan (2011); policy SP10 of the Core Strategy (2010); saved policy DEV2 of the Council's Unitary Development Plan (1998); policy DEV1 of the Interim Planning Guidance (2007) which seek to protect amenity of surrounding properties.
- Sustainability matters, including energy, are acceptable and in line with policies 5.1, 5.2, 5.3, 5.6, 5.7 & 5.8 of the London Plan (2011); policy SP11 of the Core Strategy Development Plan Document (2010) and policies DEV 5, DEV 6 & DEV9 of the Council's Interim Planning Guidance (2007) which seek to promote sustainable development practices
- Obligations have been secured towards the provision of affordable housing, education, community facilities, health facilities, off site child playspace and travel plan monitoring. This is in line with Regulation 122 of the Community Infrastructure Levy Regulations 2010, policy 8.2 of the London Plan (2011); SP13 of the adopted Core Strategy (2010); 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.
- The proposal would not have an adverse impact on setting of Limehouse Cut Conservation Area in accordance with PPS5; policies 7.8 of the London Plan (2011) SP10 of the Core Strategy (2010) & DEV 2 of the Interim Planning Guidance (2007) seeks to protect the character and appearance of Conservation Areas and areas of historic interest. .

3.0 **RECOMMENDATION**

That the Committee resolve to GRANT planning permission subject to:

- 3.1 A. Any direction by The Mayor of London.
- B. The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following:
1.
 - Affordable housing provision of 31% of the proposed habitable rooms comprising of 100% social 'target' rented units
 - £210,000- towards education facilities
 - £63,000 towards community facilities
 - £107,974 towards health care facilities

- £40,000 towards off site child playspace
- £3,000 towards Travel Plan monitoring

The total amount of financial contributions sought is £423,974

Non financial

2.
 - 20% local procurement at construction phase
 - 20% local labour in construction phase
 - Travel Plan
 - 'Car free' agreement
- 3.2 That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above.
- 3.3 That the Head of Development Decisions is delegated power to impose conditions on the planning permission to secure the following:

Conditions

1. Time Limit
2. Building constructed in accordance with approved plans
3. Sample of all external facing materials / sample board for new development
4. Samples to be used to rebuild the wall between the canal towpath and the site
5. Landscaping details including the planting of semi mature trees
6. Secure by design/CCTV
7. Contaminated Land Survey
8. Construction Management Plan
9. Service & Delivery Management Plan
10. A Risk Assessment and Method Statement outlining all works to be carried out adjacent to the canal
11. A feasibility study to assess the potential for moving freight by water during the construction cycle.
12. A survey of the waterway wall and a method statement and schedule of the repairs and dredging works
13. No infiltration of surface water into the ground is permitted unless approved by the Local Planning Authority.
14. Piling and any other site foundation designs using penetrative methods would not be permitted other than with the express consent from the LPA.
15. Installation of a communal heat network supplying all space heating and hot water requirements.
16. Details of the Combined Heat Power system to demonstrate it has been selected to maximise CO2 emission reductions and is designed to allow future connection to decentralised networks.
19. Details of energy efficiency & passive design measures and renewable energy technologies
20. Pre-assessment where the development seeks to achieve a Code Level 4 rating.
21. 10% Wheelchair accessible; Lifetime Homes
22. Refuse and recycling details
23. Mitigation measures for all facades exceeding Air Quality objectives set out in the Tower Hamlets Air Quality Action Plan (2003)
24. Details of child playspace on site
25. Highway improvement works

Compliance

25. Hours of construction (8am-6pm Monday to Friday, 9am-1pm on Saturdays and not at all on Sunday or Bank Holidays)
26. Power/ Hammer piling/breaking (10am-4pm Monday- Friday)
27. Highway improvement works
28. London Plan Tree to be protected during works
29. 3 metre clear strip adjacent to A12 should be clear at all times

Any other condition(s) considered necessary by the Head of Planning and Building Control

3.4 Informatives

1. Section 106 agreement required (car free & affordable housing)
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.
8. Metropolitan Police Advice.
9. Environmental Agency advice.

Any other informative(s) considered necessary by the Head of Development Decisions.

- 3.5 That, if by 15 December 2011 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Planning and Building Control is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The site is triangular in shape and measures approximately 0.28 hectares; bounded by the Blackwall Tunnell Approach (A12) to the east; Teviot Street to the south and the Limehouse Cut Canal to the north west. At present, the site contains a 10 storey building known as Tweed House which is a linear block orientated north south and running parallel to the adjacent Blackwall Tunnel Northern Approach (A12).
- 4.2 The site currently contains 53 unoccupied dwelling units; 18 one bedroom flats on the southern end and 35 two bedroom maisonettes facing east west. The building was constructed in the late 1960's and was previously occupied by Council tenants. At present, the applicant has advised that the last tenant moved out of Tweed House in April 2010 and its tenants having been re-housed locally by Poplar HARCA. Located north of Tweed House is a row of five disused brick domestic garages and a small brick building housing an electrical sub-station.

The following are images from various views of the site at present.



Existing site viewed from the West Teviot Street



Existing site viewed from the West Canal



Existing site viewed from the south on the A12



Existing site viewed from the north on the A12

- 4.3 The proposal involves the demolition of the existing 10 storey building and 5 garages to be replaced with a part 6 storey building fronting Teviot Street and an adjoining part 12/13 storey building fronting the A12 road. The development would contain a total of 115 dwellings which comprise of 33 x 1 bed; 43 x 2 bed, 31 x 3 bed, 7 x 4 bed and 1 x 5 bed units. Housing matters are discussed further in paragraphs 8.19-8.51 of the report.
- 4.4 The redevelopment of the site comprises of 2 adjoining residential blocks. The form of the main linear block lies on the eastern edge of the site fronting the A12 and steps in height between 12 and 13 storeys to provide for predominantly private housing. This block is connected to a 6 (the 5th floor being set back) storey building fronting Teviot Street which contains all social rented units. Design matters are discussed in paragraphs 8.53-8.69 in this report. The proposal also involves the partial demolition of the existing wall separating the site and the canal towpath.
- 4.5 The proposal provides private, communal amenity space and child playspace. There are 166 cycle parking spaces & one accessible car parking space.
- 4.6 The site is fully accessible by pedestrian access routes off Teviot Street and the canal towpath.

Site and Surroundings

- 4.7 The north- western boundary of the site is formed by a brick built retaining wall positioned on the inside edge of Limehouse Cut towpath. The length of this boundary is approximately 120 metres. The ground level of the site is raised above the height of the towpath by approximately three metres. At the eastern and western ends of the boundary are pedestrian ramps giving public access to the canal towpath. Beyond the ramp at the western end of the site is a 3-4 storey residential development at Mallory House site. To the north of Limehouse Cut, opposite the application site is an industrial estate at Empson Street.
- 4.8 The southern boundary of the site is formed by the back edge of the Teviot Street pavement. The length of this boundary is approximately 85 metres. On the opposite side of Teviot Street, facing the site is a 4 storey residential block of maisonettes. The eastern boundary of the site is formed by the back edge of a pavement to the Blackwall Tunnel Northern Approach Road (A12).
- 4.9 The site has a PTAL rating of 3 which means it has moderate /good access to public transport. Devons Road and Langdon Park DLR stations are located within 960 meters of the site whilst Bromley by Bow station is located approximately 520 meters to the north. Bus route 108, can be accessed within 400 meters on the A12. The site has a public transport accessibility level of 3, on a scale of 1-6, where 1 represents the lowest accessibility level. Highway matters are discussed further in paragraphs 8.95-8.104 of this report.
- 4.10 The site does not lie within a Conservation Area although it adjoins the recently declared Limehouse Cut Conservation Area.

Relevant Planning History

- 4.11 PA/08/1103: A planning application was withdrawn on 4 September 2008 for alterations and extensions to existing residential block to extend the building to 17 storeys and to construct a new building ranging in height from 5 to 12 storeys to provide 97 residential units comprising 24 x studio, 25 x 1 bed, 23 x 2 bed and 25 x 3 bed with associated car parking, improvements to external environments and provision of public open space.

5.0 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 The London Plan (2011)

- | | |
|------|--|
| 2.1 | London in its global, European and United Kingdom context |
| 3.1 | Ensuring equal life chances for all |
| 3.2 | Improving health and addressing health inequalities |
| 3.3 | Increasing housing supply |
| 3.4 | Optimising housing potential |
| 3.5 | Quality and design of housing developments |
| 3.6 | Children and young people’s play and informal recreation facilities |
| 3.7 | Large residential developments |
| 3.8 | Housing choice |
| 3.9 | Mixed and balanced communities |
| 3.10 | Definition of affordable housing |
| 3.11 | Affordable housing targets |
| 3.12 | Negotiating affordable housing on individual private residential and mixed use schemes |

3.13	Affordable housing thresholds
3.14	Existing housing
3.16	Protection and enhancement of social infrastructure
3.18	Education facilities
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.5	Decentralised energy networks
5.6	Decentralised energy networks in development proposals
5.7	Renewable energy
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood Risk Management
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.16	Waste self sufficiency
5.17	Waste capacity
5.21	Contaminated land
6.1	Strategic approach
6.2	Providing public transport capacity and safeguarding land for transport
6.4	Enhancing London's transport connectivity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An Inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.18	Protecting local open space and addressing local deficiency
8.2	Planning Obligations
8.3	Community Infrastructure Levy

5.3 Core Strategy (adopted 2010)

SP1	Refocusing on our town centres
SP02	Urban living for everyone
SP03	Address the impact of noise pollution
SP05	Provide appropriate refuse and recycling facilities
SP06	Delivering a range and mix of employment uses, sites and types in the most appropriate location for that particular uses.
SP07	Support the growth and expansion of further and higher education facilities
SP08	Making connected places
SP10	Protect and enhance heritage assets and their settings; protect amenity and ensure high quality design in general.
SP11	Energy and Sustainability
SP12	Delivering Placemaking
SP13	Planning Obligations

5.4 Unitary Development Plan (1998)

Proposals:	Proposal	Opportunity Site (Mixed uses, including predominately residential).
Policy	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV50	Noise
	DEV51	Contaminated Land
	DEV55	Development and Waste Disposal
	HSG7	Dwelling Mix
	HSG15	Residential Amenity
	HSG16	Amenity Space
	T16	Impact of Traffic
	T18	Pedestrian Safety and Convenience
	T21	Existing Pedestrians Routes
	OS7	Loss of Open Space
	OS9	Child Play Space
	S7	Special Uses
	ST37	Enhancing Open Space

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

Proposals		Development site including Residential C3 and Public open space
Core Strategies:		
Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping
	DEV15	Waste and Recyclables Storage
	DEV 16	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
	DEV24	Accessible Amenities and Services
	DEV25	Social Impact Assessment
	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	
HSG10	Calculating Provision of Affordable Housing	
OSN2	Open Space	

5.6 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning and Historic Environment
PPG13	Transport
PPS1	Delivering Sustainable Development
PPS22	Renewable Energy
PPSG24	Planning & Noise

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

A better place for excellent public services
A better place for creating and sharing prosperity
A better place for living and safety
A better place for living well.

5.8 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements

LBTH adopted Housing Strategy 2009/12 (2009)
LBTH adopted Housing market needs Assessment (2009)

6. CONSULTATION RESPONSE

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

INTERNAL CONSULTEES

LBTH Environmental Health (contamination)

- 6.2 The applicant should be required to undertake a site investigation to identify potential contamination on site and adopt appropriate remediation measures if required.

(Officers comment: The applicant would be required to submit a contamination assessment to be approved by the LPA prior to the commencement of works on site. This would be secured by way of condition).

LBTH Environmental Health (Daylight and sunlight)

- 6.3 The proposal would not create undue adverse impacts on daylight and sunlight levels to surrounding buildings or to the development itself.

LBTH microclimate (wind)

- 6.4 The proposal is considered acceptable subject to a condition which requires mitigation measures to be provided and permanently retained to all residential facades exceeding the air quality objectives set out in the Councils adopted Air Quality Management Plan.

(Officers comment: The applicant would be required to comply with the above condition to ensure that future occupants are protected from unnecessary air pollution.

LBTH Environmental Health (noise)

- 6.5 LBTH noise team has confirmed they do not object to the scheme.

LBTH Crime Prevention Officer

- 6.7 The applicant should submit a Secure by Design Statement as part of the formal application.
- (Officers comment: The applicant would be required to submit Secure by Design Statement to be approved prior to the commencement of works on site. This would be secured by way of condition and the LBTH Crime Prevention Officer would be consulted as part of the decision making process).

LBTH Energy and Sustainability

- 6.8 LBTH Energy does not object to the proposal subject to the following conditions:
- Installation of a communal heat network supplying all space heating and hot water requirements.
 - Details of the Combined Heat Power (CHP) system to demonstrate it has been selected to maximise CO2 emission reductions and is designed to allow future connection to decentralised networks.
 - Details of energy efficiency & passive design measures and renewable energy technologies demonstrating these measures have been maximised.
 - Pre-assessment where the development seeks to achieve a Code Level 4 rating.

(Officers comment: The above conditions would be secured in the decision notice to ensure the development minimises CO2 emissions and mitigates against climate change).

LBTH Highways

Cycle Parking

- 6.9 The proposed makes provision for 166 cycle spaces which is supported by officers.

Travel Plan

- 6.10 A Travel Plan should be secured in the s106 Agreement to promote sustainable modes of transport.

(Officers comment: The applicant would be required to submit a Travel Plan as part of the S106 Agreement. In addition, a financial contribution of £3,000 is sought for the monitoring of the Travel Plan).

Disabled Parking

- 6.11 The scheme should make provision for 2 disabled car parking spaces on site.

(Officers comment: The proposal makes provision for 1 disabled car parking spaces which is considered to be sufficient for this development, in accordance with planning parking standards set out in the IPG (Oct 2007).

Car free Agreement

- 6.12 The applicant should enter into a "car free" agreement to prevent residents from applying for

car parking permits on the estate.

(Officers comment: The applicant would be required to enter into a "car free" agreement. This would be secured in the S106 Agreement).

Servicing Arrangements

- 6.13 A Servicing and Delivery Management Plan (SDMP) should be submitted and approved in writing prior to the commencement of works on site.

(Officers comment: The applicant would be required to submit a Service and Delivery Management Plan to be approved by the Local Planning Authority to ensure that the resulting servicing arrangements are satisfactory in terms of their impact on the free flow of traffic and highway safety).

Construction Management Plan

- 6.14 The applicant should be required to submit a Construction Management Plan to the Local Planning Authority for approval prior to the commencement of works on site.

(Officers comment: This would be secured by way of condition to safeguard the amenity of adjoining properties and the area generally by preventing noise, vibration and dust nuisance and to ensure adjacent strategic roads operate safely).

Highway improvement works

- 6.15 A scheme of highway improvements necessary to serve the development should be submitted to and approved by the Local Planning Authority prior to commencement of works on site.

(Officers comment: The applicant would be required to submit details of highway and traffic improvement measures to serve the development and nearby surrounding area. This would be secured by way of condition).

Section 106 contributions

- 6.16 A financial contribution of £50,000 should be sought towards public realm improvement works within the immediate area.

(Officers comment: LBTH Highways team have provided a justification for the contribution. However, it is considered that the viability of the scheme could be compromised by securing this financial contribution. In balancing up the financial contributions for the S106, officers considered planning obligations in accordance with the Draft Supplementary Planning Document on Planning Obligations which sets out Councils priority areas at present. The document identifies that securing contributions towards affordable housing; employment & training; community facilities; education and health are of a greater priority than public realm improvement works. As such, securing contributions for affordable housing, community facilities, education facilities and health care facilities are of greater priority and outweigh the request for a contribution towards public realm improvement works).

LBTH Department of Communities, Localities and Culture

- 6.17 LBTH Communities, Localities and Culture team notes that the proposed increase in population arising from this proposed development would increase the demand on community, culture and leisure facilities with a predicted population increase of 170 people on site.

6.18 CLC seek to secure a total financial contribution of £171, 494 towards community facilities to mitigate against the development. The breakdown would be as follows:

- £ 74, 224 towards open space
- £17, 680 towards library facilities
- £79, 590 towards leisure facilities

6.19 (Officers comment: CLC did provide a justification for the financial contributions they sought to secure. The open space contribution was calculated based on the LBTH open space standards and based on a figure for a new Local Park derived from the Councils Infrastructure Development Plan. The library/idea store contribution was based on evidence from the Infrastructure Development Plan and a tariff approach to s106 contributions for libraries and archives has been developed by Museums, Libraries & Archives Council. With reference to leisure and recreation contribution, a Sports Facility Calculator, developed by Sport England was used to calculate the S106 contributions.

6.20 The justification for the contributions towards open space, leisure and library facilities was carefully considered against the evidence base for the Core Strategy. However, in this instance, it is considered that the viability of the scheme could be compromised by securing the full contributions sought by CLC.

6.21 On a balanced assessment of S106 matters; it is considered that securing financial contributions towards affordable housing, education, and health are also of importance. One of the key issues to consider is the overall deliverability of the scheme in this current economic climate. In light of this, it is considered that a contribution of £63, 000 towards Community facilities is acceptable to satisfactory mitigate against the development).

6.22

- A contribution of £67,080 should be secured towards off site neighbourhood playable space for 11-15 year olds

6.23 (Officers comment: In balancing up the financial contributions for the S106, it is considered that securing the full request could render the scheme unviable. A contribution of £40, 000 towards off site playable space is acceptable to provide some mitigate against the development. This matter is discussed further in paragraphs 8.93 of this report.)

LBTH Education

6.24 The uplift on child yield generates a contribution £440,920 towards primary and secondary school places to mitigate against the development.

(Officers comment: The above figure was calculated using the Councils draft SPD on financial contributions and makes provision for both primary and secondary school places. However, it is considered that securing the full amount would compromise the viability of the scheme. Officers consider that a contribution of £210,000 would provide some mitigate against the development).

Primary Care Trust (PCT)

6.25 PCT seek a capital contribution of £107,974 to mitigate against the additional demands on health care facilities in the area.

(Officers comment: The above contribution of £107, 974 would be secured in the S106 Agreement to mitigate against the demand for additional health care facilities).

LBTH Arbriocultural Officer

- 6.26 The Arbriocultural Officer does not object to the proposed removal of one tree on site which is unprotected by a Tree Preservation Order. However, the applicant should be required to provide landscaping details which includes the provision of semi mature trees on site.

(Officers comment: The applicant would be required to submit landscaping details which includes planting details of semi mature trees. This would be secured by way of condition).

EXTERNAL CONSULTEES

British Waterways

- 6.27 British Waterways do not object to the principle of the development subject to the following conditions:

- Prior to commencement of the relevant works on site, A Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing in consultation with British Waterways.
- Landscaping details must be submitted and approved in writing in consultation with British Waterways.
- A feasibility study shall be carried out to assess the potential for moving freight by water during the construction process.
- Prior to the commencement of works on site, details of securing measures including lighting and CCTV scheme shall be submitted to and approved in writing in consultation with British Waterways.
- A survey of the waterway wall and a method statement and schedule of the repairs and dredging works identified shall be submitted to and approved in writing in consultation with British Waterways.

(Officers comment: The above conditions would be attached to the decision notice to ensure structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity).

Environment Agency

- 6.28 Environment Agency do not object to the application subject to the following conditions:

- Contamination details shall be submitted and approved in writing by the Local Planning Authority
- No infiltration of surface water drainage into the ground is permitted unless approved by the LPA.
- Piling and any other site foundation designs using penetrative methods shall not be permitted other than with the express consent from the LPA.

(Officers comment: The above conditions would be secured in the decision notice).

Lea Valley Park

- 6.29 Lea Valley Park do not object in principle to the application although they have the following comments to make:

- The proposal does not appear to provide adequate play space to meet the benchmark standards found in the Mayor of London's Supplementary Planning Guidance Providing for children and young people's play and informal recreation.

(Officers comment: The proposal does make provision for adequate child playspace on site

for 0-10 year olds in accordance with GLA policy. A contribution of £40,000 would be secured for off site playable space for children within the 11-15 age bracket. The matter is discussed in further detail in paragraphs 8.89-8.93 in this report.

- Landscaping details should be submitted and agreed in writing to the LPA to include vegetation to soften the impact along the whole length of the boundary with the towpath and the area of terracing.

(Officers comment: The applicant would be required to submit landscaping details together with a Landscape Management plan prior to the commencement of works on site. This would be secured by way of condition. The condition would include specific details about landscaping to the towpath boundary).

Commission for Architecture and Built Environment

6.30 No comments received

London Thames Gateway

6.31 The development site lies adjacent to London Thames Gateway land. Notwithstanding, Thames Gateway do not formally object to the proposed development.

English Heritage

6.32 English Heritage do not object to the proposal but has the following comments to make:

- Details of the proposed materials for the development should be submitted and approved in writing by the Local Planning Authority to ensure the appearance of the development is satisfactory and to ensure the setting of the Limehouse Cut Conservation Area is not unduly compromised.
- It is important to ensure that any rebuilding of the wall between the canal towpath and the site is carefully undertaken with bricks, brick pattern and mortar to match the older existing sections of wall.

(Officers comment: The applicant would be required to submit details of materials to be used in the development and for the wall between the canal towpath and the site prior to the commencement of works on site. This would be secured by way of condition).

Olympic Delivery Authority

6.33 ODA confirm they have “no comments” to make on the application.

Transport for London

6.34 • A “car-free” Agreement should be secured in the S106 Agreement.

(Officers Comment: The applicant would be required to enter into a “car free” agreement. This would be secured in the Section 106 Agreement).

6.35 • TfL support the provision of 166 cycle spaces.

6.36 • TfL request that the applicant provides a Travel Plan to promote sustainable transport practices.

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

- 6.37
- A 3 metre clear strip distance between the pavement edge of the A12 and the facade of the buildings shall be retained to allow access by maintenance vehicles in accordance with the ground floor plan.

(Officers comment: This 3m strip is shown on the submitted drawings and the applicant would be required to carry out the development in accordance with the approved plans. This would be secured by way of condition).

- 6.38
- Transport for London (TfL) would welcome a contribution (amount not specified) made to the Council for public realm improvement works.

(Officers comment: As noted in paragraph 6.15 of this report, in balancing up the financial contributions for the S106, officers considered planning obligations in accordance with the Draft Supplementary Planning Document on Planning Obligations which sets out Councils priority areas at present. The document identifies that securing contributions towards affordable housing; employment & training; community facilities; education and health are of a greater priority than public realm improvement works. As such, securing contributions for affordable housing, community facilities, education facilities and health care facilities are of a greater priority and outweigh the request for a contribution towards public realm improvement works).

- 6.39
- TfL request a contribution of £2, 700 towards the upgrade of Bromley by Bow Station as the development would place considerable additional demand on the capacity and circulation space within the station.

(Officers comment: Policy 8.2 of the London Plan (2011) states that affordable housing and public transport improvements should be given the highest priority when securing planning obligations. However, the Councils Draft Supplementary Planning Guidance document on Planning contributions identifies affordable housing; employment & training; community facilities; education and health as greater priority areas than transport works.

A viability toolkit was submitted by the applicant in part to examine the viability of securing all financial contributions which the various consultees sought to secure. On a finely balanced assessment, officers are of the opinion that in this instance, the regenerative benefits that the proposal presents together with the policy compliant provision of affordable housing and numerous financial contributions outweigh the need to ensure that a contribution is secured towards the upgrading of Bromley by Bow Station.

Whilst it is acknowledged that the development would place additional demand on the use of Bromley by Bow Station; attempting to secure this contribution would make the scheme unviable. The key issues to consider are the overall regeneration benefits the scheme brings to the borough and the overall deliverability of the scheme during the economic downturn. In light of this, officers do not recommended that a contribution of £2, 700 should be secured for the upgrade of Bromley by Bow Station).

Greater London Authority

- 6.40 The GLA support the scheme and note the following:

- The design of the scheme is of high standard. The scheme would provide a good standard of accommodation for residents.
- Housing: New Homes would be provided to replace the existing dwellings with the addition of family accommodation, to a good standard.
- The provision for affordable housing and dwelling mix is acceptable.
- The proposed density is considered acceptable.

- The proposal urban design responds well to the context and would be well designed.
- Highway and transport matters are acceptable.

6.41 Copies of all representations made are available to view at committee upon member's request.

7. LOCAL REPRESENTATION

7.1 A total of 1544 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The applicants also held a public consultation

No. of individual responses:	1	Objecting:	1	Supporting:	0
No of petitions	0			Supporting:	0

7.2 The following issue was raised in the individual representation that is material to the determination of the application:

- The proposal would result in overdevelopment of the site.

(Officers comment: It is considered that the proposal does not present any symptoms associated with overdevelopment as the proposal does not result in:

- Unacceptable loss of sunlight and daylight to surrounding properties;
- Unacceptable loss of privacy and outlook to surrounding properties;
- Small unit sizes;
- Lack of appropriate amenity space where mitigation has not been sought
- Increased sense of enclosure;
- Adverse Impacts on social and physical infrastructure

The proposed density of the scheme and associated material considerations are discussed further in paragraphs 8.8-8.18 of this report).

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application are as follows:

1. Land Use
2. Density
2. Design and Layout
3. Housing
4. Amenity
- 5: Highways and Transport
6. Sustainability and Renewable Energy
7. S106 Obligations

Land Use

8.2 Policy 3.4 of the London Plan (2011) seeks to make the most efficient use of land and to maximise the development potential of sites which doesn't result in overdevelopment of the site. The policy sets to achieve the highest possible intensity of use compatible with local context, design principles and public transport capacity. The policy is to secure sustainable patterns of development and regeneration through the efficient re- use of previously

developed urban land, concentrating development at accessible locations and transport nodes.

- 8.3 Within the adopted Core Strategy (2010), the site is identified in LAP 7 and 8 (Poplar Riverside). The vision set out in the Core Strategy for Poplar Riverside is as follows:

“Transforming Poplar Riverside into a revitalised and integrated community reconnecting with the A12 and the River Lea. Poplar Riverside will change from a largely industrial area to a predominantly residential area”.

- 8.4 Policy SP02 of the Core Strategy (2010) seeks to deliver 2, 855 homes per year with new development focussed in identified parts of the borough, including Poplar.
- 8.5 The application site does not fall within any designation in the adopted Unitary Development Plan (1998) or the Interim Planning Guidance (Oct 2007). The existing land use on site is residential (C3 use). As the subject proposal only relates to residential development, the land use on site would remain unchanged and therefore there are no planning implications in land use terms.
- 8.6 It is considered that the residential use would reinforce the predominantly residential character of the existing estate and surrounding area and would act as a catalyst for regeneration of the Poplar Riverside area in accordance with the vision set out in the Core Strategy. Moreover, the subject proposal would make the most efficient use of the land and bring forward sustainable development which responds to its context and doesn't result in overdevelopment of the site. Furthermore, this subject proposal would help address the great requirement for social (target) rented housing which is a priority focus for the borough.

Conclusion on land use matters

- 8.7 The proposal would deliver sustainable regeneration of the area and make the most efficient use of this land.

Density

- 8.8 National Planning policies PPS1 & PPS3 seek to maximise the reuse of previously developed land and promotes the most efficient use of land through higher densities.
- 8.9 Density ranges in the London Plan (2011) are outlined in policy 3.4 which seek to intensify housing provision through developing at higher densities, particularly where there is good access to public transport.
- 8.10 Policy SP02 of the Core Strategy (2010) seeks to ensure new housing developments optimise the use of land by corresponding the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location.
- 8.11 Policy HSG1 of the Council's IPG (2007) specifies that the highest development densities, consistent with other Plan policies, would be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and type of housing proposed. Consideration is also given to standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.
- 8.12 As noted in paragraph 4.9 of this report, the site has a public transport accessibility level (PTAL) rating of 3 which means it has moderate/good access to public transport. Table 3A.2 of the consolidated London Plan (2011) suggests a density of 200-450 habitable

rooms per hectare (hrph) for sites with a PTAL range of 3. The scheme is proposing 115 units or 220 habitable rooms. The proposed residential accommodation would result in a density of approximately 1282 hrph.

8.13 The proposed density would therefore exceed the GLA guidance for sites with a PTAL rating of 3. However, the density matrix within the London Plan and Council's Core Strategy & IPG is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context, 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, and that the previous 10 storey development had a density of approximately 504 hrph which would also have taken the proposal outside of the London Plan targets.

8.14 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 appropriate amenity space;
- Increased sense of enclosure;
- Increased traffic generation; and
- Impacts on social and physical infrastructure

8.15 On review of the above issues later in this report, the proposal does not present any of the symptoms associated with overdevelopment. The proposed density of the development is justified in this location in accordance with London Plan (2011), Core Strategy (2010); Unitary Development Plan (1998) and Interim Planning Guidance (2007) policies.

8.16 The proposed density is considered acceptable primarily 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 adverse symptoms of overdevelopment that cannot be mitigated against through financial obligations.
- 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, community facilities education, playable space have been agreed to mitigate any potential impacts on local services and infrastructure within the constraints of the viability of the scheme.
- Ways to improve the use of sustainable forms of transport would be provided through a travel plan. This would be secured in the S106 Agreement.

8.17 The GLA share the same view as Council officers and note the following in their state 1 report:

"The design of the scheme, as well as the provision of additional accommodation justifies the increase in density.....the scheme would provide very good standard of accommodation".

Conclusion

8.18 Officers consider that scheme would not result in a level of overdevelopment that would warrant a refusal of permission and it is considered that the scheme does not demonstrate many of the problems that a typically associated with overdevelopment.

Housing

Affordable housing

- 8.19 Policy 3.12 London Plan (2011) seeks to ensure the maximum provision of affordable housing is secured but does not set out a strategic target for affordable housing and notes that “ boroughs should take into account economic viability and the most effective use”.
- 8.20 Policy SP02 of the Core Strategy (2010) 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.
- 8.21 The site currently contains 53 unoccupied social rented units. Including the re-provision of these units on site, the scheme proposes 53% affordable housing based on habitable rooms. Excluding the re-provision of these demolished units, the proposed affordable housing equates to 31% affordable housing based on habitable rooms which officers consider acceptable. The GLA also reaffirms officers view and state that:

‘level of provision for affordable housing is supported’.

Tenure type of affordable housing provision

- 8.22 Under a new national Planning Policy Statement, PPS3, issued in June 2011, the definition of affordable housing has changed and now includes a new product called affordable rent, as well as social rent and intermediate housing:

- 8.23 **Social rented housing** is defined as:

Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

- 8.24 **Affordable rented housing** is defined as:

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

- 8.25 **Intermediate affordable housing** is defined as:

Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent but does not include affordable rented housing.

- 8.26 The proposal makes provision for 100% of the affordable units to be social rented units which is supported by Council officers. The scheme would provide 55 new units at target rents. The Greater London Authority state that the provision of 100% social rented units is “appropriate, given the local circumstances”.

- 8.27 The following Table 1 summaries the social rented / intermediate split proposed against the London Plan and IPG.

8.28

Tenure	The Proposal	IPG 2007	CS 2010	London Plan 2011
Social Rent	100	80%	70%	60%
Intermediate	0	20%	30%	40%
Total	100%	100%	100%	100%

Table 1

As it can be seen from the table above, there has been a change in the policy position in relation to tenure split over time.

- 8.29 Table 1 above illustrates that the scheme would be providing all of the affordable units as social rent with no intermediate housing. The lack of provision of intermediate housing is considered acceptable due to the opportunity presented for a larger number of units at social rent levels, such provision being limited in the current economic climate.

Addressing the acute need for affordable housing in the Borough

- 8.30 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"

- 8.31 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"

- 8.32 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"

- 8.33 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 2, 700 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.

- 8.34 It is considered that this proposed scheme would assist in providing much needed social rented housing at affordable target rent levels in the borough.

Viability

- 8.35 A viability report was submitted to the Council and Independently assessed by external consultants. The applicant demonstrated to the Council that it was not viable to provide 35% affordable housing on site, (taking into account the replacement of demolished units) which is accepted. Whilst a number of scenarios were presented to the Council, officers consider that the preferred option would be to maximise family sized affordable housing within the

social rented tenure whilst retaining a reasonable level of financial contribution to support infrastructure requirements. This option secures 31% affordable housing which would be provided with a tenure split of 100 % in favour of social rented and with a total sum of £423,974 in financial contributions. This represents a total of 55 residential units being let at target rents of which 48 % would be family sized comprising 18 x 3 bed, 7 x 4bed and 1 x 5 bed.

- 8.36 As there is no Homes and Communities Agency grant funding available for the affordable housing in this scheme, these units (including intermediate units) will be delivered without recourse to any public subsidy. The applicant has also confirmed that all of the social rented units will be let at target rent levels therefore ensuring that low income families are able to afford to occupy them.

The continued deliverability of new housing schemes during the economic downturn

- 8.37 In assessing the subject proposal, one of the key issues to consider is the overall deliverability of the scheme during the economic downturn, and in turn the deliverability of much needed affordable housing on this site.
- 8.38 PPS3 (para11) identifies overall objectives which requires that housing polices account for market conditions. The deliverability of housing, particularly in the current economic climate is a priority for the Council.
- 8.39 In summary, the composition of affordable housing has to be assessed in terms of what is appropriate and deliverable on this site, within the context of the local planning guidance, local housing priorities and available funding. It is within this specific context that this proposal is considered acceptable and therefore recommended for approval
- 8.40 Officers consider that the applicant's proposal to provide 100% (55 new units) affordable social rented units, will ensure that affordable housing will be delivered in line with the current housing needs of the Borough, as identified in the following Council documents:
- Tower Hamlets Housing Strategy 2009/12
 - Strategic Housing Market and needs Assessment August 2009
 - Adopted Community Plan 2020 Vision/issue

Conclusion on housing matters

- 8.41 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal offers a suitable range of housing choices.

Housing Mix

- 8.42 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 such as families with children, single person households and older people”*.
- 8.43 Pursuant to policy 3.8 of the London Plan (2011), 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.
- 8.44 Policy SP02 of the Core Strategy seeks to create mixed use communities. A mix of tenures and unit sizes assists in achieving these aims. It requires an overall target of 30% of all new housing to suitable for families (3bed plus), including 45% of new social rented homes to be

for families.

8.45 Pursuant to Policy HSG7 of the UDP 1998, 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.

8.46 The scheme is proposing a total of 115 residential units. The dwelling and tenure mix is set out in Table 2 below:

		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	0		0			0
1 bed	33	9	16.3	20	0	0	37.5	24	40	37.5
2 bed	43	20	36.3	35	0	0	37.5	23	38	37.5
3 bed	31	18	32.7	30	0	0	25	13	22	25
4 bed	7	7	12.7	10	0			0		
5 Bed	1	1	1.8	5	0			0		
TOTAL	115	55	100	100	0	100	100	60	100	100

Table 2

8.47 As Table 2 illustrates above, the proposed new residential mix would comprise of 60 private units and 55 affordable units. 13 of the private units would be suitable for family accommodation (22%) whilst 26 of the affordable units (48%) would be suitable for family occupation.

8.48 The proposal provides a total of 34% of units as family housing, with 48% of family sized dwellings within the social rented tenure.

Family housing

8.49 Table 3 below sets out the proposed provision for family units against the policy requirement and the annual monitoring report.

Tenure	% Policy requirements	% as proposed	% annual monitoring report 2009
<i>Social rented</i>	45	48	35
<i>Intermediate</i>	25	0	7
<i>Market</i>	25	22	3
<i>Total within scheme</i>	30	34	11

Table 3

8.51 The proposal provides 48% family accommodation by unit numbers within the social rented tenure which exceeds policy requirement and is welcomed by officers. The proposal does not make provision for family sized accommodation within the intermediate tenure and only

provides 22% within the market tenure and therefore does not meet the IPG (2007) policy target. The deficiency of family units is offset by the quantum of family units in the social rented tenure which is the key priority area. The overall provision of family accommodation on site is 34% which exceeds policy requirement.. LBTH Affordable Housing Team finds the level of family accommodation in the market housing mix to be acceptable.

- 8.52 The GLA report also comments that the “ Housing standards, including unit sizes, are acceptable’.

Design

Bulk and Massing

- 8.53 Good design is central to all the objectives of the London Plan (2011). Chapter 7 sets high design standard objectives in order to create a city of diverse, attractive, secure and accessible neighbourhoods. Policies 7.1-7.7 of the London Plan refers and specifies a number of policies aimed at high quality design, which incorporate the principles of good design. In particular, policy 7.2 seeks to achieve the highest standards of inclusive and accessible design; 7.4 requires development to have regard to the form, function and structure of an area, place or street and scale, mass and orientation of buildings around it; policy 7.5 seeks to enhance the public realm by ensuring that London’s public spaces are secure, accessible, easy to understand and incorporate the highest quality landscaping, planting, furniture and surfaces whilst policy 7.7 provides further guidance on design considerations for large scale buildings, including context, attractiveness and quality.
- 8.54 These principles are also reflected in policies SP10 of the adopted Core Strategy (2010); ‘saved’ policy DEV1 of the Unitary Development Plan (1998) & DEV2 of the Council’s Interim Planning Guidance (2007) which seek to ensure development is of a high quality design. These policies also aim to ensure that developments are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.55 As noted in paragraph 4.4 of this report, the form of the main linear block lies on the eastern edge of the site fronting the A12 and steps in height between 12 and 13 storeys. This block is connected to a 6 storey building on Teviot Street that creates a new street edge which hadn’t existed before. When compared to the existing development on site, the scale and bulk would increase but not significantly. It is considered that the development continues to sit comfortably in its setting and presents a very similar visual impression in terms of scale and massing along the A12 as that of the existing building.
- 8.56 Officers opinion on the scale and massing of the development is also shared with the Greater London Authority who note in their Stage 1 report that:
- “The present building is in a poor state of repair and while it is representative of the style of the public housing that was prevalent at the time of its construction, it is not considered to have a high degree of architectural merit.....Overall the general principles of the (proposed) site layout are supported for this scheme. The scale and massing are appropriate for this location”.*
- 8.57 In overall design terms, the proposed development is of superior design quality than the current building on site as illustrated in the following images of the proposed development.



Study view from North on A12 – afternoon



Study view from West on canal towpath



Study view from South on A12

Tall buildings/views

8.58 Policy 7.7 of the London Plan (2011) stipulates that tall buildings would be promoted where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. The policy provides detailed guidance on the design and impact of such large-scale buildings, and requires that these be of the highest quality of design.

8.59 GLA note in their Stage 1 report that:

“Locally; Tower Hamlets Council should consider the building's place within the sequence of tall buildings as viewed on journeys along the A12, and effects on listed and other important buildings nearby, such as Balfour Tower and the gasholders within the nearby Conservation Area”.

8.60 As part of the assessment process; the applicant was required to undertake detailed contextual studies to establish the suitability of a taller building on this site and the impacts this building would have on surrounding tall buildings and the adjacent Limehouse Cut Conservation Area. Whilst there are no other tall buildings located within the immediate vicinity of the site, there are other tall buildings located nearby, most notably Balfour Tower which is a 26 storey building located approximately 817 metres from the centre of the application site. The outline application approved for a 19 storey building at the Tesco site at Bromley by Bow located approximately 640 metres from the site. It is considered that the proposal sits comfortably with the taller buildings within the wider context of the site.

8.61 As noted in paragraph 4.3 of this report, the existing building on site is 10 storeys and proposed building is 13 storeys in height. It is considered that the impact on an additional 3

storeys on the site would continue to remain sensitive to the context of the site and would not have an adverse impact on the impact on important views including strategic London wide views and important local views. It is considered that the proposal would also provide a positive contribution to the skyline, when perceived from all angles and presents a positive visual impact on the A12 Frontage.

Setting of Conservation Area

- 8.62 PPS5 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a heritage asset, such as a World Heritage Site, Listed Building, scheduled monument or a conservation area, to have special regard to the preservation and enhancement of the setting of the asset.
- 8.63 Policy 7.8 of the London Plan (2011) requires careful consideration to the relationship between new development and the historic environment, including the setting of listed buildings and conservation areas. Policy SP10 of the Core Strategy (2010) & DEV 2 of the Interim Planning Guidance (2007) seeks to protect the setting of Conservation Areas.
- 8.64 The development site is situated adjacent to the Limehouse Cut Conservation Area which is dominated by the waterspaces of the broad Canal, the River Lea and Bow Creek, and is characterised by the relationship of the buildings to the canal. This character is part defined by its robust industrial architecture.
- 8.65 The use of brick work on the façade treatments forms part of the robust industrial aesthetic and makes a positive contribution to the significance of the Limehouse Cut Conservation Area. The predominantly grey brick façade would work well with the proposed green flashes and window reveals. LBTH Design Officer and English Heritage support the design of the scheme and do not object to the design or its impact on the Conservation Area. Notwithstanding, the applicant would be required to submit details of materials sample prior to the commencement of works on site to be approved by the Local Planning Authority to ensure that the external appearance is satisfactory. This would be secured by way of condition.
- 8.66 It is also proposed to reduce the height of the existing wall between the site and the existing towpath height from approximately 7.3 metres to 6.7 metres which would improve visual connections with the canal as well as improving the perception of safety. English Heritage emphasise the importance of ensuring that any rebuilding of the wall between the canal towpath and the site is carefully undertaken with bricks, brick pattern and mortar to match the older existing sections of the wall in order to protect the setting of Limehouse Cut Conservation Area. This would be secured by way of condition.

Safety and Security

- 8.67 Policy 7.3 of the London Plan (2011); policy SP10 of the Core Strategy (2010); DEV 1 of the UDP (1998) and DEV 4 of the IPG (2007) requires all development to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 8.68 The proposed open space would be clearly visible within the streetscene and the proposed pedestrian route through the site would aid permeability within the site. In addition, the proposal involves improvements to the existing ramped/stepped access onto the towpath from the site with a view to improve visual connections and gives a greater perception of safety.. Notwithstanding, the applicant would be required to submit a Secure by Design Statement which would include details of a CCTV and lighting scheme to be approved by the Local Planning Authority prior to commencement of works on site. This would be secured by way of condition to ensure the safety and security of the scheme.

Conclusion on design matters

- 8.69 The building height, scale, bulk and design is acceptable as the proposal is of high quality design and suitably located.

Amenity

- 8.70 Policy 7.7 of the London Plan (2011) requires that all large-scale buildings, including tall buildings, to pay particular attention in residential environments to amenity and overshadowing. Furthermore, they should be sensitive to their impact on micro-climate in terms of sun, reflection and overshadowing. Policy SP10 of the Core Strategy seeks to protect amenity, and promote well-being including preventing loss of privacy and access to daylight and sunlight. Saved policies DEV1 and DEV2 of the UDP (1998) and policies DEV1 and DEV27 of the IPG (2007) require that developments should not result in a material deterioration of sunlight and daylight conditions.
- 8.71 The applicant has provided a Daylight and Sunlight Reports in support of their application outlining the daylight and sunlight received by the most affected buildings adjacent to the development site and the development itself. The Daylight and Sunlight Reports has assessed the impact on the daylight and sunlight levels against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.72 With reference to daylight, the report demonstrates that the proposed would not have an adverse impact on the development itself. In respect of the impact the proposal has on surrounding properties, there are some instances of non compliance with BRE guidance; however the vast majority comply with the guidance. The degree of non compliance is marginal and a reason for refusal could not be sustained on this ground as the regeneration benefits of the scheme are considered to outweigh any minor impact on daylight levels. The Council has not received any objections from local residents on this matter.
- 8.73 The report also demonstrates that the proposal would not have an undue adverse impact on sunlight levels to surrounding properties or the development itself.
- 8.74 It is considered that the proposed development is generally in keeping with the BRE guidance, Policy 4B.10 of the London Plan (2008), saved Policies DEV1 and DEV2 of the UDP (1998), Policies DEV1 and DEV27 of the IPG (2007) and Policy SP10 of Core Strategy (2010) with regards to sunlight and daylight, and accordingly the proposals are not likely to cause any adverse impacts to the surrounding residential properties.

Overshadowing

- 8.75 The submitted Daylight and Sunlight Assessment includes an overshadowing assessment. It demonstrates the extent of permanent overshadowing that would arise from the proposed development would not unduly result in any material detrimental impact on existing neighbouring amenity or result in unacceptable levels of overshadowing on the proposed communal and child playspace.

Overlooking/Sense of Enclosure

- 8.76 Unlike, sunlight and daylight assessments, 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.

- 8.77 The orientation of the highest part of the proposed building and its significant distance away from other residential buildings to the north minimises its impact on local residents. The proposed 6 storey block fronting Teviot Street is at distance of approximately 19 metres from the closest north facing windows of the existing residential 4 storey maisonette block on the southern side of Teviot Street. As such, the proposal would not result in unacceptable overlooking on neighbouring properties.
- 8.78 Overall, it is considered by officers, that, given the siting, location and orientation of the proposed buildings and its relationship to surrounding properties, it is not considered that the proposals would not result in an unacceptable sense of enclosure or loss of privacy to neighbouring buildings or on the development itself.

Conclusion on amenity matters

- 8.79 Officers consider that the proposal would give rise to any adverse impacts in terms of privacy, overlooking, sense of enclosure, loss of sunlight and daylight upon the surrounding properties.

Noise

- 8.80 PPG24 is the principal guidance adopted within England for assessing the impact of noise on proposed developments. The guidance uses noise categories ranging from NEC A where noise doesn't normally need to be considered, through to NEC D where planning permission should normally be refused on noise grounds.
- 8.81 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies, saved policies DEV2 and DEV50 of the UDP (1998), policies DEV1, DEV10, DEV12, DEV27 and HSG15 of the IPG (2007), and policies SP03 and SP10 of the Core Strategy (2010) seek to minimise the adverse effects of noise.
- 8.82 The applicant will be required to incorporate appropriate noise insulation measures in accordance with Building Regulations. In terms of noise and vibration during demolition and construction, conditions are also recommended which restrict construction hours and noise emissions and requesting the submission of a Construction Management Plan which will further assist in ensuring noise reductions.
- 8.83 As such, it is considered that the proposals is in keeping with Planning Policy Guidance Note 24, policies SP03 and SP10 of the Core Strategy (2010); Saved policies DEV2 and DEV50 of Tower Hamlets UDP (1998), policies DEV1, DEV10, DEV12 and DEV27 of Tower Hamlets IPG (2007) which seek to protect the amenity of local properties.

Air Quality

- 8.84 PPS23 and policy 7.14 of the London Plan (2011) relate to the need to consider the impact of a development on air quality. Policy SP03 of the Core Strategy (2010); policies DEV2 of the UDP (1998) and policy DEV5 of the IPG (2007) seek to protect the Borough from the effect of air pollution and Policy DEV11 in particular requires the submission of an air quality assessment where a development is likely to have a significant impact on air quality. Tower Hamlets Air Quality Action Plan (2003) also examines the various measures for improving air quality in the Borough.
- 8.85 The application has supported by an Air Quality Assessment which was assessed by the Councils Environmental Health team who consider the proposal to be acceptable subject to a condition requiring that mitigation shall be provided and permanently retained to all residential facades exceeding the air quality objective sets out in the Councils Air Quality Management Plan (2003). This is to ensure that future occupants are protected from air

pollution in accordance with policies 7.14 of the London Plan (2011); policies DEV 2 and DEV50 of the Tower Hamlets UDP (1998) and DEV1 and DEV11 of the Interim Planning Guidance (2007).

Amenity Space Provision

Communal and Private amenity space

- 8.86 SP10 of the Core Strategy (2010) requires developments to make adequate provision for all forms of amenity space. Policy HSG16 of the Unitary Development Plan (1998) 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.
- 8.87 Policy HSG16 of the UDP requires a new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. Policy HSG7 of the Interim Planning Guidance (2007) sets out the minimum provision for private and communal amenity space to be met. The policy requirement for private amenity space is 1018 sqm and the policy requirement for communal amenity space is 155 sqm.
- 8.88 The proposed development would provide approximately 1170.8 sqm where the requirement is 1018sqm of private amenity space and approximately 162 sqm of communal amenity within the site where the requirement would be 155sqm. The proposal therefore exceeds the policy requirement for private and communal amenity space standards which is welcomed by officers.

Child playspace

- 8.89 Planning Policy Statement 3 sets out the importance of integrating play and informal recreation in planning for mixed communities.
- 8.90 Policy 3.6 of the London Plan (2011), policy SP02 of the Core Strategy (2010); policy OS9 of Tower Hamlets UDP (1998) (saved policies), policy HSG7 of Tower Hamlets IPG (2007) require the provision of appropriate child play space within residential developments.
- 8.91 The Council’s IPG (2007) suggests that proposals should provide 3sqm of play space per child. The Mayor’s SPG ‘Providing for Children and Young People’s Play and Informal Recreation’ sets a benchmark of 10 sqm of useable child play space per child, with under 5 child play space provided on site.
- 8.92 Table 4 below sets out the proposed provision for child playspace against the policy requirement.

	Policy requirement	Proposed
0-4 year olds	299	299
5-10 year olds	379	379
11-15 year olds	261	0
Total	932	678

- 8.93 The child yield for the proposed development is anticipated to be 93 children and accordingly the development should provide a minimum of 932 sqm of play space on site. As illustrated in the above table, the scheme should provide for approximately 299 sqm for 0-4 year olds; approximately 379 qm for 5-10 year olds and approximately 261sqm for 11-15 year olds. The proposed scheme makes provision for approximately 299 sqm for 0-4 yr

olds and approximately 379sqm for 5-10 yr olds which meets the policy requirement and supported by officers. The applicant would be required to submit details of the location and nature of the child playspace for 0-10 year olds on site. This would be secured by way of condition. The proposal does not provide child playspace for 11-15 year olds on site. As such, there is a deficiency of approximately 261 sqm. However, it is considered that an off site contribution for child playspace would be considered most appropriate for this age range. The planning department has determined that £40,000 would be an appropriate financial contribution for off site child playspace on site.

Conclusion on amenity space matters

- 8.94 Subject to a financial contributions towards off site child playspace for 11-15 year old cohort, the provision of private, communal amenity and child playspace is acceptable.

Highways and Transport

Access to local transport networks

- 8.95 As noted in paragraph 4.9 of this report, the site has a PTAL rating of 3 which means it has moderate access to public transport. It is within close proximity (520 metres) to Bromley by Bow Underground Station on the District and Hammersmith and City Lines. The site is also within approximately 960 meters of Langdon Park DLR station and Devons Road DLR station. The site is also within walking distance for bus routes no. 108 (between Lewisham and Stratford); no. 309 (between Canning Town and Bethnal Green) and no 323 (between Mile End and Canning Town).

Car Parking

- 8.96 Policies 6.13 of the London Plan (2011); SP09 of the Core Strategy (2010), 'saved' policy T16 of the Unitary Development Plan (UDP); DEV 17, DEV 18 & DEV 19 of the IPG (2007) seek to ensure sustainable non car modes of transport and to limit car use by restricting car parking provision.
- 8.97 Planning Standard 3 'Parking' of the Interim Planning Guidance (Oct 2007) stipulates that, developments without on-site car parking /car free development should provide 1 accessible car parking space on site. The proposal would make provision for 1 onsite accessible car parking space located to the west of the site and no other car parking spaces on site. This is supported by LBTH Highways team.

Cycle Parking

- 8.98 Council policies requires that secure cycle parking should be provided for new build developments. Specifically for residential development, planning Standard 3 'Parking' of the Interim Planning Guidance (2007) requires 1 cycle space per unit. On this basis, the proposal should be required to provide 115 cycle spaces.
- 8.99 The proposal makes provision for 166 cycle spaces for residents and an additional 12 cycle parking spaces for visitors. A 146 of the residential spaces would be secure and located in the basement of the building and 20 spaces would be located at ground floor level. The bicycles would be stored on Sheffield stands which is supported by LBTH Highways officers. Given that the requirement is for 115 cycle spaces, this is meets policy.

Refuse and recycling

- 8.100 Policies SP05 of the Core Strategy (2010); DEV 55 of the Unitary Development Plan (1998) & DEV 15 of the Interim Planning Guidance (Oct 2007) seeks to ensure that developments

make adequate provision for refuse and recycling facilities in appropriate locations.

- 8.101 Refuse stores are located on the ground floor of the Tower and are access via the strip 3m strip of land that forms a buffer between the buildings and the A12. The stores can accommodate 26 euro sized bins, however further details are required from the applicant to ensure clarification of the refuse and recycling arrangements. This would be secured by way of condition.

Servicing

- 8.102 In terms of existing servicing arrangements, refuse and delivery vehicles stop on Teviot street to load/unload. LBTH Highways officers note that the servicing demand itself is not expected to be particularly large given that it would primarily consist of refuse collection and a small number of deliveries for a development of this scale. Given the existing servicing arrangements are already on-street on Teviot Street, the proposed on street servicing arrangement would be acceptable as the refuse vehicle would access the site from the A12 and reverse into the site. The vehicles would then turn right out of the site in forward gear which it should do with ease.
- 8.103 Notwithstanding, in order to minimise the number of servicing lorry movements and the impact of servicing on the transport network, it is recommended securing a Delivery and Servicing Management Plan (DSMP).

Conclusion on transport/highway matters

- 8.104 Subject to conditions and appropriate S106 contributions, transport matters, including vehicular and cycle parking, vehicular and pedestrian access are acceptable and the proposal should not have a detrimental impact on the public highway.

Energy & Sustainability

- 8.105 At a national level, PPS22 and PPS1 encourage developments to incorporate renewable energy and to promote energy efficiency. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011 and London Borough of Tower Hamlets Core Strategy (SO24 and SP11) collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.106 The London Plan sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 8.107 Policy 5.2 of the London Plan (2011) includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy.
- 8.108 Saved Policy DEV2 of the UDP (1998), DEV 6 of the IPG (2007) and SP02 of the Core Strategy (2010) seek to incorporate the principle of sustainable development, including use of energy efficient design and materials, promoting renewable technologies. The London Borough of Tower Hamlets Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.
- 8.109 The submitted energy strategy follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy

demand (Be Lean). The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine to supply the space heating and hotwater requirements in accordance with policy 5.6 of the London Plan will also reduce energy demand and associated CO2 emissions (Be Clean). The energy efficiency measures and CHP system are anticipated to reduce carbon emissions by 29.59%.

- 8.110 Photovoltaic cells are proposed to provide a source of on site renewable energy (Be Green). The technologies employed would result in 4.12% carbon savings over the baseline. Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that achieving a 20% reduction in CO2 emissions through renewable energy technologies is not feasible. Whilst the proposed development is not meeting Core Strategy Policy SP11, the Sustainable Development Team support the application as the development is in compliance with the London Plan (Policy 5.2) through achieving a cumulative 32.5% reduction above Building Regulation requirements. To ensure that this CO2 reduction is maximised in accordance with the Core Strategy Policy SP11 the feasibility of integrating further PV or alternative renewable energy generating technologies will be fully explored through an appropriate condition.
- 8.111 The anticipated 32.5% reduction in carbon emissions through energy efficiency measures a CHP power system and renewable energy technologies is considered to be acceptable and in accordance with the abovementioned development plan policies. The strategy is proposed to be secured by condition.

Sustainability

- 8.112 London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan Spatial Development Strategy for Greater London (2011) and Policy DEV 5 of the Council's Interim Planning Guidance which seek the highest standards of sustainable design and construction principles to be integrated into all future developments.
- 8.113 It is considered that the proposed development should target a Code Level 4. Full justification, including an evidence base, should be provided where the Code for Sustainable Homes Level 4 cannot be met. This would be secured by way of condition.
- 8.114 Principally the Energy & Sustainability Statement has followed the energy hierarchy and is considered appropriate for the development subject to the submission and approval of the following conditions:
- Integration of a communal heating system
 - Further detailed design and specification of the communal CHP system, including information on a dedicated route for potential district heating pipes in the future.
 - Further detailed energy assessment to be submitted prior to commencement including appropriate calculations in accordance with London Plan Policy 5.2
 - Further detailed design of PV panel array to demonstrate maximisation of renewable energy technologies
 - Integration of energy efficiency, CHP, PV array to achieve CO2 reductions in accordance with submitted Renewable Energy Statement
 - Targeted Code for Sustainable Homes Level 4 Rating and provision of certificates to the Local Authority.

The recommended conditions above would be attached to the decision notice.

Summary on energy and sustainability matters

8.115 Subject to the recommended conditions as identified in paragraph X of this report, it is considered that energy and sustainability matters, including energy, are acceptable and the development would promote sustainable development practices.

Section 106 Agreement

8.116 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should be:

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

8.117 More recently, regulation 122 of the Community Infrastructure Levy Regulations 2010 brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

8.118 Policies 8.2 of the London Plan (2011), Saved policy DEV4 of the UDP (1998), policy IMP1 of the IPG (2007) and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations through their deliverance in kind or through financial contributions.

8.119 The Council has recently published a draft Supplementary Planning Document on Planning Obligations in August 2011. This document which is currently out on public consultation; provides guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. Within the document, the standard obligations area set out under the following headings:

Key priorities are:

- Affordable Housing
- Employment, skills, training and enterprise
- Community facilities
- Education

Other Tower Hamlets Priority Obligations are:

- Health
- Sustainable Transport
- Public Realm
- Environmental Sustainability

In light of this, LBTH Officers have identified the following contributions to mitigate against the impacts of the proposed development, which the applicant has agreed. As such, it is recommended that a S106 legal agreement secure the following Heads of Terms:

8.120 The proposed *financial contributions* are as follows:

- Affordable housing provision of 31% of the proposed habitable rooms with a 100% 'target' rent on site.

- £210,000- towards education facilities
- £63,000- towards community facilities.
- £107,974 towards health care facilities
- £40,000 towards off site child playspace
- £3,000 towards Travel Plan monitoring

Total financial contribution sought = £423,974

8.121 The proposed non financial contributions are as follows:

- 20% local procurement at construction phase
- 20% local labour in construction
- Travel Plan
- 'Car free' Agreement

Financial contributions

Affordable Housing

8.122 A 31% uplift provision of affordable housing would be secured comprising 100% 'target' rent units. A clause would be included within the s106 agreement which would provide more affordable housing if more grant funding becomes available to the scheme or if a higher profit is secured for the scheme.

Education

8.123 Increased residential development impacts on the demand for school places within the borough. Where there is a child yield output from a development, the Council would seek contributions towards additional primary and secondary school places across the borough. Financial contributions towards Education would be pooled in line with Circular 06/2005. This would allow expenditure on Education to be planned on a Borough wide basis to meet the Education need for its residents.

Community facilities

8.124 Community facilities provide the space for community groups within the Borough to meet and carry out activities and include, but not limited to, community centres, Idea Stores, libraries and leisure centres. Community facilities provide the space for community groups within the Borough to meet and carry out community activities. The Borough has a range of facilities but their condition means they are not always able to cope with demands upon these groups and potentially new community groups emerging in Tower Hamlets. This new residential development would bring additional people and there would be an increased demand on existing community facilities. Officers consider that the proposed financial contributions towards community facilities would sufficiently mitigate against the development.

Health

8.125 Where the residential population in the Borough is increased through new development, there is further pressure upon existing Health facilities and a consequent demand for new ones. The Council would mitigate that impact by securing contributions from new residential developments towards Health Facilities in the Borough.

8.126 Due to the Borough wide impact, financial contributions towards Health Facilities would be pooled in line with Circular 05/2005. This would allow expenditure on health to be planned on a Borough wide basis to meet the need for its residents.

Off site child playpsace

- 8.127 A contribution of £40,000 is sought towards off site playable space for 11-15 year olds. This contribution addresses the playspace requirements for older children living in the development.

Travel Plan monitoring

- 8.128 Travel plans are a key tool to ensuring developments minimise adverse environmental impacts of the travel demand that it generates. Development of the nature and scale proposed will generate different travel demands when compared to the former or existing use considering its redundant nature at present. As such, a Travel Plan is required. It is considered that the agreement will also seek to secure a travel plan co-ordinator to ensure implementation of the travel plan and on going monitoring.
- 8.129 A standard contribution of £3,000 is also requested towards the Council's costs of monitoring the implementation of the travel plan over a five year period.
- 8.130 In terms of non-financial obligations, the applicant has also been asked to use reasonable endeavours to ensure:

- 20% Local procurement at construction phase

This requirement would be captured in the S106 requiring the developer to include a 'local procurement clause' for their subcontracting supply chains. The developer would provide LBTH with a list detailing a package of works/trades, so that LBTH can match these requirements with appropriate suppliers within the Borough.

The Skillsmatch Service would also assist in local procurement through advertising upcoming contracts in the East London Business Place and facilitating an integrated consultation event with a number of developers to enable them to meet with prospective local suppliers.

- 8.131
- 20% Local labour in construction phase

This requirement would also be captured in the S106 where by Tower Hamlets would provide a full job brokerage service. The Skillsmatch team would have access to a database of entry-level operatives, experienced trades people and site managers and the team would develop a complete skills solution based on the developer's labour requirements.

This can also include pre-employment training for local jobseekers (e.g. Construction Skills Certification Scheme (CSCS) cards, Traffic Marshall certificates, Plant training tickets and other accreditations).

Car Free

- 8.132 The applicant would be required to enter into a "car free" agreement which would restrict residents from applying for on-street car parking permits.

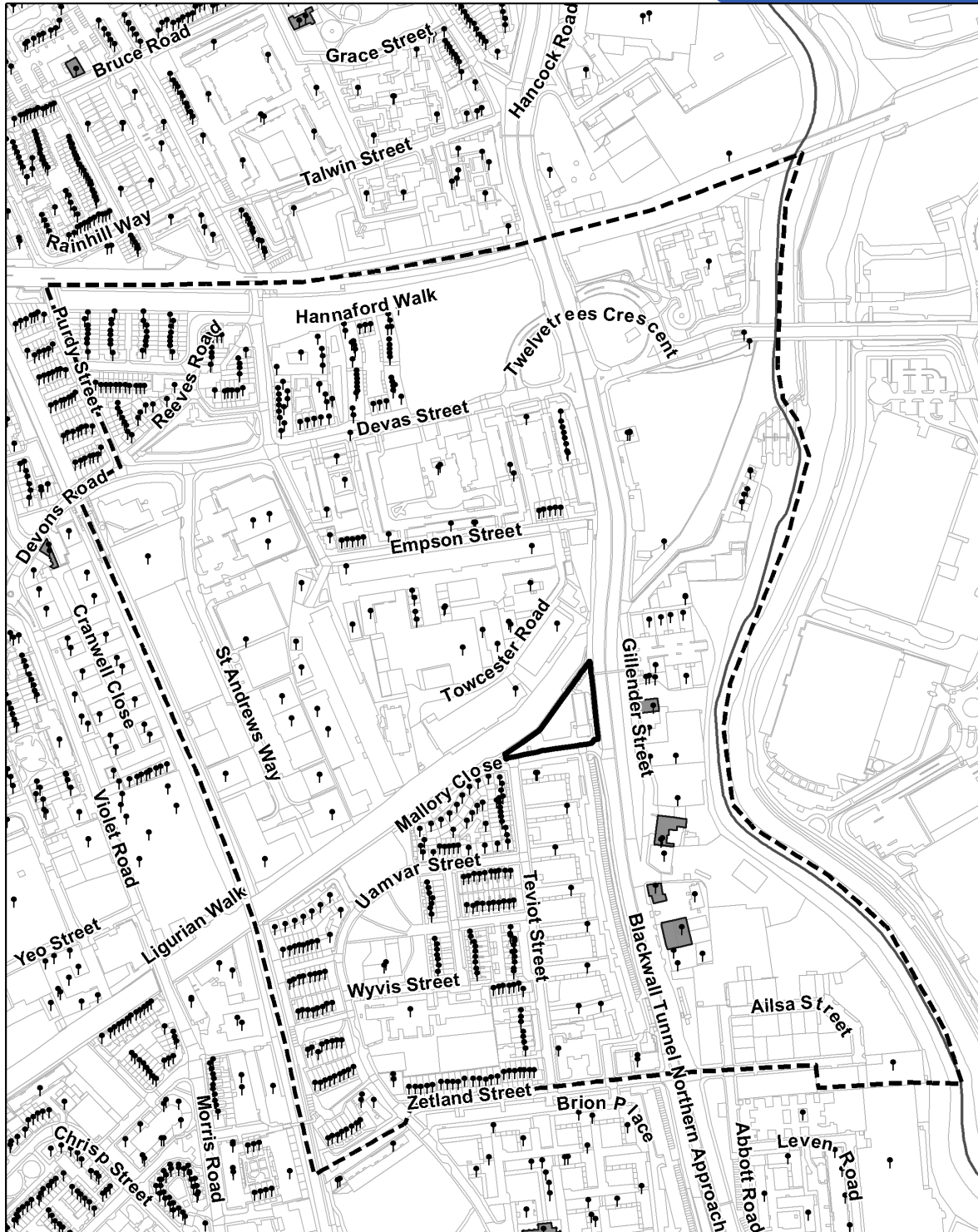
Conclusion on S106 matters

- 8.133 Officers consider that the proposed Section 106 offer would not compromise the viability of the scheme and ensures that the proposal would mitigate the impacts of the development.

9 Conclusions

- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should not 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



1:5,000

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

© Crown copyright and database rights 2011 Ordnance Survey, London Borough of Tower Hamlets 100019288