

DEVELOPMENT COMMITTEE

Wednesday, 19 November 2014 at 7.00 p.m.
**Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG**

The meeting is open to the public to attend.

Members:

Chair: Councillor Sirajul Islam
Vice Chair : Councillor Marc Francis
Councillor Shiria Khatun, Councillor Suluk Ahmed, Councillor Gulam Kibria Choudhury,
Councillor Shah Alam and Councillor Chris Chapman

Deputies:

Councillor Rajib Ahmed, Councillor Asma Begum, Councillor Andrew Cregan, Councillor
Craig Aston, Councillor Andrew Wood and Councillor Julia Dockerill

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Monday, 17 November 2014**
Please contact the Officer below to register. The speaking procedures are attached
The deadline for submitting material for the update report is **Noon Tuesday, 18
November 2014**

Contact for further enquiries:

Zoe Folley, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4877
E-mail: zoe.folley@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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Public Information

Attendance at meetings.

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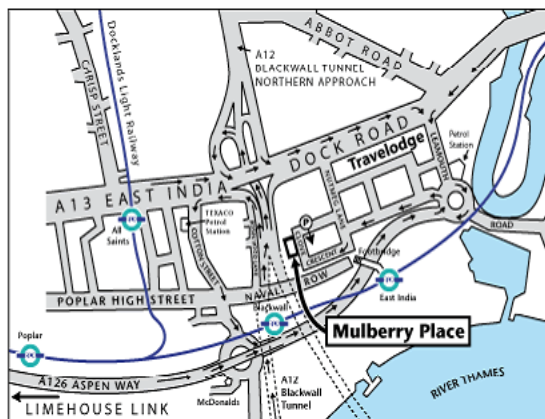
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 1 - 4)

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 Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 5 - 12)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 15th October 2014.

3. 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.

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 13 - 14)

To note the procedure for hearing objections at meetings of the Development Committee and meeting guidance.

		PAGE NUMBER	WARD(S) AFFECTED
5.	DEFERRED ITEMS	15 - 16	
5 .1	11 Havannah Street, London E14 8NA (PA/14/01807)	17 - 32	Canary Wharf
	Proposal:		
	Conservatory extension at ground floor level and first floor extension.		
	Recommendation:		
	To REFUSE planning permission on the grounds of the reason set out in the Committee report.		
5 .2	Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486)		Bromley North
	Application withdrawn by the Applicant.		
6.	PLANNING APPLICATIONS FOR DECISION	33 - 34	
6 .1	Land at rear of 81-147 Candy Street And Wendon Street, London, E3 (PA/14/00623)	35 - 72	Bow East
	Proposal:		
	Demolition of existing garages and 2 bungalows and the construction of 45 residential dwellings (15 x 1 bed, 15 x 2 bed, 9 x 3 bed and 6 x 4 bed) with associated infrastructure provision.		
	Recommendation:		
	That the Committee resolve to GRANT planning permission subject to any direction by The London Mayor, the prior completion of a legal agreement, conditions and informatives.		

7. OTHER PLANNING MATTERS

73 - 74

7 .1 Old Poplar Baths, 170 East India Dock Road, London E14 0EH (PA/14/02592)

75 - 88

Lansbury

Proposal:

Internal and external alterations and refurbishment works to the Grade II Listed Poplar Baths to facilitate its use as a new indoor and outdoor sports and leisure facility, with a swimming pool (in place of the second class pool), a new learner pool at basement level, badminton courts in the retained first class pool area, new gym facility, studio areas and roof top games area (MUGA); the existing Vapour Baths and plunge pool would also be retained and relocated. New changing and toilet facilities are also proposed together with landscaped forecourt and a new café at ground floor. AMENDED PROPOSAL - internal alterations/amendments to basement and ground floor levels and other minor works.

Recommendation:

That the Committee resolve to refer this listed building consent application to the Secretary of State for Communities and Local Government with the recommendation that the Council would be minded to GRANT Listed Building Consent subject to conditions as set in the Committee report.

Next Meeting of the Development Committee

Wednesday, 17 December 2014 at 7.00 p.m. to be held in the Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Meic Sullivan-Gould, Monitoring Officer, Telephone Number: 020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 15 OCTOBER 2014

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

Members Present:

Councillor Sirajul Islam (Chair)
Councillor Shiria Khatun
Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Shah Alam
Councillor Chris Chapman

Councillor Asma Begum

Other Councillors Present

Councillor Andrew Wood
Councillor Shahed Ali

Apologies:

Councillor Marc Francis

Officers Present:

Jerry Bell	(Applications Team Leader, Development and Renewal)
Fleur Francis	(Acting Team Leader - Planning, Directorate, Law Probity and Governance)
Angelina Eke	(Development Control Planner, Development and Renewal)
Jane Jin	(Planning Officer, Development and Renewal)
Gerard McCormack	(Planning Enforcement Team Leader, Development and Renewal)
Shahara Ali-Hempstead	(Planning Officer, Development and Renewal)
Zoe Folley	(Committee Officer, Directorate Law, Probity and Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No declarations of disclosable pecuniary interests were made.

Councillor Sirajul Islam declared an interest in agenda item 6.1, Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486). This was on the basis that a resident had attended his surgery on this application.

Councillor Chris Chapman declared an interest in agenda item 11 Havannah Street, London E14 8NA (PA/14/01807) as he had met the resident of the property.

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 15th September 2014 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS

The Committee **RESOLVED** that:

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

4. PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee noted the procedure for hearing objections and the meeting guidance.

5. DEFERRED ITEMS

None

6. PLANNING APPLICATIONS FOR DECISION

6.1 Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486)

Update report tabled.

Jerry Bell (Applications Team Leader , Development and Renewal) introduced the application. The Chair invited registered speakers to address the

Committee.

Claire O’Riordan, Councillors Danny Hassell and Khales Uddin Ahmed spoke against the application speaking on behalf of surrounding residents. They expressed the following concerns:

- That scheme would have an overbearing impact on 1-9 Rainhill Way, due to the height of the scheme and the proximity to the boundary. This would make living conditions unbearable.
- The scheme would overshadow the gardens, result in a loss of light to neighbouring properties and generally darken the area.
- The analysis in the report did not fully take into account the impact on sunlight and daylight. The study commissioned by residents showed that many more of the windows would fail the tests.
- That the Planning Inspectorates concerns over the three storey element had not been addressed. There was no consistency in decision making.
- Overdevelopment of the site given the density of the scheme, site constraints and the density of the surrounding area.
- Concerns about the loss of green space that was well used.
- Concerns about the quality of the new growing space due to the lack of natural light amongst other problems.
- That the child yield figures were unrealistic.
- Planning Enforcement issues.
- That the proposal would increase crime.

In response to questions about the consultation, it was felt that there was a lack of consideration of the feedback. The Planning Inspectorate considered that the three storey element would be overbearing. This remained a major concern. The scheme was very similar to the refused scheme in terms of proximity to the boundary wall with only one metre difference.

The applicant’s representatives Lyndon Gill and Tina Khakee addressed the Committee and expressed the following points:

- Referred to the outline scheme for the Estate and the previous planning consents for the site that established the principle of this scheme.
- That the scheme had been amended to address the previous concerns by reducing the height and massing amongst other changes. As a result, there would be no undue impact on amenity.
- The scheme had been amended in response to consultation to provide more growing space.
- That the scheme would sit comfortable with the surrounding area due to the design.
- Outlined the benefits of the scheme including that the scheme would provide good quality housing helping to meet the Borough’s housing needs.
- That the density of the scheme complied with policy.

- That it was planned to provide two areas of food growing space in excess of the current informal arrangements.
- Recognised that mistakes had been made in taking forward the previous scheme, but this scheme was very different.
- That the applicant had run consultation events at pre application stage for residents where the plans for the site would have been explained.
- That the Applicant was willing to defer the application to engage further with Councillors and residents with a view to addressing the concerns.
- Noted that the outline scheme had not expired

In response to questions, it was reported that two consultation events were held on the application. Leaflets were also distributed. However, residents may not have been given an opportunity to see the amendments to the gardens. The scheme achieved the policy tests for sunlight and daylight with no major failures.

Jane Jin (Planning Officer) presented the report explaining the site and surrounds, the planning history including the appeal decisions and the outcome of the local consultation. The principle of housing on the site had already been established and the site was not designated open space. Accordingly, the site was considered suitable for residential use.

She also explained the plans to formalise the food growing area at a much higher standard and the extent of the consultation on the amended plans. The impact on amenity was acceptable in terms of daylight, sunlight, sense of enclosure, with no undue impacts as shown by the submitted assessment.

Overall, Officers considered that changes to the scheme were a significant improvement on the previous schemes and generally complied with policy. In view of the merits of the scheme, it should be granted planning permission.

In response to questions, Officers confirmed that the planning history was a material consideration. Members should take this into account when assessing the planning merits of the application.

It was considered that the impact on the gardens (existing and proposed) was acceptable given the minor nature of the impacts, the existing levels of shading and the quality of the new community gardens.

The separating distance to the nearest properties at 1-9 Rainhill Way was 16.1 metres. It was over a metre in excess of that that for the previous scheme (From the eastern elevation to the nearest windows). Therefore, the impact on the amenity of these properties would be acceptable.

Councillor Sirajul Islam moved that the application be deferred to allow the Applicant to carry out further consultation with a view to addressing the concerns. On being put to a vote, this was lost.

On a vote of 0 in favour of the Officer recommendation, 6 against and 1 abstention the Committee **RESOLVED**:

That the Officer recommendation to grant planning permission at Land to the south of Rainhill Way, Bow Cross Estate, London, E3 (PA/14/01486) be **NOT ACCEPTED** for the erection of 4 x 3 bedroom residential units on land located south of Rainhill way, Bow Cross Estate, London E3

The Committee were minded to refuse the scheme due to concerns over:

- Scale and bulk of the scheme, impact on sunlight and daylight and overshadowing.

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.

6.2 369a Roman Road, London, E3 5QR (PA/14/01595)

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application.

Gerard McCormack (Planning Enforcement Team Leader) gave a presentation on the application explaining the planning and enforcement history.

He explained the key features of the scheme including the proposed amendments. The main changes to the residential unit were the reduction in size of the approved light wells, repositioning of the entrance door, insertion of new door and staircase. The changes to retail unit included: a second entrance door, a stair case and plans to increase the retail floor space.

Members were advised of the outcome of the consultation. Concerns had been raised about the reduction in window frontage due to the proposed bin store. However, it was proposed that the window be installed as originally approved and that the bin storage area would no longer be provided. Accordingly, most of the objections had now been addressed.

Overall, the application complied with policy and was recommended for approval.

In response to questions from Councillors, it was explained that, whilst there would be a marginal loss of light to the bedrooms, on balance it was considered that the improvements to the living and kitchen area would compensate for this.

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

(1) That planning permission at 369a Roman Road, London, E3 5QR (PA/14/01595) be **GRANTED** for variation of condition 2 of planning permission PA/12/02272 dated 27th February 2013 for the: "Installation of a

new shopfront, retention of retail unit to Roman Road frontage, and the conversion of the remainder of the unit into a two bedroom flat

The variation was sought to enable the following minor material alterations:

- Internal alterations to the layout of the retail and residential units
- Changes to the design and dimensions of Vivan Road light wells including additional glazing

(2) That the Corporate Director for Development & Renewal is given delegated authority to impose the conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the matters set out in the Committee report

6.3 7 Westport Street, London E1 0RA (PA/14/01887)

Update Report tabled

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application.

Shahara Ali-Hempstead (Planning Officer) gave a presentation on the application explaining the site location and the outcome of the consultation. It was explained the scheme complied with Council policy in terms of land use, amenity issues, highway and pedestrian safety given the nature of the scheme. Therefore, subject to the conditions, the application should be granted.

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

- (1) That planning permission at 7 Westport Street, London E1 0RA (PA/14/01887) be **GRANTED** for Change of use of part of ground floor unit from Estate Agent (Use Class A2) to mini cab call centre use (Use Class B1).
- (2) That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the matters set out in the Committee report.

6.4 11 Havannah Street, London E14 8NA (PA/14/01807)

Jerry Bell (Applications Team Leader, Development and Renewal) introduced the application. The Chair invited registered speakers to address the Committee.

Mr Balvinder (Applicant's agent) Councillors Andrew Wood and Shahed Ali spoke in support of the scheme. Councillor Wood declared a personal interest in the item as he knew the applicant and was also a Ward Councillor. The speakers representations are summarised below:

- Explained the amendments to the scheme to address Officers concerns.
- It was not considered that the proposal would have a detrimental effect on the area given the modest nature of the proposal. Especially when compared to the much larger schemes in the surrounding area that would have a far greater impact on the street scene.
- That the materials and appearance would be in keeping with the area and the wider Estate that was of varying architectural style. A condition could be added to ensure this
- That the scheme was very similar to the host building.
- That the proposal would deliver family accommodation and support families in the Borough. There was a lack of family housing in the Borough that could be extended in this way.
- No objections had been received from the neighbours. The extension at the first floor would be set back from the highway so hardly noticeable by passers by.
- There would be no impact on amenity as noted in the report.
- There were errors in the previous Committee report (15th September 2014 report) that was withdrawn from the agenda due to issues with the consultation.

Angelina Eke (Planning Officer) presented the detailed report explaining the site and character of the surrounding area. The building was not listed or in the Conservation Area. Members were advised of the outcome of the consultation including representations in support from local Councillors and Jim Fitzpatrick MP who considered that the plans would help keep families in the area.

Officers had no concerns in principle to the proposed ground floor extension. However, it was considered that the proposed first floor addition would be by reason of its bulk, mass and scale including design would result in an inappropriate form of development that would detract from the appearance of the original dwelling. Furthermore the continuous frontage created by the main house with the extended element would be visually overbearing and harmful to the street scene.

It was noted that the applicant had taken steps to address the issues. However, on balance, it was considered that the scheme would be an incongruous addition that failed to comply with policy and should be refused.

In response to Councillors questions, Officers noted the need for family housing. However, in view of the concerns, the scheme could not be supported. There were inaccuracies in the September 2014 Committee report, but these were nothing more than errors. Officers had engaged with the applicant to secure a more appropriate scheme in line with policy. However, it was felt that any further amendments could make the scheme unfeasible. Officers agreed that a condition could be added to the consent to ensure the materials and appearance of the scheme was in keeping with the area if permission was granted.

On a vote of 3 in favour of the Officer recommendation and 4 against the Committee **RESOLVED**:

That the Officer recommendation to refuse planning permission at 11 Havannah Street, London E14 8NA (PA/14/01807) be **NOT ACCEPTED** for the conservatory extension at ground floor level and first floor extension.

The Committee were minded to approve the application due to the following reasons:

- The application would not cause material harm to the setting of the area
- That the scale and bulk of the application was appropriate
- That the application would provide family housing.

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 approval and conditions on the application.

7. OTHER PLANNING MATTERS

None.

The meeting ended at 9.30 p.m.

Chair, Councillor Sirajul Islam
Development Committee

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under Council Constitution, Part.4.8, Development Committee Procedural Rules.

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair's discretion. The procedure for considering applications for decision shall be as follows:

Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will announce the item with a brief description.
- (2) Any objections that have registered to speak to address the Committee
- (3) The applicant and or any supporters that have registered to speak to address the Committee
- (4) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (5) The Committee may ask points of clarification of each speaker after their address.
- (6) Officers will present the report supported by a presentation.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council's website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then 'browse meetings and agendas' then 'agenda management timetable'.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none">• Development Committee Procedural Rules - Part 4.8 of the Council's Constitution (Rules of Procedure).• Terms of Reference for the Strategic Development Committee - Part 3.3.5 of the Council's Constitution (Responsibility for Functions).• Terms of Reference for the Development Committee - Part 3.3.4 of the Council's Constitution (Responsibility for Functions).	 <p>Council's Constitution</p>

Agenda Item 5

Committee: Development	Date: 19 th November 2014	Classification: Unrestricted	Agenda Item No: 5
Report of: Corporate Director Development and Renewal		Title: Deferred Items	
Originating Officer:		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

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

2. DEFERRED ITEMS

- 2.1 The following items are in this category:

Date deferred	Reference number	Location	Development	Reason for deferral
15 th October 2014	PA/14/01807	11 Havannah Street, LondonE14 8NA	Conservatory extension at ground floor level and first floor extension.	The application would not cause material harm to the setting of the area. That the scale and bulk of the extensions to the building were appropriate; That the proposal would support the extension of a family house.

3. CONSIDERATION OF DEFERRED ITEMS

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

PA/14/0180711, Havannah Street, LondonE14 8NA

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

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

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

4. PUBLIC SPEAKING

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

5. RECOMMENDATION

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

Agenda Item 5.1

Committee: Development Committee	Date: 19 th November 2014	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director of Development and Renewal	Title: Planning Application
Case Officer: Angelina Eke	Ref No: PA/14/01807
	Ward: Canary Wharf

1. APPLICATION DETAILS

Location:	11 Havannah Street, London E14 8NA
Existing Use:	Residential
Proposal:	Conservatory extension at ground floor level and first floor extension.
Drawing and documents:	01; 02; 03 rev P1; 11 rev P2; 12 rev P3; Design and Access Statement, prepared by Ankur Architects dated July 2014
Applicant:	Ms Anne Choudhury
Ownership:	Ms Anne Choudhury
Historic Building:	N/A
Conservation Area:	N/A

2. BACKGROUND

- 2.1. The application proposal was reported to the Development Committee on 15th October 2014 with officer's recommendation for **REFUSAL**.
- 2.2. Officers recorded that Members were minded to Approve planning permission for the conservatory extension at ground floor level and first floor extension on the following grounds:
 - The application would not cause material harm to the setting of the area.
 - That the scale and bulk of the extensions to the building were appropriate;
 - That the proposal would support the extension of a family house.
- 2.3. In accordance with Development Procedural Rules, the application was deferred to enable officers to prepare a deferral report setting out and providing commentary on the detailed reasons for approval and conditions on the application.

3. COMMITTEE'S PROPOSED REASON FOR APPROVAL

In regard to the following grounds:

- The application proposal would not cause material harm to the setting of the area.
 - That the scale and bulk of the extensions to the building were appropriate;
- 3.1 The application property is a two storey end of terrace house with an existing ground floor extension. It lies within a predominantly residential area comprising similar style two storey residential buildings arranged in uniformly arranged clusters. The development is surrounded by various mid and high rise flatted developments.
- 3.2 In terms of the architectural style of the house, it forms part of a 1960's residential development built in multi-red and grey colour bricks, and the buildings have horizontal emphasis between ground and first floor are often differentiated by concrete spandrel band at mid height and flat roofs with deep fascia's.
- 3.3 The proposal is for a ground floor conservatory extension to the northern elevation of the two storey end of terrace house. It would measure 2.5 metres in width and 7.0 metres in depth, featuring a shallow pitched roof to a height of 2.5 metres. The proposed extension incorporates the area between the main dwelling house and the outer perimeter garden wall and it will be used as enclosed amenity space.
- 3.4 The proposal is for a first floor extension measuring 3 metres in width and 5.5 metres in depth featuring a flat roof similar to the existing. The proposal would be finished in timber cladding with UPVC windows. At first floor level, the proposal incorporates a new first floor window on the front elevation to serve the existing bedroom (bedroom 2). The proposed first floor addition would provide both a bedroom and en-suite toilet.
- 3.5 In the previous report dated 15th October 2014, Officers' raised no objection in principle to the conservatory extension subject to a high quality finish being achieved. Subject to members approval, it was considered that the details relating to materials and finishes could be secured by way of a condition to ensure that a high quality development results.
- 3.6 However, officers considered that the principle of the first floor extension was unacceptable on design grounds, resulting in an inappropriate form of development that would detract from the appearance of the host building by virtue of a continuous building frontage being created at first floor level. Given the design concerns, officers were of the opinion that the overall bulk, mass and scale of the built form would be overbearing, resulting in a harmful visual impact on the street scene and immediate locality.
- 3.7 Members have given greater weight to the surrounding context and backdrop of the site which includes a variety of taller developments, with varied architectural style. It was considered that the application proposal would appear modest in scale when viewed against the wider context, and this would diminish its visual impact within the wider street scene. Members have also taken account of the end of terrace location and the fact that it offered scope for a different type of elevation treatment. It was considered that the applicant's aspiration to enlarge the property could be accommodated without undermining the overall Council's policy objectives to achieve good design in new developments.

- 3.8 In respect of the materials proposed, officers have set out their concerns with regard to the introduction of timber cladding on grounds that this would fail to harmonise successfully with the host building and street scene. Again, members were of the view that a more acceptable material could be agreed with the applicant and that could be secured by condition to ensure a high quality finish resulted in accordance with policy 7.4 of the London Plan, Policy SP10 of the Adopted Core Strategy (2010) and Policies DM23 and DM24 in the Managing Development Document (2013) and guidance within the National Planning Policy Framework (2012).
- 3.9 In relation to the proposal supporting of an extension to a family house, the application proposal seeks to add a further bedroom at first floor and officers have previously indicated in the previous committee report that they have no objections to the principle of enlarging the family accommodation, which meets the objectives of Policy DM4 in the Managing Plan Document (2013).
- 3.10 If Members are minded to approve planning permission for this scheme, then the following Conditions are suggested:
- 1) The development hereby permitted shall begin no later than three years from the date of this decision.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended). That the development hereby permitted shall be carried out in accordance with the approved plans
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.
 - 3) Full details of the proposed facing materials to be used in the construction of the external surfaces of the extension shall be submitted to and approved by the LPA in writing.

Reason: Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy SP10(4) of the Tower Hamlets Core Strategy 2010.

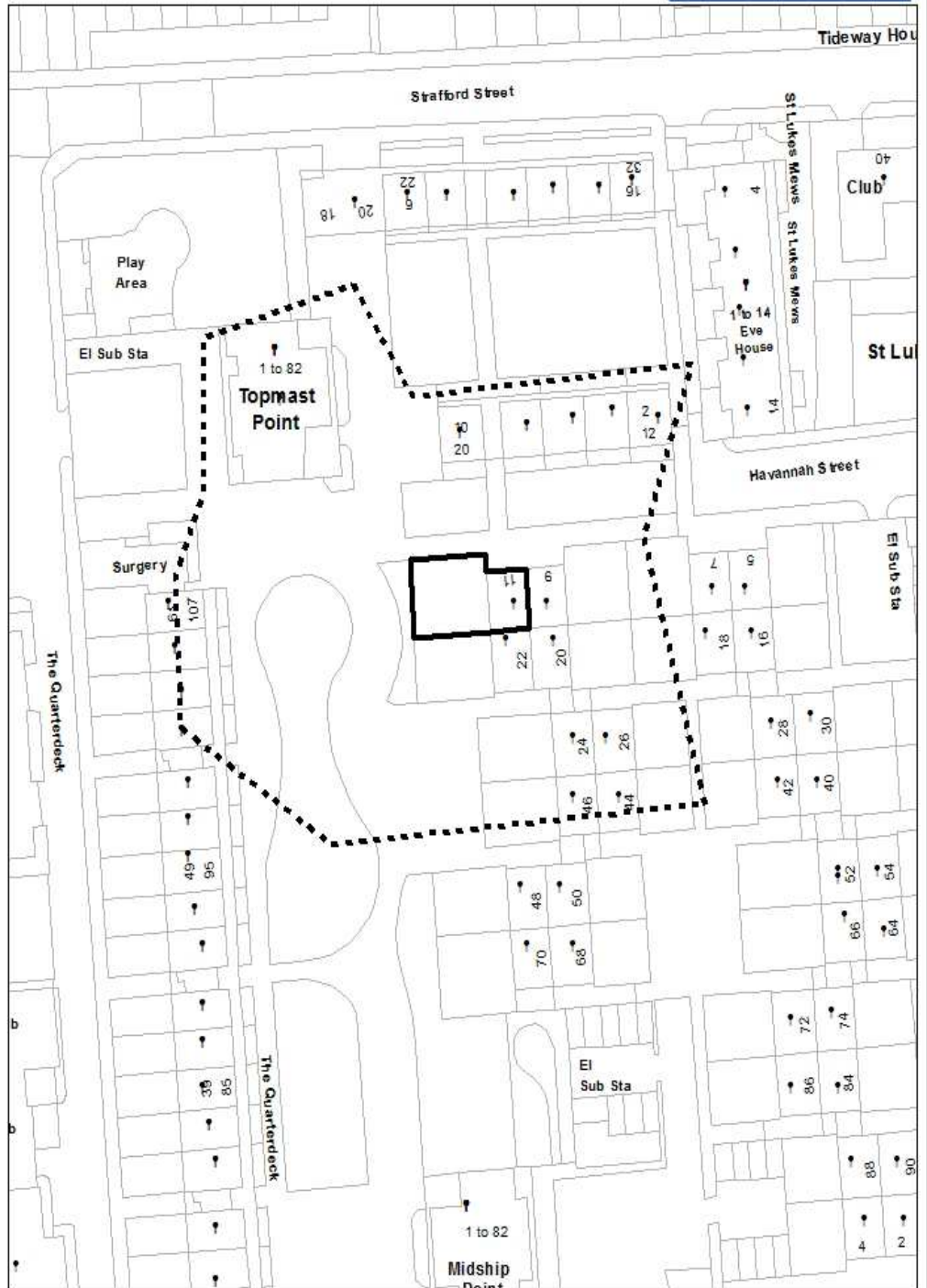
4.0 RECOMMENDATION

- 4.1 Officers' original recommendation as set out in the officers' report for Development Committee on 15th October 2014 to refuse planning permission for the proposal remains unchanged.
- 4.2 However, if Members are minded to approve planning permission for this scheme, then the proposed conditions are set out above.

5.0 APPENDIX

- 5.1 Appendix One – Report to Development Committee dated 15th October 2014 (Agenda item 6.3).

Planning Application Site Map
PA/14/01807



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address
Consultation Area	Statutory Listed Buildings	OSLine



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

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Committee: Development Committee	Date: 15 th October 2014	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director of Development and Renewal	Title: Planning Application
Case Officer: Angelina Eke	Ref No: PA/14/01807
	Ward: Canary Wharf

1. APPLICATION DETAILS

Location:	11 Havannah Street, London E14 8NA
Existing Use:	Residential
Proposal:	Conservatory extension at ground floor level and first floor extension.
Drawing and documents:	01; 02; 03 rev P1;11 rev P2; 12 rev P3; Design and Access Statement, prepared by Ankur Architects dated July 2014
Applicant:	Ms Anne Choudhury
Ownership:	Ms Anne Choudhury
Historic Building:	N/A
Conservation Area:	N/A

2. BACKGROUND

- 2.1 This planning application was originally scheduled to be reported under Item 6.3 of the Agenda for Development Committee on 15th September 2014 with Officers' recommendation for **REFUSAL** for the following reason:
1. The proposed first floor addition by reason of its bulk, mass and scale including design would be an inappropriate form of development that would detract from the appearance of the original dwelling and the continuous frontage created by the first floor addition would be overbearing and have a detrimental impact on the street scene. The scheme would appear as an incongruous addition that fails to accord with policy 7.4 in the London Plan, Policy SP10 in the Adopted Core Strategy (2010) and Policies DM23 and DM24 in the Managing Development Document (2013) and guidance within the National Planning Policy Framework (2012).
- 2.2 The application was withdrawn from the 15th September 2014 Development Committee Agenda due to the consultation boundary being different from the previously withdrawn application. Since then, officers have carried out extended consultation for a period of 14 days.

- 2.3 On 16/09/2014, additional 112 neighbour notification letters were sent out to adjoining and nearby residents. The consultation period expired on 30th September 2014 and no additional representations have been received at the time of writing this report.
- 2.4 The previously published report made the following references:
- “Two letters of representation were received objecting to the proposal, including two objection letters from local ward councillors. One petition letter was received to support the proposal containing 52 signatures “.*
- 2.5 The paragraph contained errors and should have noted that only one objection letter was received. The objector raised concerns about the overall design of the proposal as well as the unsuitability of the materials proposed, that the proposal represented overdevelopment of the site and that it would cause noise, dust and inconvenience to neighbours. The objectors concerns are dealt with in the ‘design and amenity’ sections of this report.
- 2.6 In respect of the representations submitted in support of the application, this also contained errors. The petition letter received had 50 signatures from local residents. Additionally, a local ward councillor submitted a letter in support of the proposal and a letter of support was also received from a Member of Parliament.
- 2.7 These details are corrected and are in paragraph 5.16 of this report.

EXECUTIVE SUMMARY

- 2.8 The Local Planning Authority has considered the particular circumstances of this application against the Development Plan, national, regional and local guidance and other material planning considerations as set out in this report and recommends the refusal of planning permission for the reasons set out in the ‘Material Planning Considerations’ and ‘Recommendation’ section of this report.
- 2.9 The application is for a proposed ground floor conservatory extension to the northern elevation of the property and first floor extension (to side and rear of the property) as a combined development.
- 2.10 Officers have considered the proposal and are of the opinion that the ground floor conservatory extension would be acceptable in principle subject to a high quality finish being achieved. However, the proposed first floor addition would by reason of its bulk, mass and scale including design result in an inappropriate form of development that would detract from the appearance of the original dwelling. Furthermore, the continuous frontage created by the main house with the extended element would be visually overbearing and harmful to the street scene. On balance, the scheme would appear as an incongruous addition that fails to accord with policy 7.4 of the London Plan, Policy SP10 of the Adopted Core Strategy (2010) and Policies DM23 and DM24 in the Managing Development Document (2013) and guidance within the National Planning Policy Framework (2012).

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to **refuse** planning permission on the grounds of the reason below:

- 3.2 The proposed first floor addition would by reason of its bulk, mass and scale including design would be an inappropriate form of development that would detract from the appearance of the original dwelling and the continuous frontage created by the first floor addition would be overbearing and have a detrimental impact on the street scene. The scheme would appear as an incongruous addition that fails to accord with policy 7.4 in the London Plan, Policy SP10 in the Adopted Core Strategy (2010) and Policies DM23 and DM24 in the Managing Development Document (2013) and guidance within the National Planning Policy Framework (2012).

4.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 Planning permission is sought for a ground floor conservatory extension to the northern elevation of the two storey end of terrace house that would measure 2.5 metres in width and 7.0 metres in depth, featuring a shallow pitched roof to a height of 2.5 metres. The proposed extension incorporates the area between the main dwelling house and the outer perimeter garden wall and it will be used as enclosed amenity space.
- 4.2 The application also seeks planning permission for a first floor extension measuring 3 metres in width and 5.5 metres in depth featuring a flat roof similar to the existing. The proposal would be set back by 50mm from the frontage of the main house and finished in timber cladding with UPVC windows. At first floor level, the proposal incorporates a new first floor window on the front elevation to serve the existing bedroom (bedroom 2). The proposed first floor addition would provide both a bedroom and en-suite toilet.

Site and Surroundings

- 4.3 The application premises forms part of a 1960's residential development built in multi-red and grey colour bricks, and the buildings have horizontal emphasis between ground and first floor are often differentiated by concrete spandrel band at mid height and flat roofs with deep fascias.
- 4.4 The site lies in a predominantly residential area comprising similar style two storey properties arranged in clusters and it is surrounded by various mid and high rise flatted developments.
- 4.5 The site is not listed nor does it lie within a conservation area. The site lies within Flood Risk Zone 2 and 3.

Relevant Planning History

- 4.6 **PA/14/01105:** Single & double storey extension at the rear. The application was withdrawn on 16/06/2014.
- 4.7 **PA/14/00384:** Single & double storey extension at the rear. The application was withdrawn on 16/06/2014.
- 4.8 **PA/10/01313:** Full planning permission for erection of a single storey rear extension with bedroom and shower room. Approval dated 06/05/2011. This has been implemented.

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 Government Planning Policy Guidance/Statements

- National Planning Policy Framework (March 2012) (NPPF)
- National Planning Practice Guidance (March 2014)

5.3 Spatial Development Strategy for Greater London - Revised Early Minor Alterations to the London Plan October 2013 (LP)

5.21: Contaminated Land

7.4: Local Character

7.6: Architecture

5.4 Tower Hamlets Core Strategy (adopted September 2010) (CS)

SP02: Urban Living for everyone

SP04 (5): Reducing the Risk and Impact of flooding

SP09: Creating Safe and Attractive Streets

SP10: Creating Distinct and Durable Places

5.5 Managing Development Document (adopted April 2013) (MDD)

DM12: Water Spaces

DM24: Place Sensitive Design

DM25: Amenity

DM30: Contaminated Land & Development and storage of hazardous substances

5.6 Other Relevant Documents

N/A

CONSULTATION RESPONSE

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

5.8 The following were consulted regarding the application:

Head of Building Control

5.9 No comments received

Environment Agency

5.10 No objections

Environmental Health

- 5.11 The observation received acknowledges that the site is contaminated and a condition is advised to ensure that the applicant contacts the Council's Environmental Health Team if any suspected contamination or odorous ground conditions are encountered.

[Officer's response: Should the Council be minded to approve the scheme, this requirement can be addressed by way of a condition]

Urban Design and Conservation

- 5.12 Concerns expressed that the proposed first floor extension would appear incongruous as it would not be sufficiently subordinate to the host building and would be detrimental to the character and appearance of the area.

NEIGHBOURS REPRESENTATIONS

- 5.13 In respect of the initial planning notification letters sent out, a total of 115 neighbour notifications were sent out to nearby properties. One letter of objection was received.

A summary of the objections received

- 5.14 That the proposal would be out of character resulting in overdevelopment of the site and the proposed extent of cladding is extensive and would detract from the building elevation.

[Officer's response: The proposal was considered by the Council's Urban Design and Conservation Team, who advised that the first floor extension would not be subservient to the main building. Overall, the first floor extension was considered to result in an unsympathetic addition to the host building. This matter is to be assessed in more detail in the material planning considerations section of the report. Officers have considered the objection made on grounds that the proposal would result in the overdevelopment of the site. It is not considered that this will be the case. In respect of the concerns raised about noise, dirt and inconvenience, should members be minded to grant planning permission for the proposal, these concerns can be addressed by way of a condition.]

- 5.15 A petition letter (with 50 signatures from local residents) was received in support of the proposal. Two letters of support were received, one from a local Ward Councillor and the other from a Member of Parliament.

A summary of the supporting comments received

- 5.16 That the applicant has a genuine need to extend her premises and that what is proposed would be in keeping with the other properties that have four bedrooms within the Alpha Grove area and it will not harm the street scene.

[Officer's response: Whilst officers have recognised the needs of extended families, this does not outweigh concerns raised by officers with regards to the design merits of the overall scheme. Officers are unaware of any properties in the locality that benefit from similarly designed extensions.]

- 5.17 At the time of writing this report, no further representations have been received in respect of the additional consultations carried out. However, should any further representation be made, this will be reported to Development Committee in a further updated report.

6.0 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the application that the committee must consider relate to:

- Land Use
- Design – impact of the extensions on the character and appearance of the host building and street scene.
- Amenity—the impact on neighbouring properties
- Highways

Land Use

6.2 This application would have no land use implications as the property is to remain as a single family dwelling house (Class C3).

Design

6.3 The National Planning Policy Framework (NPPF) sets out the Government planning policies for England and how these are expected to be applied. The NPPF constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.

6.4 The NPPF sets out twelve core planning principles which "should underpin both plan-making and decision-taking." These stipulate that, amongst other matters, planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.' Specific advice on design is also provided in Section 7 '*Requiring Good Design*' in which it states that '*good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*' Furthermore, development should 'respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.'

6.5 Policy 7.4, 'Local Character' in the London Plan requires new developments to have regard to the local architectural character in terms of form, massing, function and orientation and which makes a positive contribution to the character of a place.

6.6 Further emphasis on preserving the local character and distinctiveness of an area is set out in Policy 7.6 in the London Plan in its requiring local authorities, to seek to maintain and enhance the contribution of built, landscaped and buried heritage to London's environmental quality, cultural identity and economy, as part of managing London's ability to accommodate change and take account of the topography of an area.

6.7 Policies SP09, SP10 and SP12 in the Core Strategy 2010 and policies DM23 and DM24 in the Managing Development Document (2013) seek to ensure developments are designed to the highest quality standards, using appropriate materials and incorporating principles of good design, to ensure development is sensitive to and enhances the site and local character of the surrounding area.

6.8 The application building is a two storey end of terrace house with an existing ground floor extension. The existing ground floor extension (approved under PA/10/01313) measures approximately 7.1 metres in depth, 3.5 metres in width and 2.7 metres in

height. There is a rear shed within the garden area and a side door along the northern elevation of the building which provides access to the rear garden.

Impact of the proposal on the host building and street scene

- 6.9 As noted above, both national and local policies including guidance place great importance on the design of the built environment, and the integration of the development within the surrounding built context. The existing house is arranged in a small cluster and it occupies a corner plot with an adjoining side walk. The front of the house is visible from the adjoining side walk and the open space at the front of the residential flats immediately opposite the site [2-20(even) Havannah Street]. The rear of the property overlooks a large hard landscaped area off Havannah Street, which leads to the Quarterdeck residential development. There is a large multi-storey residential block to the North West of the application site (flats 1-82(Inc.) Top Mast Point).
- 6.10 With regards to the ground floor conservatory extension, this is proposed within a small gap along the northern elevation of the house and the outer garden wall, which is approximately 2 metres in height. The applicant intends to extend the boundary wall and enclose the external amenity space with glazing so as to create an enclosed amenity space. The proposed extension will be a subservient addition to the house and there are no objections to the bulk, mass, scale or the proposed design. The materials proposed will be sympathetic to the host building and therefore is acceptable in townscape terms.
- 6.11 The proposed first floor extension will result in almost double the frontage of the existing house (which has a 6.2 metre frontage). The applicant has confirmed that the depth of the first floor extension will be 5.5 metres, and it will be set in from the rear edge of the ground floor extension by approximately 1.6 metres. It will continue the existing flat roof design; however the roofline to the extension will be set below the existing ridge height of the dwelling house. As designed, the extension would incorporate a setback of 50mm from the front wall of the house; however, the side to side relationship between the frontage of the building and the extended element would create an impression of a continuous and dominant frontage at street level. Two new window openings are proposed on the first floor elevation and would be constructed from materials to match the existing window. A new window is also proposed on the front elevation to provide natural lighting to bedroom 2 as the existing rear window is to be blocked off to facilitate the first floor extension.
- 6.12 The proposed first floor extension is to be faced in timber cladding and officers have raised concerns with regard to the facing material proposed. The facing materials proposed do not reflect that of the host building, which would further compound the unbalancing effect on the front elevation of the property. Officers conclude that the timber cladding proposed fails to harmonise successfully with the host building and street scene.
- 6.13 In line with the principles of good design, officers consider that the resulting form of the extension should be designed to appear subordinate to the original house and be in keeping with the street scene. Whilst it is recognised that the applicant has sought to achieve integration at first floor extension by varying the facing material, officers remain of the view that the creation of a continuous frontage on Havannah Street would have a detrimental impact on the visual appearance of the host building and detract from the overall character of the residential complex. The proposal by the same token would have a detrimental overbearing relationship with the street scene and set an unwelcome precedent that would make it difficult to resist future

extensions like this in the locality. Overall, the bulk, mass and scale of the resulting built form would not result in a subservient addition and would fail to relate well to the original building.

- 6.14 Whilst there are no objections in principle to the ground floor conservatory extension, officers consider that the combined proposal would form an incongruous addition to the host building. Furthermore, the continuous and dominant frontage created by the new first floor addition would unbalance the visual integrity of the host building within the residential complex. The resulting built form would have a harmful impact on the character and appearance of the street scene contrary to policy 7.4 of the London Plan, Policy SP10 of the Adopted Core Strategy (2010) and Policies DM23 and DM24 of the Managing Development Document (2013), and guidance within the National Planning Policy Framework (2012), which seek to ensure a high quality design in new developments which respond well to the surrounding context.

Amenity

- 6.15 Policy SP10 of the adopted Core Strategy (2010) and policy DM25 of the Managing Development Document seek to safeguard the amenity of existing and future residents from unreasonable reduction in the prevailing levels of sunlight/daylight, reduction in outlook, or any unreasonable sense of enclosure or noise. The main amenity impacts are likely to be perceived by the residential unit at 22 Havannah Street.

Privacy/Outlook

- 6.16 Due to the separation distances between the application site and the adjoining properties, it is considered that the proposal would not unduly impact on privacy levels nor would it lead to any undue impacts in terms of outlook or unacceptable impacts on the sense of enclosure to surrounding properties.

Daylight/Sunlight

- 6.17 Due to the separation distances between the application site and adjoining properties, it is considered that the proposal would not have any harmful impacts in terms of loss of daylight and sunlight to surrounding properties.

External Amenity Space

- 6.18 The application building has a moderate sized garden and the proposal would not affect this.

Highways

- 6.19 The application proposal would have no highway impacts.

7 Human Rights Considerations

- 7.1 In determining this application, the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determinations of this application, members should consider the following:-

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by the law in the determination of a person's civil and political rights (Convention Article 6). This includes

property rights and can include opportunities to be heard in the consultation process;

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

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

7.3 Were Members not to follow Officers' recommendation, they would need to satisfy themselves that any potential interference with Article 8 rights will be legitimate and justified.

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

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

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

7.7 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified.

8 Equalities

8.1 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out

may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

8.3 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

8.4 Conclusion

8.5 All other relevant policies and considerations have been taken into account. Planning permission should be **refused** for the reasons set out in RECOMMENDATION section of this report.

Planning Application Site Map
PA/14/01807



- Planning Application Site Boundary
- Consultation Area
- Locally Listed Buildings
- Statutory Listed Buildings
- Land Parcel Address
- OS Line



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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Agenda Item 6

Committee: Development	Date: 19 th November 2014	Classification: Unrestricted	Agenda Item No:
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 HEAD OF 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 London Plan 2011
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
 - the Managing Development Document adopted April 2013
- 3.2 Other material policy documents include the Council's Community Plan, supplementary planning documents, government planning policy set out in the National Planning Policy Statement and planning guidance notes and circulars.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the Development Plan unless material planning considerations support a different decision being taken.

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

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

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 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 the relevant Agenda Item.

5. RECOMMENDATION

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

Agenda Item 6.1

Committee: Development Committee	Date: 19 th November 2014	Classification: Unrestricted
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Report of: Director of Development and Renewal	Title: Applications for Planning Permission
Case Officer: Shahara Ali-Hempstead	Ref No: PA/14/00623
	Ward: Bow East

1.0 APPLICATION DETAILS

Location: Land at rear of 81-147 Candy Street And Wendon Street, London, E3

Existing Use: Brown field and residential land

Proposal: Demolition of existing garages and 2 bungalows and the construction of 45 residential dwellings (15 x 1 bed, 15 x 2 bed, 9 x 3 bed and 6 x 4 bed) with associated infrastructure provision.

Drawings: AA3313 /IJK/2.3/001, AA3313 /IJK/2.3/002, AA3313 /IJK/2.3/003, AA3313 /IJK/2.3/004, AA3313 /IJK/2.3/005, AA3313 IJK/2.0/001, AA3313/IJK/2.1/001, AA3313/IJK/2.1/001, AA3313/IJK/2.1/002, AA3313/IJK/2.1/003, AA3313/IJK/2.1/004 Rev B, AA3313/IJK/2.1/005 Rev A, AA3313/IJK/2.1/006 Rev A, AA3313/IJK/2.1/007, AA3313/IJK/2.1/008 and AL3386_2.1_101

Document:

- Planning Statement by PRP Planning Dated March 2014
- Design and Access Statement by PRP Architects
- Air Quality Assessment by Resource & Environmental Consultants Ltd, Dated 24 July 2013
- Transport Statement by Transport Planning Consultants, Dated November 2013
- Energy Statement by PRP Environmental, Dated 6 March 2014
- Daylight levels document
- Daylight and Sunlight Assessment by Calfordseaden, Dated March 2014
- Code for Sustainable Homes Pre-Assessment by PRP Environmental, Dated 4 March 2014
- Code for Sustainable Homes Ecology Report by Landscape Planning Ltd, Dated

- September 2013
- Tree Survey and Arboricultural Impact Assessment by Hayden's Arboricultural Consultants Limited, Dated 19 August 2013
- Noise Vibration Statement by Airo, Dated 3 October 2013
- Ecological Appraisal by Landscape Planning Ltd, Dated September 2013

Applicant: Old Ford Housing Association
Ownership: Old Ford Housing Association
Historic Building: None
Conservation Area: No

2.0 EXECUTIVE SUMMARY

- 2.1 The report considers an application for demolition of existing garages and 2 bungalows on site and to redevelop the site to provide a residential development of 45 new dwellings arranged over three blocks of between two and six storeys in height.
- 2.2 The officers have considered the particular circumstances of this application against the provisions of the Local Plan and other material considerations as set out in this report, and recommend approval of planning permission.
- 2.3 The development would result not only in re-provision of the existing affordable units on site but also additional affordable housing, providing a 100% affordable scheme.
- 2.4 The residential quality of the scheme would be very high. Out of the 45 affordable rented units 33% would be of a size suitable for families. The family-sized units would be provided as a mix of three and four units. A large proportion of these units would be provided as townhouses with sizeable private amenity space and individual front doors. All of the proposed units would meet or exceed the floorspace and layout standards with family sized units being more spacious. All affordable rented units would be provided with separate kitchens and living/dining rooms. All of the dwellings would meet Code of Sustainable Homes and Lifetime Homes standards and 10% would be provided as wheelchair accessible. All but 2 of the proposed 45 units would be dual aspect.
- 2.5 The proposal would be acceptable with regard to highway and transportation matters including parking, access and servicing.
- 2.6 The amenity impact of the development would be acceptable. Officers consider that the design of the development, massing of the site minimise any adverse amenity impacts.
- 2.7 The design of the scheme as a whole, including the proposed massing, siting, architectural design and response to the site's setting, is of a high quality. The proposed heights do not cause concern. High quality materials and detailing would be used throughout.

2.8 The scheme would provide a financial contribution towards education facilities in the Borough. Nevertheless, the financial obligations proposed would not fully mitigate the impact of the development proposal, in particular with regard to provision of education, healthcare and open space. Having taken into account the provision of 100% affordable scheme and the results of the independently reviewed viability assessment, officers consider that, on balance, the substantial public benefits and the regenerative potential of the proposal outweigh the proposal's inadequacies with regard to the mitigation of all of the infrastructure impacts of the development.

3.0 RECOMMENDATION

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

3.2 Any direction by the London Mayor.

3.3 The prior completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) within three months of the date of this resolution, to secure the following planning obligations:

3.4 Financial Obligations:

A contribution of £95,523 towards education facilities

3.5 Non-financial Obligations:

- a) Affordable housing 100% by habitable room (45 units)
 - 69% Affordable Rent at Borough Framework affordable rental levels (31 units)
 - 31% Intermediate Shared Ownership (14 units)
- b) Access to employment
 - 20% Local Procurement
 - 20% Local Labour in Construction
- c) Car free agreement
- d) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

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

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

3.6 Conditions:

1. Three year time limit
2. Compliance with approved plans and documents
3. Samples and details of all facing materials
4. Details of hard and soft landscaping, including boundary treatment and a Landscaping Management Plan
5. Archaeological

6. Detail of easement area within Block K
 7. Pedestrian access points to be level or gently ramped
 8. Details of play equipment
 9. Details of rooftop PV array
 10. Details of biodiversity enhancement measures
 11. Details of drainage and mitigation of surface water run-off
 12. Details of elevation treatment of the winter gardens of Site K, adjacent to the pedestrian bridge
 13. Details of all Secure by Design measures
 14. Details of safety mirrors
 15. Hours of construction and demolition
 16. Demolition and Construction Management Plan
 17. Delivery and Servicing Management Plan
 18. Contamination
 19. Parking Management Plan
 20. Code for Sustainable Homes Level 4 post completion testing
 21. Lifetime Homes
 22. Compliance with Energy Statement
 23. Details of cycle parking
 24. Details of ventilation and Vibration levels
 25. Details of piling, all below ground works and mitigation of ground borne noise
 26. Ground borne noise post-completion testing as requested
 27. Scheme of highway improvement works as requested by LBTH Highways
 28. Protection of retained trees
- 3.7 Any other conditions considered necessary by the Corporate Director Development & Renewal.
- 3.8 Informatives:
1. Subject to a S106 agreement
 2. Thames Water standard informative
 3. Building Control
 4. CIL
- 3.9 Any other informatives considered necessary by the Corporate Director Development & Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1 The application site is a strip of land that sits behind the properties at 81-147 Candy Street and Wendon Street within Bow East ward. The site forms part of the much larger Parkside residential estate managed by Old Ford Housing Association. The site is bounded to the East by the A12 Blackwall Tunnel Northern Approach arterial road and to the north by the Hertford Union Canal and Victoria Park.
- 4.3 The site is largely vacant brownfield land with five garages, and on the southern part of the site, two semi-detached bungalows. The site does not have any specific policy designations and is located within a predominantly residential area. The site is located to the west of the A12, which is a main arterial route through east London. There is a strip of vegetated land between the site and the A12 that provides a visual barrier and noise buffer.

- 4.4 The site is adjacent to the four storey 1960's block of flats on Candy Street fronting the open space of the square, an area that has recently seen significant regeneration and inclusion of child play space and enhanced communal amenity value.
- 4.5 The site is also adjacent to the footbridge that connects to Fish Island and the wider Olympic Park. No part of the application site falls within the curtilage of a listed building or within a conservation area.
- 4.6 Within a distance of 150m from either end of the overall site are number local bus stops which are served by the Nos. 276 and 488 bus routes with direct connections to Stratford, Hackney and Canning Town. No. 8 bus route towards Bethnal Green and Central London. Hackney Wick Station, part of the London Overground network is a 10-15 minute walk away, with eastbound connections to Stratford and westbound connections across the entire network. The site has a Public Transport Accessibility Level (PTAL) of 2.

Planning History and Project Background

None

Proposal

- 4.7 Full planning permission is sought for demolition of existing garages and 2 bungalows on site and erection of a residential development of 45 new dwellings (15 x 1 bed, 15 x 2 bed, 9 x 3 bed and 6 x 4 bed) arranged over three sites consisting between two and six storeys in height with associated infrastructure provision.
- 4.8 All 45 proposed units would be provided as affordable units (31 for affordable rent and 14 intermediate). Out of the 31 affordable rented units, 33% would be suitable for families. A large proportion of these family sized affordable units would be provided as townhouses.

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 Government Planning Policy

National Planning Policy Framework 2012

5.3 London Plan 2011 with Revised Early Minor Alterations published 11/10/2013

- 2.9 - Inner London
- 2.14 - Areas for regeneration
- 2.18 - Green infrastructure: the network of open and green spaces
- 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
- 3.13 - Affordable housing thresholds
- 4.12 - Improving 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
- 5.9 - 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
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 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
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.18 - Protecting local open space and addressing local deficiency
- 7.19 - Biodiversity and access to nature
- 7.21 - Trees and woodland
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero-carbon borough
- SP12 - Delivering placemaking (Bow)
- SP13 - Planning Obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering Sustainable Development
- DM1 - Development within the town centre hierarchy
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM13 - Sustainable drainage
- DM14 - Managing Waste
- DM20 - Supporting a sustainable transport network
- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place sensitive design
- DM25 - Amenity
- DM27 - Heritage and the historic environments
- DM29 - Achieving a zero-carbon borough and addressing climate change
- DM30 - Contaminated Land

5.6 **Supplementary Planning Guidance/Documents and Other Documents**

Mayor of London

- Further Alterations to the London Plan - Draft (2014)
- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- Shaping Neighbourhoods: Character and Context - Draft (2013)
- Sustainable Design and Construction - Draft (2013)
- Sustainable Design and Construction (2006)
- Accessible London: Achieving an Inclusive Environment (2004)
- Planning for Equality and Diversity in London (2007)
- All London Green Grid (2012)
- East London Green Grid Framework (2008)
- Housing (2012)
- London Planning Statement - Draft (2012)

Other

- Planning Obligations SPD (LBTH 2012)
- Affordable Housing SPD - Engagement Version (LBTH 2013)
- By Design 'Urban Design in the Planning System: Towards Better Practice' (CABE 2000)

5.7 **Tower Hamlets Community Plan objectives**

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

6.0 CONSULTATION RESPONSE

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The summary of consultation responses received is provided below.

6.2 The following were consulted regarding the application:

External Consultees

London Fire and Emergency Planning Authority

6.3 No information directly related to water supply has been provided.

6.4 [OFFICER COMMENT: Full details have been reserved by condition and would be approved in consultation with the London Fire and Emergency Planning Authority.]

Thames Water

Waste Comments

6.5 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

6.6 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

6.7 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

6.8 Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 8507 4890 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality<<http://www.thameswater.co.uk/wastewat>

[erguality](#)>. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Water comments

- 6.9 Thames Water recommends informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Supplementary Comments

- 6.10 To the north of the site adjacent to the proposed development is Wick Lane Depot. This is a Thames Water Asset. The company will seek assurances that it will not be affected by the proposed development. On the Map a blue outlined box shows the assets, and the proposed development area is identified by a red outlined box.
- 6.11 [OFFICER COMMENT: The requested condition and informative will be secured

Internal Consultees

Biodiversity

- There is nothing of significant biodiversity value on the application site, and the existing buildings have been assessed as being unsuitable for bats. There will not, therefore, be any significant biodiversity impacts.
 - The proposed landscaping includes a number of silver birch trees, a native species of high wildlife value. The rest of the planting consists of evergreen hedge, and shrub planting in beds and planters.
 - The applicant should be asked to consider installing biodiverse green roofs, in line with the guidance on living roofs published by Buglife. This would be a significant benefit for biodiversity, and would contribute to objectives and targets in the Local Biodiversity Action Plan.
- 6.12 [OFFICER COMMENT: The proposal includes the installation of photovoltaic array to the roof as such the installation of a green roof would not be feasible.]

Trees Officer, Parks & Open Spaces

- 6.13 The location for the development does not fall within the boundary of a Conservation Area and no TPO*s are applied.
- 6.14 The trees at this location are of average form, can only be seen by a relatively small number of people, have no known historical association and are not screening any unpleasant views. Nevertheless, they are important in the larger composition, provide many environmental benefits and have an amenity value (in the region of £4000 in total).
- 6.15 Therefore, if removed, suitable replacements should be planted to compensate for these losses.

- 6.16 All removal/replacement works should follow the guidelines in the relevant British Standard documents.
- 6.17 [OFFICER COMMENT: The proposed works would cover removal and replacement of trees, details of all tree works will be covered under the landscaping condition.]

Environmental Health - Noise and Vibration

- 6.18 The following Environmental Noise and Vibration Survey Reports by AIRO i) dated 25/06/2012 ii) dated 03/10/2013 has been reviewed, The contents of both requires more information and clarification. Accordingly the Design/Layout/Noise Barrier & calculations /suitable glazing with adequate ventilation needs to be provided, since this is a NEC *D* site so as to meet BS 8233 internal levels of the 'good'standard.
- 6.19 The Vibration levels needs to demonstrate that levels meet BS6472 of the low probability of adverse comments both for day and night. EH is not able to recommend Planning Permission in this format, until all the additional information and clarification are provided.
- 6.20 [OFFICER COMMENT: It is considered that sufficient mitigation measures can be employed to minimise adverse noise impacts. A condition will be secured to ensure this is implemented.]

Environmental Health - Housing

- 6.21 Standard comments were provided with relation to thermal insulation, heating and ventilation of the dwellings as well as automatic fire detection and alarm systems.
- 6.22 [OFFICER COMMENT: These areas are appropriately controlled under the Building Regulations and Building Control approval would be required]

Transportation and Highways

- 6.23 Subject to the below matters being secured through S106 or conditions, Highways has no objection to the application:
- Car Parking Management Plan
 - Construction Management Plan
 - Deliveries and Servicing Plan
 - Scheme of highway works (S278)
 - All areas to be drained within the site
 - 'Car free'

CAR PARKING:

- 6.24 The site is located in an area of good public transport accessibility (PTAL2 2) and should be subject to a s106 agreement prohibiting all occupants of the development from obtaining residential on-street car parking permits.
- 6.25 The applicant is providing eight (8) parking spaces with six (6) of them being disabled parking. There is a large open courtyard fronting the site, which can lead to abuse and used for car parking. A planning condition may be required to prevent such; parking of cars should be carried out only on marked bays.

CYCLE PARKING:

- 6.26 The site is located near a range of cycle routes. The applicant is providing cycle stands within the curtilage of the site but it's unclear the total no of cycle stands being provided. In line with current LBTH policy and standards a total of 60 cycle stands is to be provided to serve the development. The applicant will be required to submit details of the cycle stands.

SERVICING

- 6.27 Servicing and refuse collection will be carried out off street, within the courtyard fronting the site. This is satisfactory.

- 6.28 [OFFICER COMMENT: The above comments are noted. Suggested conditions and planning obligations have been included]

Housing

- 6.29 This scheme proposes 100% affordable phased housing scheme, delivering 31 affordable rented units along with 14 intermediate units, This area is currently used for fly-tipping and anti-social behaviour. There are two bungalows that are to be demolished as part of this redevelopment. These existing residents will be rehoused as part of the redevelopment phased process.

- 6.30 The affordable rented unit breakdown is as follows:- 29% one bed units against 30%, 23% two bed units against our policy target of 25%, 29% of three bed units against our policy target of 30%, 19% of four bed units against our policy target of 15%.

- 6.31 Within the intermediate units the scheme provides 43% of one bed units against our policy target of 25%, 57% of two bed units against our policy target of 50%. There are no three bed units within this tenure type. The applicant seeks to provide 33% family housing across both affordable tenures.

- 6.32 We need to ensure that rear windows that face onto the busy A road have the required ventilation methods for example:- voltaic ventilation. All units should meet lifetime homes and the London Mayors Guide space standards.

[OFFICER COMMENT: The applicant has confirmed that all units will be provided with individual Mechanical Ventilation with Heat Recovery (MVHR) units, and as such windows to the rear will be non-operable and voltaic ventilation/trickle vents are not required to habitable rooms. The applicant has confirmed that all units will meet the life times homes standard a compliance condition will be secured.]

Inclusive Access Officer

- 6.33 The detailed floor layouts for the proposed wheelchair accessible units have been reviewed and following receipt of explanation are considered to be acceptable and to fully meet the appropriate requirements.

Employment and Enterprise

- 6.34 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce would be local residents of Tower Hamlets.

- 6.35 To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.
- 6.36 The Council seeks to secure a financial contribution of £9,400 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution would be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.
- 6.37 Due to the nature and scale of the proposed development, we would also be keen to secure apprenticeships.

[OFFICER COMMENT: The financial and non-financial obligations are discussed in paragraphs 8.132]

Energy Efficiency and Sustainability

- 6.38 The proposals have followed the London Plan energy hierarchy of Be Lean, Be Clear and Be Green, and sought to minimise CO2 emissions through energy efficiency and energy supply to achieve a 38% reduction in CO2 emissions against the benchmark of Building Regulations 2010. The proposal also includes the installation of (50kWp) photovoltaic array to further reduce emission.
- 6.39 The overall CO2 emissions reductions considered achievable for the development are 38% and the development has been designed to achieve a minimum Code of Sustainable Homes Level 4.
- 6.40 The proposed scheme it is recommended that a figure of £13,500 is sought for the LBTH carbon offset fund. The calculation for this figure is as follows:
- Building Regulation 2010 Baseline is 64.4 tonnes/CO2
 - Proposed development is at 39.7 tonnes/CO2
 - 50% DM29 reduction would therefore be 32.2 tonnes/CO2.
 - Shortfall to meet DM29 requirements = 7.5 tonnes/CO2 x £1,800 = £13,500 offset payment to meet current policy requirements.

[OFFICER COMMENT: These matters are discussed in paragraphs 8.107. Requested conditions have been included while the request for a financial planning obligation is discussed further in this report at paragraph 8.132]

Waste Collection

- 6.41 Waste management plan as explained in the design and access statement is acceptable.

[OFFICER COMMENT: This is noted]

7.0 LOCAL REPRESENTATION

Statutory Consultees

- 7.1 On 16th December 2013, a total of 407 letters were sent to occupiers of neighbouring properties, a site notice was displayed outside the application site, and a press advert was published in the East End Life Newspaper.

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

No of individual responses: Objecting: 3 Supporting: 0

No of petitions received: 0

7.3 The objection letters were received from existing residents of the bungalows and the Disability Advocate. The letters state that the objectors do not wish to be moved from their properties and would like to remain in the bungalows.

[OFFICER COMMENT: The two existing bungalows are to be demolished to make way for a six storey development. The applicant has advised that the two residents are to be rehoused within the development in accessible units.)

Applicant's Consultation

7.4 The applicant has provided information in relation to public consultation, the information details the extent of consultation that was undertaken prior to the submission of the application.

7.5 The applicant has organised a number consultation events. The proposals were first presented to the local community at a consultation event on Thursday 19th July 2012. A second consultation event was held on a Saturday 3rd November 2012 to allow residents who were unable to attend the weekday event to view the proposal. These events were advertised to all households within Candy Street, Ruston Street, Wendon Street, Old Ford Road and also Elton House.

7.6 In addition to the consultation events, the Parkside Residents Group was also consulted, 8 individual meetings were held with the group.

7.7 A separate consultation was undertaken with existing residents of the two bungalows to be demolished, visits to these residents were undertaken on 28 February 2013 and 20 July 2013 and 24 September 2013.

7.8 According to the consultation document submitted by the applicant, the proposals were generally received favourably.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Housing
- Design
- Amenity
- Transport, Access and Servicing
- Sustainability and Environmental Considerations
- Planning Obligations

Land Use

8.2 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic

approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles: an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure; a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and an environmental role – protecting and enhancing the natural, built and historic environment. These economic, social and environmental goals should be sought jointly and simultaneously.

- 8.3 Paragraph 9 of the NPPF highlights that the pursuit of sustainable development includes widening the choice of high quality homes, improving the conditions in which people live and take leisure, and replacing poor design with better design. Furthermore, paragraph 17 states that it is a core planning principle to efficiently reuse land that has previously been developed and to drive and support sustainable economic development through meeting the housing needs of an area.
- 8.4 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there. Bow East ward and Locton Estate forms part of an area identified for regeneration in policy 2.14 of the London Plan and within the Vision Statement of the Core Strategy.
- 8.5 The Core Strategy place-making policy SP12 identifies a vision for Bow to be ‘A suitable place for families, based around a rejuvenated market and lively town centre. It will benefit from being next door to a regenerated Fish Island, the Olympic Park and the resulting regeneration of the Lea River area. Bow east is to remain largely residential and offer high quality new housing alongside regenerated housing estates. The vision places priority on improving existing connections via Old Ford Road, Tredegar Road and St. Stephen’s Road across the A12 to Fish Island, the Olympic Park and Bromley-by-Bow.
- 8.6 The application site carries no site-specific policy designations. The site is largely vacant brownfield land with five garages, and on the southern part of the site, two semi-detached occupied bungalows. The two bungalows are to be demolished and the residents are to be re-housed within the development.

Principle of residential use

- 8.7 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan seeks to alleviate the current and projected housing shortage in the Capital through provision of an annual average of 32,210 of new homes over a ten year period. The minimum ten year target for Tower Hamlets, for years 2011-2021 is set at 28,850 with an annual monitoring target of 2,885; however the Draft Further Alterations to the London Plan revise the Council’s ten year target to 39,314 with an annual monitoring target of 3,931, for years 2015-2025. The need to address the pressing demand for new residential accommodation is embraced by the Council’s strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 8.8 The Core Strategy place-making policy SP12 pictures Bow as a place for families which reflects the quieter, more community-based side of urban living, with improvements to connectivity sought, with new development and estate-regeneration to reinstate a traditional, joined-up street pattern.

- 8.9 Given the above, the predominantly residential character of the site's environs, the principle of intensification of housing use on this brownfield site is strongly supported in policy terms.

Housing

- 8.10 The NPPF identifies as a core planning principle the need to encourage the effective use of land through the reuse of suitably located previously developed land and buildings. Section 6 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development" Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 8.11 As mentioned in the Land Use section of this report, delivering new housing is a key priority both locally and nationally.

Residential density

- 8.12 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council's town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.
- 8.13 The application site measures approximately 0.3345 hectares, the site has a PTAL rating of 2. In areas of PTAL 2 and urban setting, the density matrix associated with policy 3.4 of the London Plan suggests a density of between 200-450 habitable rooms per hectare. The proposed density would be 562 habitable rooms per hectare (net site area) and therefore would be above the recommended density range. It should be remembered that density only serves as an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Loss of outlook;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure.

- 8.14 This report will go on to show that whilst some of the symptoms of overdevelopment are present in this application, officers have sought to weigh up its impacts against the benefits of the scheme and in particular the provision of 100% affordable housing scheme.

Affordable housing

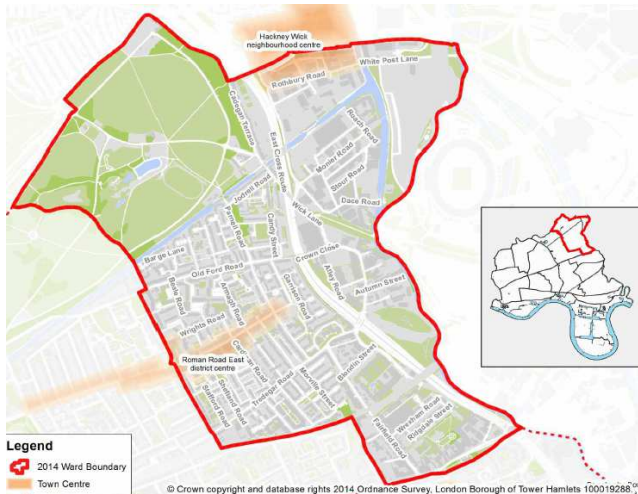
- 8.15 In line with section 6 of the National Planning Policy Framework, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including

affordable family housing. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy 3.13 states that the maximum reasonable amount of affordable housing should be secured.

- 8.16 The Strategic Housing Market Assessment (2009) identifies that there is an affordable homes shortfall of 2,700 homes per year. Additionally, current rates of over-occupation (over-crowding) are at 16.4%, significantly higher than the national average at 2.7%. The LBTH Community Plan identifies the delivery of affordable homes for local people as one of the main priorities in the Borough and Policy SP02 sets a strategic target of 35-50% affordable homes on sites providing 10 new residential units or more (subject to viability).
- 8.17 Policy DM3 subsection 3.3 of the Management Development Document states Council will give favourable consideration to proposals which exceed its strategic target of 50% affordable housing
- 8.18 This scheme provides 100% affordable housing for the London Borough of Tower Hamlets and therefore exceeds Council policy requirements.
- 8.19 Policy SP02 requires an overall strategic tenure split for affordable homes from new development as 70% social rent and 30% intermediate. The proposed units will provide a mixed tenure of affordable rent (69%) and shared ownership (31%), which is broadly in line with Council's preferred split.
- 8.20 All 45 proposed units are to be provided as affordable (31 as affordable rent and 14 as intermediate). The applicant has advised the area is currently used for fly-tipping and anti-social behaviour. The proposed scheme will not only overcome the anti-social issues but provide much needed affordable housing within the borough.
- 8.21 The affordable rented accommodation would be let in accordance with Old Ford Housing' rents policy. The proposed rents would be broadly in line with the Borough Framework affordable rental levels for E3 areas.
- 8.22 Overall, the proposal exceeds policy targets and would result in a significant uplift in the quantum of much needed affordable accommodation.

Mixed and balanced communities

- 8.23 It is acknowledged that providing 100% affordable housing on the subject site does not represent a mix of tenures. An analysis of the socio-economic make-up of the area is carried out.
- 8.24 As a visual aid, the maps below outline the areas that have been assessed:



8.25 The following table is formulated from census data and shows the make-up of existing housing tenure:

Tenure	Borough Average	Bow ward	East
Owner occupier	27%	26%	
Social/affordable rented	39%	42%	
Private rented	32%	30%	

8.26 Changes to percentages if development is constructed at 100% affordable rented housing:

Tenure	Borough Average	Bow ward	East
Owner occupier	27%	26%	
Social/affordable rented	39%	43%	
Private rented	32%	30%	

8.27 The site is located within Bow East Ward, the census indicates approximately 6,595 household to be living in the Bow East ward. The table above shows an increase of 1 % within the social/affordable housing tenure. At ward level the addition of 45 affordable rented homes does not significantly alter the level of social/affordable housing in the area.

8.28 It should also be noted that this is an area of significant change and the proportion of social housing in the area has significantly reduced since the 2001 census. In 2001, Bow East ward was made up of 54% social/affordable housing and 12% private rent. From the above table it can be seen that this is changing and the area is becoming more mixed, with a greater proportion of private rented accommodation.

8.29 The introduction of 45 additional social/affordable rented units would not disproportionately affect the levels of social/affordable housing in the area, though consideration would need to be given to future 100% social/affordable housing schemes to ensure the income of private housing in the area is not being reversed and the balanced skewed towards social/affordable housing again in this area. It is considered, on balance, that the relatively small scale of this development would not adversely affect the mix of the area.

8.30 A balanced view needs to be taken on this proposal, whilst the site is located within an area with higher than average social/affordable housing, these habitable rooms

would provide much needed additional housing stock for those on the Council's waiting list and this is a significant benefit of the scheme which needs to be weighed against any concern arising from whether this is undermining the objectives of creating a mixed and balanced community.

- 8.31 It is the view of officer's that the scheme is an example of an exceptional circumstance whereby 100% affordable housing could be considered acceptable. The benefits of the scheme are that 31 units of the total housing provided would be affordable rented, with 33% provide as family housing at lower density environment which is more suitable for family accommodation.
- 8.32 It is acknowledged that the area around Candy Street is changing, as between 2001 and 2014 there has been a shift towards private rented accommodation and owner occupiers, away from the high levels of social housing. The scheme as an individual development does not significantly alter the proportion of social/affordable rented accommodation at ward level.

Dwelling mix

- 8.33 In line with section 6 of the National Planning Policy Framework and London Plan policy 3.8, the Council's Core Strategy policy SP02 and policy DM3 of the Managing Development Document require development to provide a mix of unit sizes in accordance with the most up-to-date housing needs assessment. The relevant targets and the breakdown of the proposed accommodation are shown in the table below.

Unit size	Affordable Rented			Intermediate		
	Units	%	Target	Units	%	Target
1 bed	9	29%	30%	6	43%	25%
2 bed	7	23%	25%	8	57%	50%
3 bed	9	29%	30%	-	-	25%
4 bed	6	19%	15%	-	-	
Total	31			14		

- 8.34 Within the affordable rent units the housing mix (with policy target in brackets) would be as follows: one-bed 29% (30%), two-bed 23% (25%), three-bed 29% (30%) and four-bed 19% (15%). The proposed provision of a substantial number of larger family units - 48% of three-bed plus including four bed units against a policy target of 45%, is especially welcome and supported by Housing colleagues. The slight shortfall in two-bed units is not considered to be of concern.
- 8.35 Within the intermediate tenure the mix would be: one-bed 43% (25%) and two-bed 57% (50%). The applicant justifies the shortfall in family units in intermediate tenure by referring to the lack of demand shown for family sized units. Officers note that the shortfall in the proportion of larger intermediate units enables for a larger proportion of family units to be provided within the affordable rented tenure. It is also noteworthy that a large proportion of the proposed family sized affordable units would be provided as townhouses with sizeable private amenity space.

- 8.36 Overall, in light of the proposed quantity and quality of family housing in the affordable rented tenure, the shortfall in intermediate tenures is considered to be acceptable and would not prejudice the relevant policy objectives.

Standard of residential accommodation

- 8.37 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be “fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime.”
- 8.38 All of the proposed units would meet or exceed the baseline floorspace standard, in particular the proposed family sized units would be more spacious, especially in the affordable rent tenure. It is also noteworthy that all units in the affordable rent tenure would be provided with separate kitchens. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements. A large proportion of family sized affordable rent units would be provided as townhouses, all with sizeable private amenity space.
- 8.39 The proportion of dual aspect units has been maximised, with only 2 units (4.4%) to be provided as single aspect, although both units are west facing.
- 8.40 The distances between opposite elevations with habitable rooms exceed the requirements of policy DM25. All of the proposed units would benefit from adequate privacy and defensible space, and would not be subject to undue overlooking.
- 8.41 The applicant has submitted a Daylight & Sunlight report addressing daylighting and sunlighting to the proposed units. The report has been independently reviewed by a qualified consultant appointed by the Council. Most of the proposed rooms would meet the average daylight factor (ADF) requirements of the British Standard with the exception of 8 windows located within Site K, of the 8 windows 4 are kitchen windows.
- 8.42 Further to the submission of the Daylight & Sunlight report, the applicant has increased the size of 6 of the affected windows which shows significant improvement to the level of daylight. As such it is considered that reasonable levels of daylight would still be obtained for the 8 windows. All of the proposed units would receive adequate sunlighting where the orientation of the units makes it a reasonable requirement.
- 8.43 The townhouses would be provided with individual access doors to the street to provide a sense of ownership and to generate activity and passive surveillance of all spaces around the development. Entrance areas have been designed with safety and security in mind. Access cores to the flats within the upper storeys are also spread throughout the development and have similarly been designed and sited to ensure safety, security and passive surveillance. The number of residential units per core and per corridor has been kept to a minimum.
- 8.44 Overall, it is considered that the proposal would meet and exceed the relevant qualitative and quantitative design standards and would represent an exemplary standard of living accommodation and amenity to the future occupiers of the scheme.

Wheelchair Accessible Housing and Lifetime Homes Standards

- 8.45 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 8.46 Six wheelchair accessible homes are proposed, the units will be equally spread across the unit sizes. Two wheelchair units will house the existing two tenants and an additional 4 units within the affordable housing tenure.
- 8.47 This is in accordance with the needs of families waiting for fully accessible housing on the Common Housing Register. The detailed floor layouts and locations within the site for the wheelchair accessible homes have been reviewed by the Council's Inclusive Access Officer and are considered to meet the appropriate requirements. 6 accessible parking spaces would be provided throughout the development and allocated in accordance with need.

Private and communal amenity space

- 8.48 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 8.49 The private amenity space standard is set at a minimum of 5sqm for 1-2 person dwellings with an extra 1sqm for each additional occupant. All of the upper storey flats would have adequately sized winter gardens, balconies or terraces all meeting or exceeding the minimum standard. All units would benefit from large private terrace or patios which substantially exceed the policy requirement.
- 8.50 For all developments of 10 units or more, 50sqm of communal amenity space plus 1sqm for every additional unit should be provided. The application does not propose communal amenity space.
- 8.51 The applicant has stated within the submitted planning statement states that Locton estate is currently being redeveloped to provide amenity space for all ages to include: toddler adventure play, a games area, an outdoor gym and informal open space. This space will be within a few minutes' walk of the site and by allowing the new residents use of this communal space will enable integration with the existing residents, creating a more balanced and mixed community. Additionally, the site benefits from being within 5 minutes' walk from Victoria Park and within 10 minutes from the Olympic Park. Moreover, all new units benefit from sizeable private amenity space in the form of: gardens, winter gardens, balconies and terraces.
- 8.52 Overall, the proposed provision of private amenity space would significantly exceed the policy requirements and make a significant contribution to creation of a sustainable, family friendly environment. The non-provision of communal space would not undermine the scheme.

Child play space

- 8.53 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments. Policy DM4 specifically advises that applicants apply LBTH

child yields and the guidance set out in the Mayor of London's SPG 'Shaping Neighbourhoods: Play and Informal Recreation' which sets a benchmark of 10sqm of useable child play space per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.

- 8.54 Using the LBTH child yield calculations, the development is anticipated to yield 40 children (13 under 5s, 18 of 6-10 year olds and 9 of 11-15 year olds). Accordingly, 310sqm of on-site play space is required for under 5s and 6-10 year olds. Not including the doorstep play space of private gardens, the application proposes a total of 166sqm of on-site play space divided between Site I and Site K. Proposed play area is below policy requirement however the applicant has advised that the site is adjacent to an area of open space at Candy Street. Old Ford Housing Association has recently vastly improved this green space to provide a toddlers adventure play space, kick-about space, outdoor gym and informal play in the grass for young children. This space has been specifically designed to cater for all ages of children as well as adults. Locton Green has capacity for the child yield created by the proposals and this sharing of space and facilities will seek to integrate the proposed development within the existing neighbourhood. Officers consider that the benefit of the development outweighs the shortfall of child playspace and the provision of the existing playspace is considered sufficient. As such the shortfall of child playspace would not undermine the scheme as a whole. Full details of play space facilities and equipment would be reserved by condition.
- 8.55 For older children, the London Mayor's SPG sees 400m and 800m as an acceptable distance for young people to travel for recreation. This is subject to suitable walking or cycling routes without the need to cross major roads. The proposal does not include any dedicated on-site play space for older children, however Victoria Park is located approximately 370 metres from the site.
- 8.56 Overall, it is considered that the proposal would provide an excellent play environment for younger children while the lack of dedicated provision for older children and teenagers does not raise concerns bearing in mind the location of Victoria Park within a short walking distance of the application site.

Design

- 8.57 The National Planning Policy Framework attaches great importance to the design of the built environment.
- 8.58 In accordance with paragraph 58 of the NPPF, new developments should:
- function well and add to the overall quality of the area,
 - establish a strong sense of place, creating attractive and comfortable places to live,
 - respond to local character and history, and reflect the identity of local surroundings and materials,
 - create safe and accessible environments, and
 - be visually attractive as a result of good architecture and appropriate landscaping.
- 8.59 Chapter 7 of the London Plan places an emphasis on robust design in new development. In particular:
- Policy 7.1 seeks creation of distinct, liveable neighbourhoods and requires new buildings to interface with surrounding land, improve access to social and community infrastructure, local shops and public transport. The character,

legibility, permeability and accessibility of neighbourhoods should be reinforced.

- Policy 7.2 seeks creation of an inclusive environment catering to the needs of all sections of the population, while policy 7.3 requires development to reduce the opportunities for criminal behaviour and to contribute to a sense of safety and security.
- Policy 7.4 requires development to respect local character - this should be achieved by a high quality design response informed by the surrounding historic environment and which has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Development should be human in scale, ensuring that buildings have a positive relationship with street level activity.
- Policy 7.5 the public realm should be secure, accessible, inclusive, and legible. Opportunities for greening should be maximised.
- Policy 7.6 specifies that in terms of assessing the architecture of a development as a whole the development should make a positive contribution to a coherent public realm, streetscape and wider townscape. It should incorporate the highest quality materials and design appropriate to the site's context.
- Policy 7.7 gives detailed guidance on design of tall and large buildings which should not have an adverse effect on the character of their surroundings, should relate well to the surrounding buildings, urban grain and public realm, and incorporate the highest standard of architecture and materials.

8.60 The Council's policy SP10 sets out the broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. Further guidance is provided through policy DM24 of the Managing Development Document. Policy DM26 gives detailed guidance on tall buildings and specifies that building heights should be considered in accordance with the town centre hierarchy, and generally respond to predominant local context. Policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces. The placemaking policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.

Design, massing and scale

8.61 The site is located in Bow East Ward, within the periphery of Locton Estate. The site forms part of the much larger Parkside residential estate managed by Old Ford Housing Association. The site is bounded to the East by the A12 Blackwall Tunnel Northern Approach arterial road and to the north by the Hertford Union Canal and Victoria Park.

8.62 The main design constraint to development of the site is, first and foremost its proximity to the A12 arterial road and large sewer beneath Site K which requires access.

8.63 Site I currently consist of open space between Nos. 1-79 and 81-147 Candy Street, currently containing 5 mostly derelict garages. The proposal will consist of an infill four storeys in height, which reflects the scale of the two existing adjoin buildings. The massing to Block I has been well thought through so as not to dominate. This is

clear when viewed from the Candy Street elevation and from the proposed public square towards the end of the new mews street.

- 8.64 Site J has been designed as a mews development consisting of three storey town houses and three storey block of flats to the north. The three storey development has been designed to appear as one with the noteworthy difference being the individual doors provided for the town houses. The east elevation of Block J fronts the A12, in order to minimise outlook onto the A12 fenestration detailing has been concentrated to the west elevation together with balconies and terraces. The elevation treatment and massing to this frontage has been well thought through and the architects have employed a number of imaginative architectural devices to create articulation and introduce a more traditional rhythm of narrow frontages. The town houses and block of flats would be faced with a light brown buff coloured brick. Brick reveals with large setbacks to create balconies and terraces would introduce a varied townhouse rhythm. This articulation would be reinforced through a coherent strategy of creating vertical bands of fenestration as well as the introduction of terraces at third floor level which extend the full depth of the town houses. The treatment to window reveals would vary, adding visual interest. Officers consider that the three storey element would relate well to the 1960s public housing development at Candy Street.
- 8.65 Site K will consist of five stories with a sixth floor set back. The block will be the main gateway to the development and would provide a focal point due to its height and massing. The elevation treatment at lower ground and ground floor of the site differs from Site I and J. Due to the location of the sewer beneath Site K an easement of 4m wide and 5.5m in height has been factored into the design to allow access arrangement for Thames Water without disruption to building or residents. A double height lobby has been created to the south west of the building for easement rights; double height glazing will form two entrance points to the building with a further entrance to the north. As the site lies perpendicular to Site J it has the same constraint. As such, similar architectural elements and devices have been employed to articulate the building with recessed balconies, with the addition of winter gardens and windows to the north east elevation.
- 8.66 In terms of the materials, the scheme proposes a single brick type across the three sites; this creates a unity to the development. Whilst brick is proposed throughout the development, certain key areas will have contrasting material and colour to identify entrance points to flats and houses alike. All terraces and balconies provided are proposed as having opaque-glazed balustrades. This creates a degree of privacy, without increasing the mass of the buildings with solid balustrades.
- 8.67 Opaque-glazed balustrades are considered acceptable as they also prevent residents installing unsightly privacy measures applied to terraces and balconies after occupation. The proposed window details will be conditioned to ensure high thermal and acoustic levels are obtained. Officer considered that careful consideration has been given to the approach to fenestration and balcony locations as well as to the design of entrances.
- 8.68 The design of the proposal has been subject to extensive pre-application discussions between the applicant and the officers. Officers are satisfied that the proposed buildings would be of a very high architectural quality, relate well to their surroundings and enhance the local street scene. The layout and distributions of buildings within the site would create an active high quality environment.

Safety and security

- 8.69 The proposed houses would benefit from individual front doors while adjacent flats would be served by relatively spacious glazed cores. Entrances as well as fenestration to habitable rooms would be distributed throughout the development and result in a high proportion of active frontage. This would result in a high level of passive surveillance and have a positive effect on actual and perceived safety and security. No concealment points or poorly overlooked areas would be created.
- 8.70 The inclusion of development on Site I is particularly welcomed as it provides a single entry point into the scheme, which reduces the potential for anti-social behaviour.
- 8.71 The new public route to be created would be well overlooked. An external lighting strategy has also been submitted. Officers are satisfied that the lighting proposed would make an appropriate contribution to creation of safe public spaces. Appropriate consideration has also been given to the boundary treatment to different areas and general circulation through the site.
- 8.72 The above measures would ensure that the proposal enhances safety and provide a deterrent to loitering and anti-social behaviour.
- 8.73 The applicant has engaged with the Tower Hamlets Crime Prevention Design Advisor whose comments influenced the detailed development of the scheme. Details of all Secured by Design measures as well as external lighting would be conditioned.

Landscaping

- 8.74 Two key landscape areas are proposed, each with its own, distinct character.

Block I & J

- 8.75 Running along the western boundary of the site and forming a link between Block I and Block J; a pedestrian friendly mews style streetscape is proposed; it provides a number of parking spaces but has been designed to ensure a safe and secure streetscape. The feature paved bands along the streetscapes act as an extension from the build form, linking the building to the streetscape whilst providing a function as a traffic calming device and providing a rhythm to the linearity of the space aiding in breaking up the mews, whilst also integrating planting and incidental play elements. A semi-formal landscape would be created with hedge row along the rear gardens of the existing block of flats, low shrub planting beds, raised beds and trees will be sporadically placed. Doorstep play area would also be incorporated.

Block K

Block K would form the primary access route into the development. It has been designed to include planting of trees directly in front of the development to create a buffer between the public street and the building. A large portion of the area will be created as play space for under-fives. A number of shrub planting beds and decking would also be provided.

- 8.76 The proposed landscaping has been well thought out and would be of a particularly high quality.

Amenity

- 8.77 In line with the principles of the National Planning Policy Framework the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

The application site is surrounded by residential properties to the north, south and largely to the west. Block I will consist of a four storey block of flats located to the north. The block is nestled between the existing four storey 1960s four storey public housing blocks and can be considered an infill development.

Block J will consist of a three storey block of flats and three storey town houses located to the east, adjacent to the existing four storey 1960s block (no. 81-147 Candy Street).

Block K will consist of a six storey block of flats located to the south east adjacent to the pedestrian bridge and three storey town houses on Wendon Street.

Overlooking and privacy

- 8.78 Policy DM25 of the Managing Development Document requires new developments to be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The policy specifies that in most instances, a distance of approximately 18 metres between windows of habitable rooms would reduce inter-visibility to a degree acceptable to most people.
- 8.79 In a dense urban context, any infill site such as this must address the sensitive issue of overlooking onto existing properties. The windows in Block I on the south elevation are at an angle to the existing block on Candy Street, the windows are also kitchen windows, it is considered the due to the angle of the windows and use of rooms it would not lead to significant impact in terms of overlooking and loss of privacy.
- 8.80 20m is considered to be an acceptable distance between new developments and existing properties and the distance between Block J and 81-147 Candy Street reflects this. Within an urban setting, overlooking distances are often less than this to reflect the existing urban grain.
- 8.81 The overlooking distances between Block K and the existing buildings on Wendon Street vary between 20m and 23m. These distances are in excess of the distances specified within policy guideline, and as such are acceptable distance in reducing intervisibility between windows.

Outlook and sense of enclosure

- 8.82 The distance between the development proposal and habitable rooms of adjoining properties would be mostly at around 20m and outlook to these properties would not be significantly impacted. The proposed massing would also not result in an overbearing appearance. The 6 storey building of Block K would be located 20m and

23m from existing buildings on Wendon Street. A pedestrian foot bridge is situated between Block K and the three story town houses. The outlook of these properties would not be restricted to an unacceptable due to this separation.

Daylight and sunlight, overshadowing

- 8.83 The applicant has submitted a Daylight & Sunlight report addressing daylighting and sunlighting. The report has been independently reviewed by a qualified consultant appointed by the Council. The report concludes that the proposed scheme will meet the BRE required standards for daylight and sunlight to neighbouring residential properties.

Noise and Vibration

- 8.84 NPPF and Planning Policy Guidance Note 24 is the principal guidance adopted England for assessing the impact of noise. The guidance uses noise categories ranging from Noise Exposure Category (NEC), 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).
- 8.85 Policy 7.15 of the London Plan (2011), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.86 Due to the site's proximity to significant A12 dual carriageway and the location of two the proposed residential blocks backing on to the carriageway, areas of the development fall within *Category D* of NPPF and PPG24 and the Borough's EHO has objected to the application, noting the site's unsuitability for residential occupation.
- 8.87 The transport route is a major constraint to the development in terms of noise and vibration. It is the view of officers that these constraints should be weighed against the regeneration objectives and provision of 100% affordable housing of the proposal which seeks to provide a better quality residential environment for existing and future occupiers of Parkside Estate. The applicant has confirmed that all units will be provided with individual Mechanical Ventilation with Heat Recovery (MVHR) units, and as such windows to the rear will be none operable and trickle vents are not required to habitable rooms. MVHR systems ensure high air quality in homes & buildings and help prevent condensation issues and mould growth.
- 8.88 It is envisaged that the installation of high quality glazing and MVHR units to individual residential unit, that all buildings would comply with required internal noise levels. Amenity areas within the development site have also been designed to face away from the A12 that they are sheltered from the noise to provide relatively quiet residential environments.
- 8.89 As such, a balanced view has had to be taken with regard to the EHO's objection on grounds of noise. It the view of the case officer that any impacts in terms of noise are outweighed by the provision of 100% affordable housing and regeneration benefits that the development will bring to the area and in any event sufficient mitigation measures can be employed to minimise adverse noise impacts. A condition to ensure this is recommended.

- 8.90 As such, it is the officers view that considering the site constraints, the proposals are generally in keeping with NPPF, Policy 7.15 of the London Plan (2011), Saved policies DEV2 and DEV50 of the Tower Hamlets UDP (1998), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013).

Summary - Amenity

- 8.91 In conclusion, it is considered that the amenity impact of the development on the neighbouring residential occupiers would not be uncommon for a major development in an urban area. However due to the separation distance, the orientation of the development it is not envisaged that there would be a detrimental impact on the amenity of neighbouring properties.

Transport, Access and Servicing

- 8.92 The National Planning Policy Framework emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and consider the needs of people with disabilities.
- 8.93 The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel by making it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling. Strategic Objective SO20 of the Core Strategy states that the Council seeks to: “Deliver a safe, attractive, accessible and well-designed network of streets and spaces that make it easy and enjoyable for people to move around on foot and bicycle.” Policy SP09 provides detail on how the objective is to be met.
- 8.94 Policy DM20 of the Council’s Managing Development Document reinforces the need to demonstrate that developments would be properly integrated with the transport network and would have no unacceptable impacts on the capacity and safety of that network. It highlights the need to minimise car travel and prioritise movement by walking, cycling and public transport. The policy requires development proposals to be supported by transport assessments and a travel plan.
- 8.95 Transport links are limited, but, within a distance of 150m from either end of the overall site are number local bus stops which are served by the Nos. 276 and 488 bus routes with direct connections to Stratford, Hackney and Canning Town. No. 8 bus route towards Bethnal Green and Central London. Hackney Wick Station, part of the London Overground network is a 10-15 minute walk away, with eastbound connections to Stratford and westbound connections across the entire network. The site has a Public Transport Accessibility Level (PTAL) of 2.
- 8.96 Overall, the proposal’s likely highways and transport impact are considered to be minor and acceptable to the Council’s Transportation & Highways section. The relevant issues are discussed below.

Cycle parking

- 8.97 The London Plan policy 6.9 and policy DM22 of the Managing Development Document set minimum cycle parking standards for residential development. In

accordance with these standards, the application proposes 60 secure, covered spaces for residents. The cycle stands would be distributed across the development site with an adequate number of spaces provided within each access core and within individual houses. The storage areas are distributed across the site in a manner that would ensure each residential unit is located within a convenient distance to cycle parking.

Car parking

- 8.98 Policy DM22 sets out the Council's parking standards in new developments. The application site falls mainly within PTAL 2. There are 8 parking spaces provided within the courtyard fronting sites I and J.
- 8.99 Whilst this level of parking is possibly less than what would normally be expected to support a development of this size in an area with a PTAL of 2, in this instance further off street parking would be made available to residents within the existing parking spaces controlled by Old Ford HA elsewhere and in the adjacent parts of the Parkside Estates they manage. The allocation of space would be on an application basis and controlled by display permits, this is supported by Highways colleagues.
- 8.100 6 of the proposed spaces would be designed to be accessible to wheelchair users and management of the spaces to ensure Blue Badge holders are prioritised for spaces would be enshrined in the Parking Management Strategy secured by condition.
- 8.101 All of the proposed car parking would be located between Block I and Block J. There would be a single vehicular access point, off Wendon Street, in the southern part of the site. Highways Officers have raised concerns regarding the location of the parking spaces within the site and have requested that a condition be secured to ensure that residents park only within the designated parking bay. All of the residential units would be located within a convenient distance to the car park.
- 8.102 The development would also be subject to a 'car free' planning obligation restricting future occupiers from obtaining residential on-street car parking permits, with the exception of disabled occupants or beneficiaries of the Council's permit transfer scheme.

Vehicular and Pedestrian Access

The existing access point to site J is to be retained and will serve as the main access to the development.

The existing access at site I is to be blocked. This will facilitate additional parking and an easing of parking congestion on Candy Street.

The main access is to be improved by providing a 'tabled' entrance consisting of a ramp from the kerb line to the shared surface that establishes a clear indication to drivers that they are entering a different driving environment, whilst maintaining a level surface for the existing passing footway. The junction areas will be provided with a series of bollards to show that there is a vehicular route over the footway and appropriate tactile paving for the visually impaired.

The proposed form of access will be subject to a S278 agreement.

All pedestrian access points are DDA compliant. Pedestrian routes within the site courtyard, which is a shared surface, are designated by a change in surface material in terms of colour and where appropriate tactile surfaces.

The application also proposes mirrors to be located at appropriate points in the courtyard to aid pedestrian and driver visibility and for personal security purposes.

Servicing and refuse storage

- 8.103 The existing waste collection services approach the site via Wendon Street from Old Ford Road and will collect from Site K as they currently do and Sites I and J by entering the courtyard via the main entrance. The applicant has demonstrated that service vehicle can travel the full length of the courtyard, turn in the area provided at its far end and then leave in forward gear. A swept path analysis using AUTOTRACK has been provided for the typical range of vehicles that would be expected to attend the site. The proposed servicing arrangements are acceptable to the Council's Highways Officers. This would help to minimise the impact of deliveries and servicing of the development on the immediate highway network.
- 8.104 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new development, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards.
- 8.105 The individual houses of Block J have access to integrated bin stores to the front. And the flats of Blocks I and K would use communal general waste and recycling stores located next to access core entrances. The proposed capacity of the waste storage has been calculated for once-weekly collections, in accordance with policy standards and the Council's Waste Officer raises no objection.

Sustainability and Environmental Considerations

Energy efficiency and sustainability standards

- 8.106 The National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 8.107 At a strategic level, the climate change policies as set out in chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the emerging Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.108 In line with London Plan policy 5.6, the Core Strategy policy SP11 seeks to implement a network of decentralised heat and energy facilities that connect into a heat and power network. Policy DM29 requires development to either connect to, or demonstrate a potential connection to a decentralised energy system.
- 8.109 The Managing Development Document policy 29 includes the target for new developments to achieve a 50% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy.

- 8.110 The proposals have followed the London Plan energy hierarchy of Be Lean, Be Clean and Be Green, and sought to minimise CO2 emissions through a 38% reduction in CO2 emissions against the benchmark of Building Regulations 2010. The proposal also includes the installation of photovoltaic array (50kWp) to further reduce emission.
- 8.111 The applicant has advised that the scheme has insufficient heat load to permit the efficient operation of a dedicated gas-fired CHP unit per dwelling, therefore the site will be served by individual high efficiency combination gas boilers.
- 8.112 The overall CO2 emissions reductions considered achievable for the development are 38% and the development has been designed to achieve a minimum Code of Sustainable Homes Level 4.
- 8.113 The proposed energy efficiency and sustainability measures are supported by the Council's Energy Efficiency and Sustainability section. Nevertheless, as the proposal would fall short of the target 50% CO2 emission reduction, a contribution in-lieu is sought by the Energy Efficiency and Sustainability section for carbon offset projects in the vicinity of the site. As the shortfall is minor and the energy efficiency measures have been maximised taking into account the viability of the proposal, it is considered that the proposal broadly complies with the relevant policies and that no further mitigation is required.

Ecology, biodiversity and trees

- 8.114 Policy 7.19 of the London Plan, policy SP04 of the Core Strategy and policy DM11 of the Managing Development Document seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve an overall increase in biodiversity.
- 8.115 The applicant has submitted an Ecological Appraisal and a Tree Survey.
- 8.116 The Council's Biodiversity Officer has confirmed that there is nothing of significant biodiversity value on the application site and the Ecological Appraisal states that the existing building is modern, intact and well-sealed with extremely limited opportunity for roosting bats. There would therefore be no adverse impact on biodiversity.
- 8.117 The scheme includes numerous features which would ensure biodiversity benefits. In particular, the planting of silver birch trees, a native species of high wildlife value. The rest of the planting consists of evergreen hedge, and shrub planting in beds and planters. Full details would be reserved by condition.
- 8.118 A Tree Survey report has been submitted and reviewed by the Council's Tree Officer who raised no objection subject to suitable replacement planting. The proposed landscaping provides for planting of approximately 14 trees of varying, predominantly native species.
- 8.119 Taking into account the moderate to low value of the existing trees on site, the proposed quantity and quality of replacement trees, the likely significant biodiversity gains resulting from the scheme, it is considered that the proposal would be acceptable in policy terms.

Air Quality

- 8.120 Policy SP03 of the Core Strategy and DM9 of the Managing Development Document seek to deliver air quality improvements by promoting the use of public transport, reducing reliance on private motor vehicles and introducing a 'clear zone' in the borough. The whole area of Tower Hamlets qualifies to be an air quality control zone and policy seeks to prevent new development from contributing to poor air quality.
- 8.121 The Air Quality assessment suggests there are two key distinct elements regarding changes to air quality – during construction and the development itself. During construction it is intended that the construction process will be managed in accordance with the Council's Code of Construction Practice, which clarifies a number of obligations to mitigate against potential air quality deterioration.
- 8.122 Regarding the air quality in the completed development, The Air Quality assessment identifies high levels of pollution at the site, and that mechanical ventilation should be included on all residential units to reduce potential exposure of future residents to elevated pollutant concentrations. This type of mitigation is suggested within best practice guidance and is therefore considered suitable for a development of this size and nature. The applicant has confirmed that all units will be provided with individual Mechanical Ventilation with Heat Recovery (MVHR) units, and as such windows to the rear will be none operable and voltaic ventilation/trickle vents are not required to habitable rooms. MVHR systems ensure high air quality in homes & buildings and help prevent condensation issues and mould growth.
- 8.123 On balance and subject to the imposition of appropriate conditions, it is considered that the impacts on air quality are acceptable and any impacts are outweighed by the regeneration benefits that the development will bring to the area. The Borough's EHO has not commented however, it is recommended that the submission of a Construction Environmental Management Plan be conditioned prior to commencement.

Land Contamination

- 8.124 The site has been identified as having potential historic contamination. In accordance with the Environmental Health Contaminated Land Officer's comments a condition will be attached which will ensure the developer carries out a site investigation to investigate and identify potential contamination.

Flood Risk

- 8.125 The application site is not located within a flood risk zone.

Utilities Infrastructure

- 8.126 A Thames Water sewer runs below Site K, an easement of 4 metres wide and 5.5 metres in height has been agreed with Thames Water.

Health Considerations

- 8.127 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough while the Council's policy SP03 of the Core Strategy seeks to deliver healthy

and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

8.128 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
- Providing high-quality walking and cycling routes.
- Providing excellent access to leisure and recreation facilities.
- Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
- Promoting and supporting local food-growing and urban agriculture.

8.129 The application proposal would result in replacement of poor quality housing which does not meet the Lifetime Homes or Decent Homes criteria with high quality contemporary housing. A proportion of housing on site would also be provided as wheelchair accessible or capable of easy adaptation.

8.130 Overall, even though no health infrastructure contributions were secured, it is considered that the proposal broadly accord with the abovementioned policies and would generally contribute to improved health outcomes and opportunities for active and healthy lifestyles.

Planning Obligations and CIL

8.131 Planning Obligations Section 106 Head of Terms for the proposed development are based on the priorities set out in the adopted Tower Hamlets Planning Obligations SPD (January 2012).

8.132 The NPPF requires that planning obligations must be:

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

8.133 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.134 Securing appropriate planning contributions is supported by policy SP13 of the Core Strategy which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate impacts of the development.

8.135 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides further guidance on the planning obligations policy SP13.

8.136 The SPG also sets out the Borough's key priorities:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

8.137 In order to ensure that the proposed development is deliverable and viable, a financial appraisal has been submitted by the applicant. This appraisal has been independently assessed by a qualified consultant appointed by the Council. The appraisal concludes that using conventional viability assessment methods, the development would be unviable and would not be able to withstand any S106 financial contributions. Even though the development would not be deliverable under ordinary market circumstances, the applicant, a registered housing, is prepared to internalise the increased risks and able to raise the required funds.

8.138 The applicant recognises the need to mitigate the impacts arising from the development and has made available a financial contribution of £95,523 towards local infrastructure. Having had regard to the viability of the scheme and the Council's priorities, the entire sum has been allocated to provision of educational facilities. This allocation has been discussed and agreed by the Planning Contribution Overview Panel.

8.139 The following non-financial planning obligations were also secured:

- a) Affordable housing 100% by habitable room (45 units)
 - 69% Affordable Rent at East Thames levels (31 units)
 - 31% Intermediate Shared Ownership (14 units)
- b) Access to employment
 - 20% Local Procurement
 - 20% Local Labour in Construction
- c) Car free agreement

8.140 A contribution of £95,523 towards education facilities would however not fully mitigate all of the impacts of the development. In line with the Council's SPD the proposal would require a total of £729,163.53 of which £435,339.09 would be required for provision of education facilities, £67,818 for health facilities, £57,183 for leisure facilities, £9,400.14 for employment and skills training, £14,054.22 for Idea Stores, libraries and archives, £98,447.99 for open public space, £1,672.05 for smarter travel and £41,082 for streetscene improvements. This high amount is reflective of the proposed affordable housing which has higher child and population yields.

8.141 Officers consider that the proposal represents a unique opportunity to deliver a %100 high quality affordable homes including a larger proportion of family sized units and a larger proportion of affordable rented accommodation at Borough Framework affordable rental levels. The proposal would provide an extensive amount of high quality development within a brown field site. The scheme would also provide a financial contribution, secured as a planning obligation, towards education facilities in the Borough. The public and regenerative benefits of the proposal would be substantial.

- 8.142 Nevertheless, the financial obligations proposed would fail to fully mitigate the impact of the development proposal, in particular with regard to provision of education, healthcare and open space.
- 8.143 In conclusion, having taken into account the special circumstances of the case and the results of the independently reviewed viability assessment, officers consider that, on balance, the substantial public benefits and the regenerative potential of the proposal outweigh the proposal's inadequacies with regard to mitigation of all of the infrastructure impacts of the development.

Local Finance Considerations

- 8.144 Section 70(1) of the Town and Country Planning Act 1990 (as amended) provides: "In dealing with such an application the authority shall have regard to:
- a) The provisions of the development plan, so far as material to the application;
 - b) Any local finance considerations, so far as material to the application; and
 - c) Any other material consideration."

Section 70(4) defines "*local finance consideration*" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
 - b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.
- 8.145 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by central government to local councils for increasing the number of homes and their use.;
- 8.146 Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and would normally be payable. However, officers have determined that due to estimated amount of the affordable housing relief and the amount of the existing occupied floorspace on site, it is likely that the proposal would not be liable for any CIL payments.
- 8.147 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-ring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 8.148 Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £80,047 in the first year and a total payment £480,282 over 6 years.

Human Rights Considerations

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

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

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

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

8.152 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

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

8.154 The balance to be struck between individual rights and the wider public interest has been carefully considered. Having taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement, officers consider that any interference with Convention rights is justified.

Equalities Act Considerations

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

this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

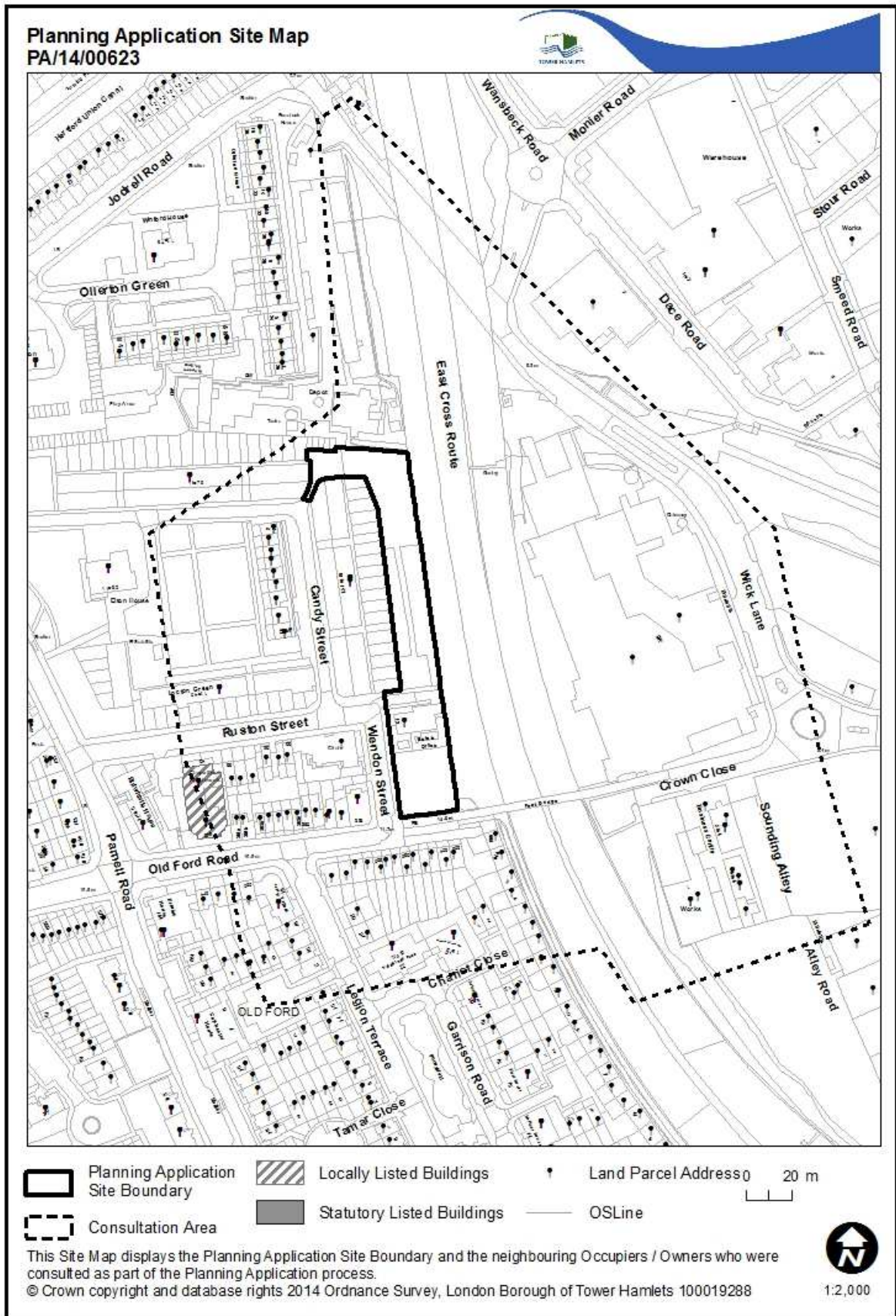
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.156 The proposed contributions towards education infrastructure, qualitative and quantitative improvements to the provision of public open space, commitments to use local labour and services during construction, apprenticeships and employment training schemes, provision of a substantial quantum of high quality affordable housing and improvements to permeability would help mitigate the impact of real or perceived inequalities and would serve to support community wellbeing and promote social cohesion.

9.0 CONCLUSION

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

11.0 SITE MAP



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Agenda Item 7

Committee: Development	Date: 19 th November 2014	Classification: Unrestricted	Agenda Item No: 7
Report of: Corporate Director Development and Renewal		Title: Other Planning Matters	
Originating Officer:		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 matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. FURTHER INFORMATION

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

3. PUBLIC SPEAKING

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

4. RECOMMENDATION

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

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

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See individual reports

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Agenda Item 7.1

Committee: Development	Date: 19 November 2014	Classification: Unrestricted	Agenda Item Number:
Report of: Corporate Director of Development and Renewal		Title: Application for Listed Building Consent	
Case Officer: Kamlesh Harris		Ref No: PA/14/02592	
		Ward: Lansbury	

1 APPLICATION DETAILS

Location: Old Poplar Baths, 170 East India Dock Road, London E14 0EH

Existing Use: Vacant – former community training centre and public baths

Proposal: Internal and external alterations and refurbishment works to the Grade II Listed Poplar Baths to facilitate its use as a new indoor and outdoor sports and leisure facility, with a swimming pool (in place of the second class pool), a new learner pool at basement level, badminton courts in the retained first class pool area, new gym facility, studio areas and roof top games area (MUGA); the existing Vapour Baths and plunge pool would also be retained and relocated. New changing and toilet facilities are also proposed together with landscaped forecourt and a new café at ground floor. AMENDED PROPOSAL - internal alterations/amendments to basement and ground floor levels and other minor works.

Drawings and documents

List of plans:

1250_A_01,100_N_00_REV_A, 100_N_01_REV_A,
100_N_02_REV_A, 100_N_03_REV_A, 100_N_04_REV_A,
100_N_05_REV_A, 100_N_61_REV_A, 100_N_62_REV_A,
100_N_63_REV_A, 100_N_64_REV_A;

100/A/00 REV_AL, 100/A/01 REV_AG, 100/A/02 REV_AE,
100/A/03 REV_V, 100/A/04 REV_S, 100/A/05 REV_P,
100/A/41 REV_N, 100/A/42 REV_M, 100/A/43 REV_M,
100/A/44 REV_M, 100/A/45 REV_K, 100/A/61 REV_L,
100/A/62 REV_L, 100/A/63 REV_M, 100/A/64 REV_K, and
200/A/01 REV_K

Documents:

- Conservation Management Plan 1 (CMP1);
- Conservation Management Plan 2 (CMP2);
- Conservation Management Plan Gazetteer;
- Heritage Meetings Notes;
- Design & Access Statement (DAS);
- Heritage Statements Revised Scheme Addendum
- Statement of Community Involvement

Applicant: Guildmore Ltd and London Borough of Tower Hamlets

Owner: London Borough of Tower Hamlets

Historic Building: Grade II Listed

Conservation Area: Not applicable

2 EXECUTIVE SUMMARY

- 2.1 This report deals with an application for listed building consent for internal and external alteration works to Poplar Baths, a Grade II Listed building owned by the Council. In particular, the application deals with internal amendments to the basement and ground floor areas including other minor alterations to the listed baths following the previous listed building consent dated 05 December 2013, under reference PA/13/01441.
- 2.2 The Old Poplar Baths building makes a positive contribution to the overall character of the area and is of historical and architectural value. The building is in poor condition and is included on the Heritage at Risk Register. Significant weight must be given to the desirability of avoiding harm to any listed buildings. The key consideration is whether the works to the building would preserve or enhance the special architectural and historic interest of the listed building. It is considered that in this instance, the changes to the Old Poplar Baths building would not result in any harm to this iconic listed building.
- 2.3 The proposed works would facilitate the regeneration, refurbishment and reuse of the baths through provision of a new primary pool, a secondary learner pool, a sports hall with associated facilities, an outdoor MUGA and a new gym. The existing Vapour baths would also be retained but is going to be carefully dismantled and re-constructed in the basement and would now be "The Plunge Pool". The proposed amendments would ensure that the new swimming facilities function effectively by swapping the learner pool and the main pool, and creating a link between the learner pool and plunge pool.
- 2.4 The proposals are supported by the Borough Conservation Officer, English Heritage and the 20th Century Society.
- 2.5 This report advises the Development Committee on the officer's recommendation that listed building consent should be granted subject to necessary conditions and that the application should be referred to the Secretary of State for determination as required by Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990.

3 RECOMMENDATION

- 3.1 That the Committee resolve to refer this listed building consent application to the Secretary of State for Communities and Local Government with the recommendation that the Council would be minded to **GRANT** Listed Building Consent subject to conditions as set out below.
- 3.2
 1. Time limit – Three Years.
 2. All works to match the existing in terms of materials and methods

3. New circular window to match existing
4. Notification of any hidden historic features
5. No new plumbing, soil stacks, flues, vents, ductwork or rainwater shall be fixed without prior consent
6. No new grilles, security alarms, lighting, cameras, display screens or other appurtenances shall be fixed without prior consent
7. Preservation of manually operated external opening mechanisms for windows,
8. Programme of building recording and analysis
9. Secure and protect interior and exterior features against accidental loss of damage or theft during execution of authorised works
10. Full details and samples of all new, refurbished, repaired and retained materials and features
11. No demolition or partial demolition to be carried out without evidence of contract
12. Written and photographic schedule of all historic items to be moved or removed including methodology for removal and a salvage strategy for storage, reuse and disposal of items identified in the schedule report.

4 THE LISTED BUILDING

- 4.1 Poplar Baths is located to the south of East India Dock Road opposite Chrisp Street town centre and markets. The site is bounded by Poplar Bath Street to the west, Grove Villas to the east and Lawless Street to the south. Further to the east of the site is All Saints Docklands Light Railway station.
- 4.2 The Old Poplar Baths building is included on English Heritage's Heritage at Risk Register for London. It is currently vacant and in very poor condition both internally and externally. Contractors are now on site carrying out works in accordance with the extant full planning permission and listed building consent.
- 4.3 The English Heritage listing describes the building as follows: "*Former public baths, with slipper and vapour baths. Built 1932-4 for Poplar Borough Council to the designs of Harley Heckford, Borough Engineer and RW Stanton, Chief Assistant*". It was given its listed status in January 2001.
- 4.4 The building is described as follows: *reinforced concrete frame to main 'first class' pool, floors and other internal structure, with exterior of brown and red brick, partly supported on separate steel frame and with stone dressings to front and concrete to upper parts of stepped side elevations. Asphalt roof with many rooflights. Brick chimney to rear.*
- 4.5 Internally were "*large first class baths intended for use as swimming pool in summer and as an entertainment hall in winter, with stage. To side, separated by changing rooms and former slipper baths a smaller 'second class' pool intended for swimming all year round. Boiler house to rear. Below the changing room block is a suite of vapour or Turkish baths with plunge pool. Ancillary offices to front.*"
- 4.6 The front elevation is described as a "*monumental tripartite composition, of three stepped brick masses, with stone plinth and cornice and stone surrounds to steel centrepiece. The effect of the massive brick pilasters and pylons is rather Egyptian, although reminiscent too of contemporary Dutch architecture and the work of Sir Giles Scott, with banded brick cornice over second floor and deep brick mullions to the full-height steel staircase windows on either side. The tripartite centrepiece is of two storeys, with large windows to first floor former cloakrooms separated by steel panels*

from 2+3+2 rhythm of double doors with angled steel handrails. In the centre is the borough crest and the original signage 'PUBLIC BATHS'. Side elevations simpler, with bands of windows under rendered lintels. Above the first floor the giant glazed roof steps up in three flights and the steel frame is expressed on the rear elevation, blind save for two large areas of glazing to either side, and smaller areas either side of ancillary entrance to the filtration plant”.

- 4.7 Externally, the Poplar Baths front elevation is the main focus of the building. It is in a hard edged Art Deco style. The front elevation is made of “silver grey” facing bricks with stone dressings. The other elevations have been constructed in simple brickwork with concrete dressings to the upper parts. The façade of the first class pool is strongly ordered and symmetrical, following the internal arrangement of the entrance vestibule and stairs. The second class pool is much simpler. The building’s fenestration details are functional to the internal usage. The vertical strip windows to either sides follow the staircases that rise up to the second floor; the smaller windows correspond to the private parts of the stairs. The north elevation is fronted with a huge tripartite stone frame marking the first class baths’ entrance. The ground floor is adorned with five double doors, directly above them is another series of glazing which bring light into the spectator’s area.
- 4.8 As noted in the English Heritage listing description and in the applicant’s Conservation Management Plan, the interior of the building makes a particular contribution to this Grade II listed building’s special interest. *“Ten-bay first class pool under reinforced concrete hyperbolic ribs, which support the glazed roof structure that was innovative in bringing natural light into swimming baths. The pool has been infilled and the spectator seating areas removed, but the tiled stage surround with borough coat of arms over survives, as does tiling to the rear wall. Second class pool has conventional roof lights in flat roof. Entrance hall, with staircases either side, fully tiled to shoulder height (banded to stairs), with granolithic tiled floors and steel staircase balustrades over tiling. Similar staircases lead down to tiled Turkish or vapour baths, extended 1937 with foam baths, and with lounge adapted with washing facilities in the 1960s and original stepped plunge pool. In the entrance hall one slipper bath (bath tub) survives as a memorial. Foyer ceiling murals of 1985 by David Bratby, showing the history and function of the baths”.*
- 4.9 Poplar Baths were the first to bring the concept of the stepped rooflights supported on a reinforced concrete hyperbolic frame to a British swimming pool. Poplar was the first building in Britain to develop the idea for a low-cost civic building, and it stands above its contemporaries in architectural importance. In 1934, the baths building was described as *“One of the finest and best equipped baths of comparable purpose in this country”*(Architect and Building News, 19 January 1934, p.103).The baths closed in 1986.
- 4.10 It is also noted that outside of the public baths building stands the fine Grade II listed statue of Richard Green. The English Heritage listing describes this statue as follows: *“Sculptor, Edward W Wyon 1865, cast by Henry Prince and Co, Statue Foundry, Southwark. Bronze statue on pedestal of granite with 2 bas relief bronze panels of ship and ship building yard”*.Richard Green was a local ship owner and philanthropist, and this statue was erected in its present location in 1866.

5 PROPOSALDETAILS

- 5.1 The original proposal remains as previously approved (see planning history). In brief, this consists of the proposed refurbishments, conversion and alterations of the Grade

It listed Poplar Baths to facilitate its use as a new indoor and outdoor sports and leisure facility, with a swimming pool (in place of the second class pool), a new learner pool at basement level, badminton courts in the retained first class pool area, new gym facility, studio areas and roof top games area (MUGA); the existing Vapour Baths and plunge pool would also be retained and relocated. New changing and toilet facilities are also proposed together with landscaped forecourt and a new café at ground floor.

5.2 This current listed building consent (LBC) application is primarily focussed on the internal alteration works which have become necessary during the process of construction. These amendments are listed below.

Current 2014 amendments

5.3

- For the basement this includes the swapping of learner pool and main pool and creating a link between the learner pool and plunge pool for easy access; removal of the glazed screen separating the two pools;
- Use of steel primary structure for the “second class pool” (rather than concrete); this applies to all levels up till third floor;
- Relocating school’s change and access facilities to the learner pool’s side to allow for separation with public activities;
- Alterations to the ground floor main reception area to include new barriers and a deeper floor lobby area between entrance desk and doors;
- Rebuilding of northern end of east elevation in Portland stone to match existing;
- Retention of walls around tiered seating areas;
- Other minor works to internal layouts conducive to the leisure operator’s needs.

5.4 The LBC proposal also still consists of the following (detailed below), which have already been approved under the previous listed building consent PA/13/01441:

External works

5.5

- General repairs to all retained elevations as necessary with closely matching bricks where original are to be removed;
- Demolition and rebuilding of the second class part of the building including demolition of water tanks and chimneystack;
- Rebuild new elevations with closely matching bricks;
- Opening up of separate office as part of its conversion to a café;
- New multi-use games area (MUGA) on roof and its screening with bronzed metal louvres;
- Reconfiguration of upper part of rear elevation of the first class pool including the addition of a plant room;
- Replacement of single glazed Crittall steel windows with thermally broken Crittall steel framed double glazed windows to match existing;
- Replacement of three windows on the lower part of the west elevation with bronzed metal louvres;
- Erection of new sliding entrance doors with step free access to the central part of the main first class entrance;
- Creation of a large piazza at front, including soft landscaping and trees;
- New large sliding folding doors would open onto the new piazza from the café;
- Erection of new lighting to the façade of the front elevation;
- Creation of raised planting bed with stone seat edging at the Richard Green statue;

- New parking and cycle bays would be introduced to the west end of the forecourt; and
- Resurfacing of passage way along Grove Villas together with planting and new lighting and herbaceous planting along east elevation.

5.6 Internal works –Basement

- Removal of the second class part of the building, retaining foundations and retaining walls as well as salvaging the tiles of the plunge pool in the former ablution room;
- Salvage curved attendant's desk and re-use this at ground floor entrance;
- New 25m x 12.5m swimming pool, steam room, sauna and reconstructed plunge pool (previously Vapour Baths) at north end together with plant room at the southern end;
- New learner pool
- Formation of new corridor at the west of the new pool together with new structural columns carrying a series of curved concrete structural ribs for the new pool hall;
- Removal of pool in first class part of basement and creation of wet changing facilities, plant room and switch room at the south and west corner;
- Retention of plan form complete with original first class staircases, floor finishes and ladies toilets;
- Installation of two new lifts near staircases rising to second floor; and
- Creation of new public WCs and services.

5.7 Internal works – Ground floor

- Creation of new café, soft play area and meet/greet exhibition space at north of building; plant access and loading area at the south end;
- Installation of salvaged attendant's desk at ground floor entrance;
- Retention and restoration of first class main entrance; removal of western flight of stairs for new lifts both at east and west corners;
- Reception desk restored and maintained in same location with offices at rear;
- Original tiered seating, staircases, balconies and floor slabs to the east and west sides of the pool hall are retained; removal of south western staircase to facilitate a double height plant room; and
- Creation of new substation in the south west corner (already approved), new staircase at south east corner and staff bicycle storage along northern part of the west side of ground floor;

5.8 Internal works – First floor

- Retention of the first class pool hall; new Sport England 4 court sports hall is levelled to match original walkways along east and west sides of pool hall;
- New lift shafts under stepped roof formed behind staircases; glass partitions between arches to form walkway along the east creation of an equipment store along the west; and
- Creation of a new gym in new second class part of building with associated changing rooms and showers.

5.9 Internal works – Second and third floors

- Minor alterations at first class part of building, continuation of two lift shafts in the pool hall and escape staircase at south eastern corner;
- New second class part of building facilitates a changing area for MUGA and creation of MUGA at roof level; and
- Removal of modern partitions at third floor and refurbishment of WCs. Creation

of access stair to roof plant at southern end of the building.

6 RELEVANT PLANNING HISTORY

- 6.1 PA/13/01432 –Full planning permission granted for the demolition of existing garages and ball court and erection of 10 storey residential block to provide 60 affordable housing units; internal and external alterations and refurbishment to Poplar Baths to reinstate the main pool and create a new learner pool; demolition of chimney and associated ancillary works to provide indoor wet and dry sports and leisure facilities, roof top games area plus ancillary landscaping and vehicular parking. (AMENDED DESCRIPTION). Approved 08 January 2014
- 6.2 PA/13/01581–Listed Building Consent granted for the alterations to rear elevation, basement and ground floor to facilitate the creation of new electricity sub-station to serve the Poplar Baths. Approved 12 November 2013
- 6.3 PA/13/01441 – Listed Building Consent granted for the internal and external alterations and refurbishment to Poplar Baths building including demolition of chimney and associated ancillary works (AMENDED PLANS - PROPOSED LEARNER POOL). Approved 05 December 2013.
- 6.4 PA/14/01108 - Submission of details pursuant to condition 3 (Archaeological scheme of investigation), 4 (Programme to secure and protect features of importance) 6(Contract for completion of the works) and 7(Archaeological recording) of Listed Buildings Consent dated 05/12/2013, ref: PA/13/01441. Approved 20 May 2014
- 6.5 PA/14/02051 - Submission of details pursuant to condition 5g (plunge pool) of listed building consent PA/13/1441 dated 05/12/2013. Approved 03 September 2014
- 6.6 PA/14/02304 - Submission of details pursuant to condition 5f (removal, storage and re-erection of the “Attendants Counter”) of Listed Building Consent dated 05/12/2013, ref: PA/13/01441. Approved 13 October 2014

7 RELEVANT PLANNING POLICIES

Government Planning Policy

- 7.1 National Planning Policy Framework (2012) - Chapter 12 ‘Conserving and enhancing the historic environment’

PPS5 - Planning for the Historic Environment PRACTICE GUIDE

London Plan Spatial Development Strategy for Greater London (2011)

- 7.2 Policies:
 - 7.4 Local Character
 - 7.6 Architecture
 - 7.8 Heritage assets and archaeology

Adopted Core Strategy (2010)

- 7.3 Policies:
 - SP09 Creating attractive and safe streets and spaces
 - SP10 Creating distinct and durable places

Managing Development Document (adopted April 2013)

- 7.4 Policies: DM24 Place Sensitive Design
 DM25 Amenity
 DM27 Heritage and the historic environment

8 CONSULTATION RESPONSES

- 8.1 The views of the Directorate of Development and Renewal are expressed in the material planning considerations section below.

English Heritage

- 8.2 We welcome the proposed repair and regeneration of this iconic and highly significant listed building, which is in a poor condition and has been vacant for many years, thereby justifying its inclusion on our Heritage at Risk Register for London. It is our view that the assessment of significance has been well considered and the proposals will result in change being focused on those areas of relatively low heritage significance. Certainly, it is our view that there are substantial public benefits presented by the proposals, which include the restoration and repair of highly significant historic fabric and reuse of the building for community purposes, in accordance with the provisions of policy 134 of the National Planning Policy Framework.

Twentieth Century Society

- 8.3 No comments have yet been received.

LBTH - Borough Conservation Officer

- 8.4 Poplar Baths was listed at Grade II in 2001. The building was designed by Harley Heckford, the Borough Engineer and built in 1932 – 4. The relevant list description states that it ‘was the first building in Britain to develop the idea for a low-cost civic building, and it stands above its contemporaries in architectural importance.’ Closed in 1988, it is included on the Heritage at Risk Register of English Heritage.
- 8.5 The current proposal has been subject to rigorous historical analysis and exhaustive detailed design development which has aimed to retain the most significant elements of the historic fabric whilst accommodating a twenty first century leisure centre, thus giving the building a fully sustainable future.
- 8.6 The current proposal is fully in accord with Policy 134 of the National Planning Policy Framework which states that ‘Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use’.
- 8.7 The exterior of the first class element will be restored with new bricks to match the existing and thermally broken Crittal steel framed double glazed windows will be installed to match the existing single glazed Crittal windows. Key features of the First Class Pool Hall will be restored as will finishes within the very distinctive Entrance Vestibule along with the reconstruction of the plunge pool (one of the buildings most distinctive features).
- 8.8 The existing second class pool element, boiler house and chimney will be demolished to accommodate facilities including the replacement pool and trainer pool. This element of the proposal has been subject to much debate. It is considered that this part of the existing building is of far less significance than the exceptional first class element. The proposal includes the rebuilding of the key East India Dock Road facade in a very similar form to the existing whilst incorporating some changes which

are necessary to accommodate the café and other uses.

- 8.9 English Heritage have been fully involved in the development of the proposal and have stated that they 'welcome the proposed repair and regeneration of this iconic and highly significant listed building'.
- 8.10 The Twentieth Century Society have 'welcomed the re-use of this important designated heritage asset' whilst raising concerns with regard to the alteration of the floor level within the First Class Pool Hall. Many potential layouts were considered in great detail at pre application stage and the submitted Design and Access Statement and Heritage Statement set out the reasons for the proposed change in floor level which are considered necessary to ensure the scheme is both DDA and Sport England Compliant. As a result of English Heritage and Twentieth Century comments the scheme was amended in order to retain the existing tiered seating area, covering it over for possible reuse at a later date.
- 8.11 The historical analysis at pre application stage has been informed by a comprehensive Conservation Management Plan which has been submitted as part of the proposal. Detailed design will be critical in ensuring the success of the scheme; this will be secured by means of relevant conditions attached to any permission.
- 8.12 The proposal would ensure that this important listed building is saved. It would ensure that its magnificent interiors are once again used and enjoyed by the public. The proposed changes have been the subject of detailed discussion and would not have a harmful impact on the special architectural or historic interest of the listed building. In particular the proposed changes to the plunge pool would ensure that this highly significant element forms a key part of the visitor experience to the pool.

9 LOCAL REPRESENTATION

- 9.1 A total of 378 neighbouring properties within the area shown on the map appended to this report were notified about the full planning permission and listed building consent applications and invited to comment.
- 9.2 The applications have also been publicised in East End Life and on site (21 October 2014).
- 9.3 No letters of representation have been received following consultation exercise.

10 MATERIAL PLANNING CONSIDERATIONS

- 10.1 This Grade II listed building is owned by the London Borough of Tower Hamlets; as such, the Council cannot determine applications for Listed Building Consent for works to buildings that it owns. Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 requires that such applications are referred to the Secretary of State, together with any representations received following statutory publicity. The terms of reference of the Development Committee require that where the Council is applying for works to a Listed Building that it owns, the application must be considered by the Committee.

Setting and Appearance of the Listed Building

- 10.2 When determining listed building consent applications, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that regard should be paid to the desirability of preserving the building or/and its setting, and any features of special architectural or historic interest.
- 10.3 The National Planning Policy Framework (2012) emphasises the importance of preserving heritage assets and requires any development likely to affect a heritage asset or its setting to be assessed in a holistic manner. The main factors to be taken into account are the significance of the asset and the wider social, cultural, economic and environmental benefits arising from its preservation, extent of loss or damage as result of development and the public benefit likely to arise from proposed development. Any harm or loss to a heritage asset requires clear and convincing justification.
- 10.4 The relevant London Plan (2011) policies are policies 7.4, 7.6 and 7.8 which broadly aim to ensure the highest architectural and design quality of development and require for it to have special regard to the character of its local context. More specifically, any development affecting a heritage asset and its setting should conserve the asset's significance by being sympathetic in form, scale, materials and architectural detail.
- 10.5 The Council's Core Strategy strategic objective SO22 aims to "Protect, celebrate and improve access to our historical and heritage assets by placing these at the heart of reinventing the hamlets to enhance local distinctiveness, character and townscape views". This is to be realised through strategic policy SP10 which aims to protect and enhance the borough's Conservation Areas and Statutory Listed Buildings and to preserve or enhance the wider built heritage and historic environment of the borough to enable creation of locally distinctive neighbourhoods with individual distinctive character and context. Policy SP10 also sets out the broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.
- 10.6 Preservation of listed buildings and their setting is specifically supported by policy DM27 of the Managing Development Document which requires alterations to listed buildings to preserve the special architectural or historical interest of the building and to retain and repair any architectural features. Any adverse impact on the character, fabric or identity of the listed building is to be resisted.
- 10.7 The Council's general design criteria are set out in policy SP10 of the Adopted Core Strategy and policy DM24 of the Managing Development Document 2013. These policies aim to ensure that development is designed to the highest quality standards and is sensitive to and enhances the local character and setting of the development by respecting the design details and elements, scale, height, mass, bulk and form of adjoining development, building plot sizes, plot coverage and street patterns, building lines and setbacks, roof lines, streetscape rhythm and other streetscape elements in the vicinity. Development is also required to utilise high quality building materials and finishes.
- 10.8 It has already been noted that this current listed building consent seeks to address amendments to the extant consent, dated 05 December 2013. Notwithstanding, the application proposal would facilitate the reopening and reuse of the old Poplar Baths building with new swimming pools, sports facilities, a café and MUGA. The Plunge Pool (which was part of the former Vapour Baths) is going to be dismantled and re-constructed in the basement. The scale of the building would be comparable to when

it was first opened in 1934. The front and west elevations would be substantially restored and would remain very similar in scale to the original. The chimney would be removed and the east elevation would now be rebuilt in a modified form with some new metal windows and some replacement metal windows especially on the upper parts of this elevation. A 169sqm area of the roof has been earmarked for photovoltaic panels.

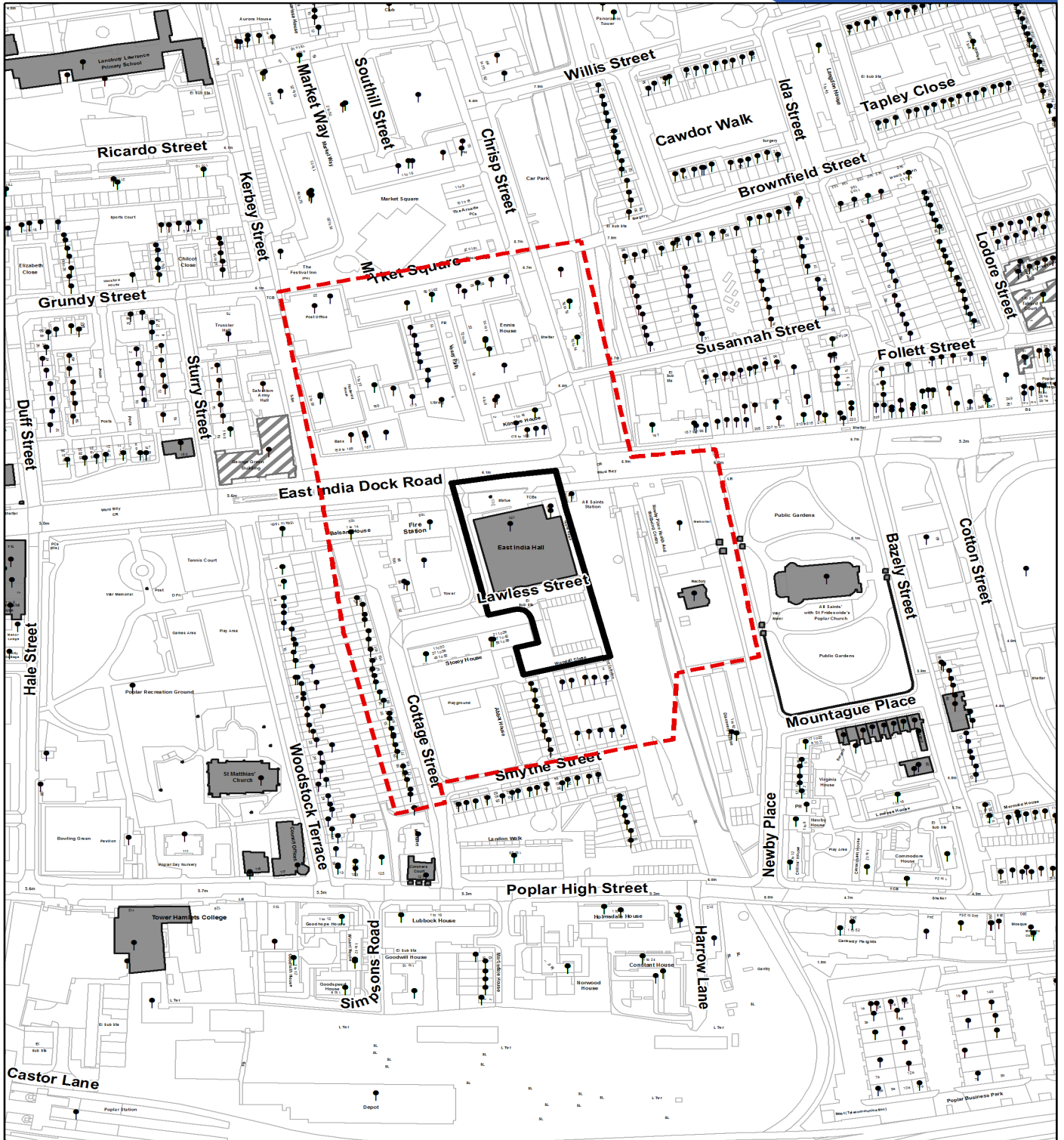
- 10.9 The main amendments are the new locations of the main pool and learner pool; these two are being swapped so that there is a better access from the pools to the changing rooms. Furthermore, the glazed wall (proposed previously) would be removed and a new link created between the learner pool and plunge pool. This internal alteration is significant in that it would allow the plunge pool to be actively used with a more purposeful function rather than just being relocated and retained. Further alterations include relocating schools changing and access facilities to the learner pool's side, to allow for separation with public activities. The attendants counter would now be moved to the first floor to be used for its original function. The ground floor main reception area would be enlarged to improve access and circulation. Retention of walls around tiered seating areas and other minor works to internal layouts conducive to the leisure operator's needs.
- 10.10 The south elevation has already been modified under a separate listed building consent application (PA/13/01586) to introduce the substation. Further changes would be at upper level where the proposed MUGA would be located; the MUGA would be finished with a bronze metal louvred fence enclosure and integrated sports lighting. This elevation would not extend higher than the existing water tanks and chimney (now removed). Therefore, the new height at the MUGA would not introduce an alien feature at this level. The west elevation remains more or less similar in outlook but is repaired and refurbished. The main change would be the reconfigured section to create plant enclosure.
- 10.11 The first class pool area and hall are the most significant parts of this building. These would be retained, restored and brought back into use as an indoor sports hall. Whilst it is regrettable that the second class pool would be demolished and rebuilt, the foundations and walls would be retained. It is now proposed to use a steel structure rather than concrete to match the works with existing. Officers believe that many original features have already been lost when alteration works were carried out after the baths were closed and taken over by another user. This part of the building is also of lesser significance and hence, on balance, this change would be acceptable to bring the building back into use and any harm would be outweighed by public benefits.
- 10.12 Many of the surviving external and internal materials are of good quality and would be preserved, restored and reused where appropriate. Matching materials would be used where it is necessary to carry out more substantial repair works. The building with its refurbished Art Deco entrance vestibule, large hall and new café area opened onto East India Dock Road would once more be a leisure venue for the community.
- 10.13 In terms of the windows, the proposal would seek to replace all existing single glazed, bronzed metal windows with new, thermally broken, double glazed, bronzed metal windows to match the Crittall windows. English Heritage welcomes this approach and officers would condition full details of all replacement windows. However, concerns have been raised with regards to the manually operated external opening mechanisms, which is a subtle but noticeable feature of the east and west elevations. This would be difficult to safeguard in terms of original functionality; however, in terms of appearance this would be preserved. A condition would be attached to secure this.

- 10.14 In design and heritage terms, the internal and external alteration works to this Grade II listed building would be appropriate in terms of the scale, height and use of materials. The front elevation would be restored in the silver grey matching bricks. The rear elevation is faced in red brick and is subservient to both the front elevation and the west façade. Interventions on this elevation would have less impact on the whole building. The external works proposed, at the front of the building facing East India Dock Road are welcome. The restoration and retention of the Grade II statue of Richard Green is also supported together with the seating areas around it. The whole ensemble would have a positive impact on the setting of the street scene, Chrisp Street Market and the Idea Store.
- 10.15 It is not considered that the internal amendments would cause harm to features of special architectural or historic significance and interest of the listed building. The necessary alteration works would represent an acceptable level of intervention in the overall fabric of the listed Baths. No objections have been raised to the works by English Heritage or the Borough Conservation Officer.
- 10.16 The proposed works and amendments are therefore generally considered sympathetic and would preserve the character, fabric, integrity and identity of the listed building. The works would be appropriate to facilitate viable re-use of the heritage asset. This proposal therefore meets the requirements outlined in the National Planning Policy Framework (2012), Policy SP10 of the adopted Core Strategy (2010) and Policies DM24 and DM27 of the Managing Development Document (adopted April 2013).

11 CONCLUSION

- 11.1 In reaching this recommendation, specific consideration was given to whether the proposed repair, refurbishment and renewal works would preserve the architectural and historic significance of the existing old baths and internal features. Based on the information submitted with the application and the advice from English Heritage and the Borough Conservation Officer, the works would not lead to substantial harm to the significance of the designated asset. Furthermore, the internal alterations are considered acceptable as they would facilitate the operations of this new sports and leisure place. The proposal is in accordance with the National Planning Policy Framework which specifies that any harm should be weighed against the public benefit of the proposal and in this case, the harm is outweighed by the public benefit.
- 11.2 All other relevant policies and considerations have been taken into account and the Secretary of State can be advised that this Council would have been minded to grant Listed Building Consent subject to the conditions set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map
PA/14/02592



- Planning Application Site Boundary
- Locally Listed Buildings
- Land Parcel Address
- 0 20 m
- Consultation Area
- Statutory Listed Buildings

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