

Committee: Strategic Development	Date: 13 th May 2009	Classification: Unrestricted	Agenda Item No: 7.2 - Updated
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Devon Rollo		Ref No: PA/08/02347	
		Ward(s): Spitalfields and Banglatown	

1. APPLICATION DETAILS

Location: Holland Estate, Commercial Street, London

Existing Use: Residential housing estate, offices, retail units and vehicle parking.

Proposal: Refurbishment of the retained existing dwellings on Holland Estate, the replacement of 43 dwellings, (13 x one bed flats, 9 x two bed flats, 18 x three bed flats and 3 x four bed flats) totalling 143 habitable rooms within Ladbroke House, Bradbury House, Evershed House and Denning point with the erection of 209 new residential units containing studio, 1, 2, 3, 4 and 5 bedrooms, provision of a new community centre (use class D1) of 644sqm, a new Eastend Homes local housing office and head office of 1,078sqm (use class B1), the introduction of an Estate wide landscaping scheme and the replacement of 11 retail units (including 2 kiosks) with 6 new retail units providing some 1,490sqm comprising use classes A1, A2 and A3.

Drawing Nos: 2195-0500 P01, 2195-0501 P01, 2195-0502 P01, 2195-0503 P01, 2195-0504 P01, 2195-0505 P01, 2195-0506 P01, 2195-0507 P01, 2195-0508 P01, 2195-0509 P01, 2195-0510 P01, 2195-0511 P01, 2195-0512 P01, 2195-0513 P01, 2195-0514 P01, 2195-0515 P01, 2195-0516 P01, 2195-0517 P01, 2195-0600 P01, 2195-0601 P01, 2195-0602 P01, 2195-0603 P01, 2195-0604 P01, 2195-0605 P01, 2195-0606 P01, 2195-0607 P01, 2195-0700 P01, 2195-0702 P01, 2195-0703 P01, 2195-0800 P01, 2195-0801 P01, 2195-0803 P01, 2195-0804 P01, 2195-0806 P01, 2195-0807 P01, 2195-0809 P01, 2195-0815 P01, PL_L02 Rev A,

Supporting Documents: Design and Access Statement
Planning and Regeneration Statement – October 2008
Phase I Desk Top Study Report – May 2008
Arboricultural Impact Assessment – 3 October 2008
Stage D Proposals, Landscape Strategy – October 2008
Statement of Community Involvement – October 2008
Project Management Plan – 16 October 2008
Flood Risk Assessment ref. 5788001704 – August 2008
Flood Risk Assessment ref. 5788001704 – October 2008
Site Waste Management Plan – 22 June 2008
Wind Microclimate Study – 3 October 2008
Report on the Availability of Natural Daylighting and Sunlighting – October 2008
Noise Assessment – October 2008
Air Quality Assessment – October 2008
Archaeological Assessment – June 2008
Site Utilities Desk Study – December 2008
Energy Strategy – September 2008

Applicant: Mr Stephen Inkpen
Eastend Homes Ltd.
1st Floor
Tayside House
31 Pepper Street
London
E14 9RP

Owner: EastendHomes;
Numerous Leaseholders

Historic Building: No

Conservation Area: Wentworth Street
Fournier Street

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

- The proposal will facilitate estate wide improvements and bring existing homes up to Decent Homes standard to ensure that they are in a good state of repair. This is in accordance with the Mayor's Housing Supplementary Planning Guidance (November 2005) and Policy HSG5 in the Council's Interim Planning Guidance (2007): Core Strategy and Development Control which support the principle of estate regeneration proposals.
- The proposal would result in an estate with a density of 725 habitable rooms per hectare, which is comfortably within limits set out in the London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004). The proposed development is considered to be sensitive to the context of the surrounding area, by reason of its site coverage, massing, scale and height. The development is therefore in accordance with Policy 3A.3 London Plan Spatial Development Strategy for Greater London (Consolidated with alterations since 2004) which seeks to ensure that the maximum intensity of use is compatible with local context.
- The proposal provides an acceptable amount of affordable housing (38.6%) and mix of units overall. As such the proposal accords with the criteria set out in policies 3A.5 and 3A.9 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure that new developments offer a range of housing choices.
- The quantity and quality of housing amenity space, communal space and open space is acceptable and accords with PPS3, policies 3A.6, 3D.13 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan 1998 and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to improve amenity and liveability for residents.
- The height, scale and design of the proposed buildings are acceptable and in line

with policy criteria set out in 4B.1 of the London Plan, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to ensure buildings are of a high quality design and suitably located.

- Transport matters, including parking, access and servicing are acceptable and in line with policies DEV1 and T16 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to ensure developments can be supported within the existing transport infrastructure.
- The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the general compliance with relevant BRE Guidance and the urban context of the development. As such, it accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure development does not have an adverse impact on neighbouring amenity.
- It is considered that, on balance the benefits of the scheme which will facilitate the upgrade of the estate, outweigh the shortfall in additional renewable energy provision. The proposal will make energy savings across the Holland Estate as a whole, which is in accordance with the principles of Policy 4A.3 in the London Plan and policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007), which seek to reduce carbon emissions.
- Planning contributions have been secured towards education and health care and requirements secured for local labour use, a green travel plan, a car club scheme and delivery of a community centre, in line with Government Circular 05/2005, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Interim Planning Guidance (October 2007) for the purposes of Development Control, which seek to secure contributions towards infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

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

Financial Contributions

1. Provide a contribution of **£225,596** towards the provision of future health and social care facilities.
2. Provide a contribution of **£283,866** towards the provision of primary school places.

(Total S.106 financial contribution = **£509,462**)

Non-financial Contributions

3. Affordable Housing (38.6%)
4. Car Free Development for all new units

5. Employment Initiatives to use reasonable endeavours to employ local people during the construction and end user phases of the development.
6. Green Travel Plan to encourage sustainable travel to and from the development by residents.
7. Clause requiring £10,285,000 (residual value after Stamp Duty Land Tax – SDLT) to be spent on the upgrade of the Holland Estate to bring existing units up to Decent Homes Standard.
8. Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal
9. Provision of a car club scheme and a minimum of 2 car club spaces provided within the development for the use of residents
10. Provision and operation of a Community Centre
11. Provision of 24 hour public access to the public open space

3.2 That the Head of Development Decisions is delegated power to impose conditions [and informatives] on the planning permission to secure the following:

Conditions

- 1) Extended 5 year Time Period
- 2) Material Samples for new build
- 3) Material Samples for refurbishments
- 4) Landscaping Plan and Management Plan
- 5) Scheme of protective fencing measures around trees to be retained
- 6) Details of boundary treatment and security gates
- 7) Construction Management Plan
- 8) Servicing and Delivery Plan for commercial units
- 9) Construction working hours
- 10) Construction noise levels
- 11) Lifetime Homes
- 12) Ground Borne Noise Assessment & Mitigation
- 13) Noise mitigation
- 14) Ventilation details
- 15) Energy Strategy (further details)
- 16) Sustainable Homes Assessment
- 17) Waste and Recycling Storage
- 18) Cycle Storage
- 19) Land Contamination
- 20) Surface Water Drainage
- 21) Sewer Capacity
- 22) Electric vehicle charging points
- 23) Petrol/oil interceptors.
- 24) 10% Wheelchair Units
- 25) Low Water Use Technology
- 26) Schedule of Highways Work
- 27) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) Thames Water (Minimum water pressure provision)
- 2) S106 agreement
- 3) S278 agreement

3.3 That, if by 13th of August 2009 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 As part of EastendHomes ongoing work towards achieving 'Decent Homes' standards within its developments (to be completed by 2010), the applicant seeks to secure investment in estate-wide improvements, including the replacement of kitchens and bathrooms to all tenanted properties and the upgrading of the external environment with improvements to security and safety throughout the estate.

4.2 The regeneration proposals will include the installation of new lift cores, new refuse storage and recycling facilities and general improvements to the communal landscaped areas and existing defined play areas. Improvements will also be made to the external appearance of buildings with works to the entrances of existing blocks.

4.3 In addition to the refurbishment of the retained existing buildings, the applicant proposes the demolition of 43 poor quality residential units (13 x one bed, 9 x 2 bed, 18 x 3 bed and 3 x 4 bed units), and proposes the construction of 209 new residential units in 5 new buildings, to a maximum height of 12 storeys.

4.4 11 retail units (including 2 kiosks) with an existing floor area of 1167m² will be replaced with 6 new retail units providing 1,490m² (Use Classes A1, A2 and A3). A new EastendHomes Local Housing Office and Head Office of 1,078m² (Use Class B1) will incorporate the replacement of 245m² of existing office floorspace.

4.5 The scheme will also provide a new community centre of 644m² located to the rear of Wentworth Street. This facility will occupy the ground and first floors, and will front onto a new pedestrian area with enhanced landscaping.

4.6 The areas comprising the comprehensive regeneration works can be separated into four distinct sites.

- The area containing Brune, Carter, Bernard and Barnett Houses borders Brune Street to the north, Bell Lane to the west, Toynbee Street to the east and the rear of the properties fronting Wentworth Street.
- Wentworth Dwellings, which are 2 separate buildings located on opposite sides of a courtyard in an urban block bounded by Wentworth Street, Goulston Street, New Goulston Street and Middlesex Street, and Brunswick House located on the opposite side of New Goulston Street, extending around the corner onto Goulston Street.
- Herbert and Jacobson Houses form a separate area and are located on Old Castle Street, opposite the Denning Point complex.
- The final area, comprising Wheler House, is located south of Quaker Street, and is bounded on the east by Quaker Court and on the west by buildings that face onto Wheler Street.

4.7 The Denning Point complex will contain the entire new build element of the proposals and occupies an urban block broadly rectangular in shape and is bounded by Wentworth Street to the north, Commercial Street to the east, Old Castle Street to the west and Pomell Way to the south.

Site and Surroundings

- 4.8 Holland Estate is located within the Spitalfields / Banglatown Ward of the London Borough of Tower Hamlets, near the Tower Hamlets boundary with the City of London. The site lies within a mixed commercial and residential area. The Holland Estate comprises a collection of sites within distinct areas containing a total of 2.4 hectares.
- 4.9 The application site comprises 13 residential blocks. The wider series of estates were built in the late 1960's/early 1970's and the blocks are generally a uniform height of 4 / 5 storeys with the exception of Denning Point, a 22 storey tower, located on the eastern side of the estate. Currently the site contains 417 residential units and has a density of 529 habitable rooms per hectare. The breakdown of existing residential unit sizes is as follows:

Unit size	Total units	Affordable Housing				Market Housing	
		Social Rented		Intermediate		Private Sale	
		Units	%	Units	%	Units	%
Studio	0	0	0%	0	0	0	0%
1 bed	106	58	29.9%	0	0	48	21.5%
2 bed	215	98	50.5%	0	0	117	52.5%
3 bed	60	23	11.9%	0	0	37	16.6%
4 bed	26	9	4.6%	0	0	17	7.6%
5 bed	9	6	3.1%	0	0	3	1.3%
5 bed	1	0	0%	0	0	1	0.5%
Total	417	194	100%	0	0	223	100%

Table 4.1 – Existing Housing Mix within Holland Estate

- 4.10 The Denning Point complex is bordered by two conservation areas, namely Wentworth Street Conservation Area and the Whitechapel High Street Conservation Area. The southern boundary of the Artillery Passage Conservation Area runs down Brune Street to the north of Carter House. Bernard House and Old Wentworth Dwellings both lie within different parts of the Wentworth Street Conservation Area. In addition, the site containing Wheler House lies within the Fournier Street Conservation Area.
- 4.11 The estate is well served by public transport with Liverpool Street Station located approximately 400m to the west and Whitechapel and Aldgate Underground Stations within approximately 50m and 100m of the site respectively and 4 bus routes along Commercial Street and Whitechapel High Street that serve Mile End, Hackney, Ilford, Wood Green, Paddington and the West End,
- 4.12 Vehicular access into and through the estate is predominantly via Commercial Street and Middlesex Street and by a number of smaller roads running east - west. Car parking is provided in a series of surface areas around the base of each of the blocks, these currently provide a total of 118 spaces across the estate plus an additional 97 spaces within an existing, currently unused underground car park beneath Denning Point. EastendHomes controls all the parking on the estate.
- 4.13 Whilst much of the site is bordered by different Conservation Areas, just three properties lie within a Conservation Area, namely Wheler House (Fournier Street Conservation Area), Old Wentworth Dwellings and Bernard House (both within Wentworth Street Conservation Area).

Planning History

4.14 There is no relevant planning history to this application.

5. POLICY FRAMEWORK

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

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

2A.1	Sustainability Criteria
2A.8	Town Centres
3A.1	Increasing London’s Supply of Housing
3A.3	Maximising the Potential of Sites
3A.5	Housing Choice
3A.6	Quality of New Housing Provision
3A.7	Large Residential Developments
3A.8	Definition of Affordable Housing
3A.9	Affordable housing Targets
3A.10	Negotiating Affordable Housing in Individual Private Residential and Mixed Use Schemes
3A.11	Affordable Housing Thresholds
3A.15	Loss of Affordable Housing
3A.17	Addressing the Needs of London’s Diverse Population
3A.18	Protection and enhancement of Social Infrastructure and Community facilities
3B.1	Developing London’s Economy
3B.2	Office Demand and Supply
3B.3	Mixed Use Developments
3B.6	Improving London’s ICT infrastructure
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3D.1	Supporting Town Centres
3D.2	Town Centre Development
3D.3	Maintaining and Improving Retail Facilities
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.13	Children and Young Peoples Play and Informal Recreation Strategies
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy: Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4A.10	Overheating
4A.11	Living Roofs and Walls
4A.12	Flooding
4A.13	Flood Risk Management

4A.14	Sustainable Drainage
4A.16	Water Supplies and Resources
4A.17	Water Quality
4A.19	Improving Air Quality
4A.20	Reducing Noise and Enhancing Soundscapes
4A.28	Construction, Excavation and Demolition Waste
4B.1	Design Principles for a Compact City
4B.2	Promoting World Class Architecture and Design
4B.3	Enhancing the Quality of the Public Realm
4B.4	London's Buildings: Retrofitting
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.8	Respect Local Context and Communities
4B.10	Large-scale buildings – Design and Impact
4B.11	London's Built Heritage
4B.12	Heritage Conservation

Unitary Development Plan 1998 (as saved September 2007)

Proposals:

LSP	Local Shopping Parade
CAZ	Central Area Zone
AAIP	Area of Archaeological Importance or Potential
CA	Conservation Area: Wentworth Street
CA	Conservation Area: Fournier Street

Policies:

ST1	Effective and Fair Planning Service
ST12	Availability and Accessibility
ST15	Expansion and Diversification of Local Economy
ST17	High Quality Work Environments
ST23	Quality of Housing Provision
ST25	Provision of Social and Physical Infrastructure
ST26	Improve Public Transport
ST28	Restrain Use of Private Cars
ST30	Improve Road Safety
ST34	Improved Provision of Shopping
ST35	Retention of Local Shops
ST37	Attractive Environment
ST41	Provision of Quality Shopping
ST43	Public Art
ST49	Social and Community Facilities
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Development
DEV4	Planning Obligations
DEV9	Minor Works
DEV12	Provision of Landscaping in Development
DEV15	Retention/Replacement of Mature Trees
DEV17	Siting and Design of Street Furniture
DEV18	Art and Development Proposals
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV 69	Efficient Use of Water
CAZ1	Location of Central London Core Activities

EMP1	Employment Uses
EMP6	Employing Local People
EMP8	Small Businesses
HSG4	Loss of Housing
HSG6	Accommodation Over Shops
HSG7	Dwelling Mix
HSG13	Internal Standards for Residential Developments
HSG15	Preserving Residential Character
HSG16	Amenity Space
T8	New Roads
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T19	Priorities for Pedestrian Initiatives
T21	Pedestrian Needs in New Development
S4	Changes of Use in Local Parades
S5	Changes of Use
S9	Improvement and Enhancement
S10	Requirements for New Shopfront Proposals
S11	Use of Open Grills
S13	Shop Window Displays for Non A1 Uses
O7	Loss of Open Space
O9	Children's Play Space
O13	Youth Provision
SCF11	Meeting Places

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

Proposals:

CFAAP	City Fringe Area Action Plan
CAZ	Central Activities Zone
CAZF	CAZ Frontage: Wentworth Street
CA	Conservation Area: Wentworth Street
CA	Conservation Area: Fournier Street
AAI	Area of Archaeological Importance
PWSG	Pomell Way Square Garden

Core Strategies:

CP 1	Creating Sustainable Communities
CP 3	Sustainable Environment
CP 4	Good Design
CP 5	Supporting Infrastructure
CP 7	Job Creation and Growth
CP 8	Tower Hamlets' Global Financial and Business Centre and the Central Activities Zone
CP 9	Employment Space for Small Business
CP 11	Sites in Employment Use
CP 15	Provision of a Range of Shops
CP 16	Vitality and Viability of Town Centres
CP 19	New Housing Provision
CP 20	Sustainable Residential Density
CP 21	Dwelling Mix and Type
CP 22	Affordable Housing
CP 23	Efficient Use and Retention of Existing Housing
CP 24	Specialist Needs and Specialist Housing
CP 25	Housing Amenity Space
CP 27	High Quality Social and Community Facilities to Support Growth
CP 30	Improving the Quality and Quantity of Open Spaces

	CP 31	Biodiversity
	CP 38	Energy Efficiency and Production of Renewable Energy
	CP 39	Sustainable Waste Management
	CP 40	A Sustainable Transport Network
	CP 41	Integrating Development with Transport
	CP 42	Streets for People
	CP 43	Better Public Transport
	CP 46	Accessible and Inclusive Environments
	CP 47	Community Safety
	CP 48	Tall Buildings
Policies:		
	DEV 1	Amenity
	DEV 2	Character and Design
	DEV 3	Accessibility and inclusive Design
	DEV 4	Safety and Security
	DEV 5	Sustainable Design
	DEV 6	Energy Efficiency and Renewable
	DEV 7	Water Quality and Conservation
	DEV 8	Sustainable Drainage
	DEV 9	Sustainable Construction Materials
	DEV 10	Disturbance from Noise Pollution
	DEV 11	Air Pollution and Air Quality
	DEV 12	Management of Demolition and Construction
	DEV 13	Landscaping and Tree Preservation
	DEV 14	Public Art
	DEV 15	Waste and Recyclables Storage
	DEV 16	Walking and Cycling Routes and Facilities
	DEV 17	Transport Assessments
	DEV 18	Travel Plans
	DEV 19	Parking for Motor Vehicles
	DEV 20	Capacity of Utility Infrastructure
	DEV 22	Contaminated Land
	DEV 24	Accessible Amenities and Services
	DEV 25	Social Impact Assessment
	DEV 27	Tall Building Assessment
	HSG 1	Determining Residential Density
	HSG 2	Housing Mix
	HSG 3	Affordable Housing Provisions in Individual Private Residential and Mixed-Use Schemes
	HSG 4	Varying the Ratio of Social Rented to Intermediate Housing
	HSG 5	Estate Regeneration Schemes
	HSG 7	Housing Amenity Space
	HSG 9	Accessible and Adaptable Homes
	HSG 10	Calculating Provision of Affordable Housing
	EE 2	Redevelopment/Change of Use of Employment Sites
	RT 1	Primary Shopping Frontage
	RT 4	Retail Development and the Sequential Approach
	SCF 1	Social and Community Facilities
	OSN 2	Open Space
	CON 2	Conservation Areas

Supplementary Planning Guidance/Documents

Designing Out Crime (Part 1 & 2) – SPG 2002
Residential Space – SPG 1998
Landscape Requirements – SPG 1998
Shop Front Design – SPG 1998

Government Planning Policy Guidance/Statements

PPS 1	Delivering Sustainable Development
PPS 3	Housing
PPS 6	Planning for Town Centres
PPG 13	Transport
PPG 22	Renewable Energy
PPG 24	Planning and Noise

Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

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

6. CONSULTATION RESPONSE

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

LBTH Access Officer

6.2 No objections received

LBTH Education

6.3 The proposed mix for net increase in dwellings is assessed as leading to a contribution towards 23 additional primary school places at £12,342 = £283,866. This would attract an additional cost on the education system and a financial contribution of this value is requested.

Officer's Comments

6.4 A financial contribution of £283,866 towards education has been agreed to by the developer in the Heads of Terms for a Section 106 Agreement in order to mitigate the impact of the additional housing units on the education system.

LBTH Energy Efficiency Unit

6.5 No objections received

LBTH Environmental Health

General

6.6 No bedroom should be less than minimum floor area of 6.5 m². Sufficient extract ventilation is required to internal kitchens, bathrooms, and w.c.'s. Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations.

Land Contamination

6.7 Environmental Health is in agreement with the submitted information that additional

investigative works must be carried out to further characterise the potential threat to future site users.

- 6.8 Environmental Health questions the lack of any proposals to monitor ground gas. The submitted report states that inhalation is a potentially significant pathway and that hydrocarbon barriers may be required within buildings. If this is the case then surely it would be appropriate to quantify the risk in order to propose suitable mitigation measures. Current guidance (CIRIA C665) suggests six monitoring visits over a two month period for potentially low risk sites.
- 6.9 Environmental Health would also suggest the applicants' environmental consultant liaise with Defra and the Environment Agency in order to obtain a copy of the current deterministic CLEA model and tools in which to assess the risk from contaminated land.
- 6.10 Once additional reports are prepared they should be submitted to Environmental Health, via Development Control, for further comment.

Environmental Health - Noise & Vibration

- 6.11 According to the acoustic report submitted by Enviros Consulting Ltd, dated July 2008, the facades facing east- commercial street, west - Old Castle Street, north – Wentworth street and south – Pomell Way are all in PPG 24, Noise Exposure Category (NEC) C. However, the Council noise map shows that façades facing eastward - Commercial Street are in (NEC) D. The guidance given by the PPG is that in Noise Exposure Category “D” planning permission should normally be refused.
- 6.12 Environmental Health recommendation is that planning permission should either be refused or conditioned until the applicant/developer provides detailed information demonstrating that facades facing Commercial Street would no longer be in this category. This could be by providing details of adequate sound attenuating glazing, mechanical or acoustic ventilators complying with the Noise Insulation Regulations 1975 or equivalent. However, they must be designed to ensure that the internal acoustic environment within habitable rooms will be of an acceptable standard, in accordance with BS 8233:1999 Sound Insulation and Noise Insulation for buildings and World Health Organisation Guidelines on Community Noise 2000.

Ground Borne Noise and Vibration

- 6.13 The site of the proposed development lies on underground train tunnels. However, no ground borne noise and vibration survey has been undertaken.
- 6.14 Prior to the commencement of the development, the developer/agent must carry out a survey and demonstrate by calculation and prediction of ground borne noise and vibration levels inside the proposed development. The report of the survey must be submitted for approval by Tower Hamlets Environmental Health Department before planning permission is granted or before development works on the site commenced.

Controlling The Construction Phase

- 6.15 Conditions recommended controlling working hours and noise levels.

Daylight/Sunlight

- 6.16 Environmental Health has raised concerns that the daylight and sunlight do not meet BRE criteria.

Officer's Comments

- 6.17 Matters regulated under the Housing Act 2004 and Building Regulations are considered to be controlled under their respective statutory processes and should not be controlled under the Planning Acts. Therefore, no comment on these matters is undertaken within this report.

- 6.18 Conditions are recommended to be included on the consent relating to land contamination, noise mitigation, ground borne noise and construction.
- 6.19 As discussed in Section 8 of the report, it is acknowledged that the daylight and sunlight does not meet BRE guidelines. However, it is considered that the breaches are acceptable given the inner city location.

LBTH Highways

- 6.20 The subject site is shown to be in an area with a PTAL accessibility rating of 6a the site is therefore considered to have a very good level of accessibility to local public transport links.

Old Castle Street – Highway Improvement Line

- 6.21 There is an existing area of highway land adjacent to the site that has been safeguarded for proposed highway widening. The Highways Section would like to see this proposed widening be retained to provide a new footway / on the eastern side of Old Castle Street.

Parking

- 6.22 The applicant has indicated that 105 car parking spaces would be provided as part of the application, which is a reduction of 36 spaces, is not ideal but would be acceptable. The proposed levels of parking provision would be significantly lower than the maximum standard as set out in the Interim Planning Guidance (IPG) Parking Standards.

- 6.23 As the site is considered to be in a good location to support car free development, resident's rights to Parking Permits should be restricted and should form part of a Section 106 Agreement.

- 6.24 The site is in such a location that the applicant should be advised that the any scheme at this location should be included as part of a scheme such as "City Car Club"

Disabled Parking

- 6.25 The applicant has indicated the provision of 11 disabled parking spaces as part of the above parking standard. From the standards set out in the IPG the applicant would be required to provide disabled parking at 10 % of the total number of parking spaces provided as part of this application. As such the proposed 11 disabled parking spaces would be acceptable as part of the above planning application.

Site Access

- 6.26 The site will be accessed from Old Castle Street which is classified as public Highway and is maintained by the London Borough of Tower Hamlets.

- 6.27 The proposed access will be located at the southern boundary of the site. The ramp has sufficient off street space to allow a vehicle to wait if necessary before gaining access the proposed basement car parking area enter. There is sufficient space to allow vehicles to enter and exit the site in forward gear. This arrangement would be acceptable.

Refuse Storage

- 6.28 The applicant has provided details of refuse storage areas at ground floor level. Highways have no objection to the proposed refuse collection taking place from ground level.

Site Servicing

- 6.29 Ideally site servicing should take place from within the curtilage of the site, however due to the constraints of the site it would not be possible to undertake servicing form within the curtilage of the site.

- 6.30 The applicant has not indicated a clear strategy in terms of the servicing / deliveries to the

site. Further clarification will be required on this element of the application. The applicant will be required to provide a "Service & Delivery Plan" to outline the proposed strategy for site servicing and deliveries to the site a copy of a Service & Delivery Plan should be provided and forwarded to this section for approval.

Visibility Splays

- 6.31 In the interest of highway safety and efficiency, vehicle sight lines must be maintained from the carriageway with no obstruction above the height of 1.05m. The sight lines shall measure 2.40 meters in from the carriageway boundary towards the subject site from the access point onto Old Castle Street extending 40.00m in both directions. This is in accordance with Manual for streets. Sight lines have been confirmed as acceptable.

Cycle Parking

- 6.32 Under the standards set in the Local Development Framework the applicant should be providing a total of 290 spaces which would be acceptable, the applicant has indicated that they will be looking at providing a slightly higher cycle parking provision of 340 stands which would be acceptable.

Traffic Generation

- 6.33 The transport information concludes that a pro-rata increase in traffic will result in an additional 320 multi model trips during the AM peak hour and an additional 294 multi model trips during the PM peak hour. These figures have been incorporated into the existing highway network peak flows to help assess the highway implications of the proposals.

- 6.34 This increase can be accommodated on the existing highway network in the vicinity of the site without detriment to traffic movements and would be acceptable.

Public Transport Trip Generation

- 6.35 The proposed development would result in a net increase in the number proposed trips across several mode of transport, including significant increases in the walking and the use of public transport. Which given the aims of the Council to encourage reliance on more sustainable forms of transport would be acceptable.

- 6.36 There would be a slight increase in car trips which equates to an additional vehicle trip every 2 to 3 mins, this figure would be acceptable in principle.

- 6.37 The developer has provided total figures for both the Am and Pm peaks which would be acceptable.

Pedestrians

- 6.38 The proposed development is forecast to generate 138 trips during the AM Peak and 137 trips during the PM Peak. The pedestrian environment adjacent to the site provides adequate facilities in terms of the safety and security of pedestrians within the development. The existing pedestrian infrastructure is very good and the site has a good level of connectivity with the surrounding areas and demonstrates that the site is a very accessible to all forms of sustainable transport and would be acceptable.

Travel Plan

- 6.39 The applicant has provided a draft Interim Travel Plan to outline the measures that will be taken to encourage the use of more sustainable forms of transport. Highways confirm that they would have no objection in principle.

- 6.40 The developer has indicated that a full Travel Plan will be submitted at a later for comments / approval and this would be acceptable.

Officer's Comments

- 6.41 The applicant has confirmed that there will be a widening of the pavement on the eastern side of Old Castle Street.
- 6.42 Included in the section 106 agreement is a requirement to change the traffic management order to exempt occupiers from obtaining parking permits, provision of a car club scheme and parking spaces and a requirement to produce a Travel Plan for the development.
- 6.43 A condition of consent is recommended to be included, requiring the submission and approval of a servicing and delivery plan for the commercial units. A condition will also be included requiring submission of details of the cycle storage.

LBTH Strategic Transport

- 6.44 The development should be car free in accordance with the council's sustainable development goals. The site is within the London Congestion Charge Zone and peak time congestion experienced near to the site on the A11 (Whitechapel Road), A13 (Commercial Road) and A1202 (Commercial Street) and good public transport access Level 6b.
- 6.45 The transport assessment should include assessment of capacity of the strategic road network in the vicinity of the site and demonstrate sufficient capacity during the peak to accommodate any proposed car trips from the development. The assessment should also include a survey of car trips currently originating from the site.
- 6.46 The council is committed to encouraging an increase in electric car use in the borough. To achieve this it is essential there is a good network of electric car charging points in the borough. As part of this development the council would seek the provision of electric car charging points within the car park.
- 6.47 A travel plan should be submitted as part of the application and should be compliant with new TfL guidance on residential travel plans and set out a clear management strategy which includes:
- Subsidised public transport: Maybe an Oyster Card with some credit.
 - Car club access should be available to residents of the development in order to present an alternative to private car ownership and use. This may mean the provision of bays within the site or adjacent to the site. If the latter is deemed more suitable then S106 contributions will be needed for a new on street car club bay and corresponding permit. Stand alone car clubs exclusive to a single development are not ideal, but could be possible with a development of 250 units or more. Given the number of units within this development, it should be viable to have at least 1 car club bays dedicated to residents of the development. Section 106 contributions should also be made towards car club membership for all residents for one year.
 - should identify clear measurable targets
 - A plan for monitoring the effectiveness of the travel plan through onsite iTrace compliant travel surveys as required from the new TfL travel plan guidance.
- 6.48 For pedestrian safety reasons, it is necessary to maintain pedestrian visibility splays within which unobstructed visibility is available for drivers to see and be seen by pedestrians on a footway thereby enabling drivers and pedestrians to see a potential hazard in time. These splay areas measuring 1.5m by 1.5m, with no obstruction more than 0.6m high are located either side of where a proposed vehicle access meets the back edge of the footway. Pedestrian visibility splays should be provided at all new vehicle accesses. The splay areas should be physically protected and shown on the deposited plans. The plans provided show a lack of left hand side visibility for vehicles exiting the car park.

Officer's Comments

- 6.49 The Section 106 Agreement will require the proposed new units to be Car Free, however,

parking within the estate is maintained for the existing units.

- 6.50 A condition of consent will be recommended on the consent to ensure that the parking spaces provided within the estate include capability for electric car charging.
- 6.51 The Section 106 Agreement will include the requirement for an acceptable Travel Plan to be implemented as well as a minimum of 2 bays within the development to be included as dedicated Car Club bays.
- 6.52 The body of the report includes details of visibility on vehicle entry and exit points and concludes that the proposed egress points have an acceptable level of visibility to ensure pedestrian and highway safety.

LBTH Waste Management

- 6.53 No objections received

English Heritage (Statutory)

- 6.54 No objections. English Heritage does not wish to offer any comments on this application.

Environment Agency (Statutory)

- 6.55 No objection subject to condition of consent being imposed on approval relating to surface water drainage.

Officer's Comments

- 6.56 A condition of consent relating to surface water drainage is recommended as being included on the consent if approved.

Government Office for London (Statutory)

- 6.57 No objections received

Greater London Authority (Statutory)

- 6.58 The Mayor considers that the application does not comply with the London Plan. London Plan policies on regeneration, housing, mixed-use developments, urban design, inclusive access, energy and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Affordable housing: A toolkit appraisal was submitted too late to allow GLA officers to ascertain that the affordable housing provision was the maximum reasonable amount viable for the new development.
- Transport: TFL recommends an essentially car-free development given the excellent public transport accessibility of the site; changes to the servicing arrangements, and submission of additional information to ensure compliance with the London Plan.
- Energy; Details of the submitted energy strategy require clarification and additional information to ensure full compliance with the London Plan energy policies.

Officer's Comments

- 6.59 The proposed affordable housing is considered in accordance with the Council's requirement of 35% minimum affordable housing. The applicant is in fact proposing in excess of this target and providing a 38.6% provision.

- 6.60 The new build component of the development is car free. The development would actually represent a reduction in the overall vehicle spaces on site and residents of the new build units will be restricted from acquiring parking permits.
- 6.61 As discussed in Section 8 of this report the applicant has provided sufficient information to confirm to officer's that the proposed energy efficiency measures would be more viable and present greater energy savings than the provision of additional renewable energy measures. The energy efficiency measures are therefore considered acceptable.

Metropolitan Police

- 6.62 Metropolitan Police are very positive about these plans. They are dealing with an area that has suffered extensive crime and anti-social behaviour for many years, mainly emanating from Denning Point, but these plans, whilst not removing the building, have suddenly encapsulated it into a new development, with extensive amenity space for all residents, old and new, secure accommodation to SBD standards, and active frontages all over the place.
- 6.63 In addition, the created route through from Commercial Street to Liverpool Street will be a boon to commuters and the general public, linking Brick Lanes environment to the east through Middlesex Street to Liverpool and Broad Streets. I have been extensively consulted by both EastendHomes and their architects.

National Air Traffic Services Ltd. (Statutory)

- 6.64 NATS (En Route) Limited has no safeguarding objections to this proposal.

National Grid (Statutory)

- 6.65 National Grid has no objection to the proposal.

Natural England (Statutory)

- 6.66 No objections received

Primary Care Trust

- 6.67 Primary Care Trust has requested a financial contribution of £225,596 towards the new network service hub planned for the Goodmans Field Site.

Officer's Comments

- 6.68 The S106 is proposed to include a financial contribution of £225,596 towards healthcare facilities.

Thames Water Utilities Ltd. (Statutory)

Waste Comments

- 6.69 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 Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 6.70 There are public sewers crossing this site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval.
- 6.71 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Water Comments

- 6.72 On the basis of information provided, Thames Water would advise that with regard to water infrastructure we would not have any objection to the above planning application.
- 6.73 Thames Water recommend the following 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.*

Officer's Comments

- 6.74 It is recommended that a condition be included on the permission, if granted, that petrol / oil interceptors be fitted to drainage areas of all new vehicle parking/washing areas and vehicle carriageways within the development.
- 6.75 It is recommended the requested informative is included on the permission should planning permission be granted.

7. LOCAL REPRESENTATION

- 7.1 A total of 2143 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 3 Objecting: 1 Supporting: 1 Asking Question: 1

- 7.2 The following local groups/societies were notified but made no representations:

- Spitalfileds Community Association
- Spitalfields Joint Planning Group
- Stepney Street Traders Association

- 7.3 The following issues were raised in representations:

- Loss of existing buildings which are less than 40 years old;
- The change of textile district character of the area due to the removal of commercial units and replacement of new units
- Loss/reduction in parking
- Loss of amenity through loss of established businesses
- Overdevelopment
- Impact on retailers

- 7.4 The following supporting comments were raised in representations:

- Good for local people waiting for housing

Officer's Comments

- 7.5 The proposed loss of buildings is regarded as acceptable, as it is being undertaken in order to provide an improved standard of living accommodation and greater efficiency in the use of land.
- 7.6 Any impact on the textile character of the business in the area is considered regrettable, however, the removal of the commercial units will be temporary. The businesses that occupy the future units would not be able to be regulated beyond the Use Classes and therefore would not be a material planning consideration under the assessment of this application.
- 7.7 The reduction in the parking is considered in accordance with the strategic planning policies of the LBTH and greater London. The future occupiers of the new build development would be prohibited from obtaining parking permits and would therefore not be able to occupy resident's bays in the surrounding area. Parking provisions are to be provided in accordance with the parking standards and therefore considered appropriate.
- 7.8 As with the loss of textile character it is regrettable that the commercial units would have to close to facilitate the development before being re-instated. This however, is not a material planning consideration under the assessment of the application.
- 7.9 The proposed density, scale, mass and layout of the development is in accordance with the Council and London Plan policies as discussed in Section 8 of this report. While the development increases the mass and density of development on the site in order to achieve more efficient use of the land, it is not considered that the proposal leads to overdevelopment.
- 7.10 Impact on retailers through the loss of the commercial lease of their premises is again not a material planning consideration that can be take into account in the processing of this application.

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the committee must consider are:
1. Principle of Estate regeneration
 2. Principles of the Land Use
 3. Impact on the Amenity of Adjoining Occupiers and the Surrounding Area
 4. Traffic and Servicing Issues
 5. Design and Layout of the Development
 6. Sustainability
 7. Planning Obligations

Principle of Estate regeneration

- 8.1 The Government is committed to creating the opportunity for decent homes for all. The regeneration and renewal of neighbourhoods is supported by the Mayor's Housing Supplementary Planning Guidance (November 2005). In Tower Hamlets, the Council is seeking that all homes are brought up to Decent Homes standard to ensure that homes are in a good state of repair.
- 8.2 The Decent Homes Standard is defined by the DCLG as a home which is 'warm, weatherproof and has reasonably modern facilities.' The Decent Homes Standard goes beyond the previous requirements and includes works such as improved security, lift replacement and thermal comfort works.

- 8.3 As part of the Tower Hamlets Housing Choice Programme Holland Estate was transferred to EastendHomes in 2006. In order for EastendHomes to facilitate the regeneration of the Holland Estate and bring the existing homes up to Decent Homes standard, a comprehensive redevelopment is proposed with an increased housing density on site. The increase in density is required in order to generate sufficient value from market development to support the refurbishment, replacement and increased provision of affordable housing and to achieve a mixed and balanced community.
- 8.4 The application proposes the demolition of 43 poor quality units and the erection of 209 new residential units in 5 buildings to facilitate the estate-wide improvements
- 8.5 Overall, the principles and objectives set out in regional and local policies for estate regeneration proposals are achieved for the Holland Estate through a comprehensive redevelopment scheme. The proposal maximises the development potential of the site whilst upgrading the existing housing and communal areas. The planning issues are considered in detail below.

Principle of the Land Uses

- 8.6 The London Plan 2008, The Council's adopted Unitary Development Plan 1998 (UDP) and the Council's Interim Planning Guidance 2007 (IPG) include a number of policies requiring discussion when assessing the principle of land use.

Principle of Residential Use

- 8.7 The London Plan 2008 sets out a number of policies relating to the provision of housing within the Greater London Area and the London Borough of Tower Hamlets itself. In general these policies require the Borough to provide 3,150 additional dwellings per year for the next years. Coupled with providing these housing units are requirements to provide quality in the design of these houses in order to ensure the quality of the living environments created.
- 8.8 Taking this into account and that the site already has an existing predominant residential use the proposed erection of an additional 166 residential units (after taking into account the demolition of 43 units) within the Denning Point complex area of the Holland Estate is considered, in principle, an acceptable land use.
- 8.9 The principle of the residential land use is considered in accordance with policies 3A.1, 3A.3 and 3B.3 of the London Plan 2008 and policy CP19 of the IPG.

Principle of Office Use

- 8.10 The London Plan 2008 sets out a number of policies which support the provision, increase and regeneration of office use within the Central Activities Zone and appropriate office locations in order to provide employment and economic opportunities. These policies are supported by UDP and IPG policies which also seek to encourage office provision and local economy and job growth.
- 8.11 The Denning Point Complex, where the new build component of the development is proposed, is located within the Central Activities Zone and has an existing provision of 245m² of office space. The proposed development intends to improve this office provision to 1,078m² of office floorspace for a new EastendHomes Local Housing Office and Head Office.
- 8.12 It is considered that the proposed increase in office floorspace would be, in principle, an acceptable land use and would be in accordance with policies 3B.1, 3B.2 and 3B3 of the London Plan 2008, policies ST15, ST17 and EMP1 of the UDP and policies CP7, CP8, CP11 and EE2 of the IPG.

Principle of Retail

- 8.13 The site is located within the area identified within the London Plan 2008, the UDP and the IPG as a Central Activity Zone. Policies 2A.8, 3D.1, 3D.2 and 3D.3 of the London Plan 2008, policies ST34, S4 and S7 of the UDP and policies CP15, CP16, RT1 and RT4 of the IPG and which are applicable for these areas seek to provide a balance of town centre uses to encourage the vitality and viability of the area and promote economic and job growth.
- 8.14 The proposal seeks to replace the existing 11 retail units (including 2 kiosk units) totalling 1,167m² of retail floorspace with 6 new retail units providing 1,490m². This represents an increase in retail floorspace of 323m². Given that there is an existing retail component within the development and the retail floorspace proposed is being offered in replacement of this provision and the location is within the Central Activity Zone it is considered that the principle of the retail land use within the development is acceptable.
- 8.15 It is considered that the retail component of the development would be acceptable in terms of policies 2A.8, 3D.1, 3D.2 and 3D.3 of the London Plan 2008, policies ST34, S4 and S7 of the UDP and policies CP15, CP16, RT1 and RT4 of the IPG.

Principle of community uses

- 8.16 London Plan 2008 policies 3A.17 and 3A.18, supported by policies ST49 and SCF11 of the UDP and policy SCF1 of the IPG, promote the provision of an appropriate range of community facilities to cater for the needs of London's diverse population.
- 8.17 The applicant is proposing to include a two storey 644m² floorspace community centre within the redeveloped Denning Point Complex of the Holland Estate. Given the extremely good public transport links and the large residential population within the surrounding area, including Holland Estate, which would be included in the catchment area for the proposed facility, the community centre land use is considered, to be in principle acceptable.
- 8.18 The proposed community facilities are considered to be in accordance with policies 3A.17 and 3A.18 of the London Plan 2008, policies ST49 and SCF11 of the UDP and policy SCF1 of the IPG.

Housing Provision

Affordable Housing

- 8.19 Policy 3A.9 of the London Plan 2008 states that policies should set an overall target for the amount of affordable housing provision over the plan period in their area, based on an assessment of all housing needs and a realistic assessment of supply. It also states that boroughs should take account of regional and local assessments of need, the Mayor's strategic target for affordable housing provision that 50% of provision should be affordable and, within that, the London-wide objective of 70% social housing and 30% intermediate.
- 8.20 This policy is supported by policy CP 22 of the Council's IPG which states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought. Policy HSG4 of the IPG, however, seeks an 80:20 affordable rent to intermediate ratio of affordable housing except where there is, or is proposed, a large quantity of affordable social rent onsite, because of the borough's specific need for a larger proportion of affordable social rent.
- 8.21 The applicant is proposing 51 affordable units within the net new build component of the development, after taking into account those which will be demolished. This would represent

a 38.6% provision of the 166 new additional dwellings to be provided, which is considered in accordance with policy 3A.9 of the London Plan 2008 and policy CP22 of the Council's IPG. The financial appraisal provided confirms affordable housing grant will be required to deliver this level of affordable housing. Preliminary discussions with the Homes and Communities Agency have taken place and it is anticipated that grant will be available therefore the reduction in the level of affordable housing as allowed under HSG5 has not been necessary.

8.22 Within the existing development of 417 units there are no intermediate units, however the applicant is proposing a percentage split of 25.5% intermediate and 74.5% affordable social rented in the 51 additional affordable units. This would be considered to be acceptable in terms of policy 3A.9 of the London Plan 2008 and HSG4 of the IPG due to the high percentage of existing affordable social rent units within the affordable housing on the Estate.

Housing Mix

8.23 Policy HSG2 of the IPG specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is identified as a priority reflecting the findings of the Borough's Housing Needs Survey. In terms of family accommodation the policy requires 45% of affordable social rented housing and 25% of market and intermediate affordable housing to comprise of family housing (units with 3 or more bedrooms).

8.24 Table 8.1 details the proposed mix of housing within the proposed total new build element of the development, including the proposed replacement units for the demolished units.

Unit size	Total units	Affordable Housing						Market Housing		
		Social Rented			Intermediate			Private Sale		
		Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	20	0	0	0	0	0	25	20	16	25
1 bed	50	10	15	20	4	31	25	36	28	25
2 bed	82	27	40	35	7	54	25	48	37	25
3 bed	48	22	32	30	2	15	25	24	19	25
4 bed	7	7	10	10	0					
5 bed	2	2	3	5	0					
Total	209	68	100	100	13	100	100	128	100	100

Table 8.1 – Housing mix in proposed new build units

8.25 Whilst the proposal meets the IPG policy target for larger family affordable rented units, the proposed development falls below the target for larger family intermediate and private family units. The applicant has stated this is as a result of the particular site constraints of this central location, where it is difficult to achieve the amenity space on a constrained site whilst achieving the necessary level of cross subsidy to facilitate the wider regeneration objectives of the development within other areas of the Estate.

8.26 As such, it is considered that the provision of family housing within the proposed development, on balance, represents a scheme which meets the Council's regeneration and renewal aspirations. While the development does not completely comply with the provisions of HSG2 of the IPG, it meets the Council's affordable housing target of 35% as well as meeting the Council's target for affordable family units of 45%.

Density of Development

- 8.27 The proposed development would have a density of 725 habitable rooms per hectare, an increase of 196, from the existing 529 habitable rooms per hectare within the Estate. Policy 3A.3 of the London Plan 2008 and policy HSG 1 of the IPG seek to maximise the potential of sites while maintaining an appropriate density in relation to transport capacity and the setting of the site.
- 8.28 In accordance with this aspiration The London Plan 2008 provides a density matrix, setting out acceptable densities in terms of the accessibility of the site to public transport, in order to maximise the potential of sites while ensuring that the development is adequately supported by the transport network. The subject site is located within an area which has a Public Transport Accessibility Level (PTAL) of 6, which the matrix sets out acceptable density levels as 650-1100 habitable rooms per hectare.
- 8.29 The IPG details a number of matters that should be included when assessing the appropriate density. These include the setting of the site, the local context and character, the need to protect and enhance amenity, the housing mix, access to town centres, open space provision, the impact on services and infrastructure and the provisions of other non-residential uses onsite. The IPG provides a density matrix to relate the setting of the site and its location to public transport to density. Given the location of the site within the City Fringe Area and the PTAL rating of 6 the matrix provides for a density within the range of 650-1100 habitable rooms per hectare.
- 8.30 It is therefore considered that the proposal is acceptable in terms of policy 3A.3 of the London Plan 2008 and policies HSG1.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

Daylight and Sunlight

- 8.31 Policy DEV2 of the Unitary Development Plan 1998, policy DEV1 of the Interim Planning Guidance 2007 and policy 4B.10 of the London plan require that developments preserve the amenity of the adjacent occupiers, including sunlight and daylight.
- 8.32 The applicant has provided a Daylight and Sunlight Report with their application outlining the daylight and sunlight received by the adjacent buildings. It has assessed the daylight and sunlight levels of the proposed development against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.33 It is widely accepted that the most appropriate test, given the city centre location, is the Average Daylight Factor (ADF) test, which gives the interior illumination in the rooms taking into account the size of the windows. The tests carried out by the applicant show that the daylight received by the habitable rooms of the residential buildings adjacent the development will meet or exceed the BRE guidelines, providing acceptable daylight levels to the future occupants of the development.
- 8.34 The sunlight results generally fall below the guidance level, though the submitted report has noted that those most affected appear to be dual aspect dwellings and therefore would retain amenity to other elevations. The results are considered by the daylight and sunlight consultant to be typical of inner city development. The results for the properties facing directly southwards towards the development are considered to show that an acceptable proportion of annual sunlight will be available.
- 8.35 It is therefore considered in terms of daylight and sunlight that on balance given the central city location the proposal would be generally in accordance with policy DEV2 of the Unitary

Development Plan 1998, policy DEV1 of the Interim Planning Guidance 2007 and policy 4B.10 of the London plan.

Privacy

- 8.36 Issues of privacy/overlooking need to be considered in accordance with policy DEV2 of the Unitary Development Plan 1998 and policy DEV1 of the Interim Planning Guidance 2007, which informs that new developments should be designed to ensure that there is sufficient privacy for adjacent habitable rooms.
- 8.37 The blocks forming the courtyard block are separated by a distance exceeding 18m, which is considered acceptable to maintain privacy between habitable rooms. The location of balconies within the development has been generally designed to maximise the privacy and prevent overlooking with between units.
- 8.38 However, given the density of the development, the design of the perimeter block and the inner city location the development does produce an aspect of overlooking which cannot reasonably be designed out.
- 8.39 The majority of the units have an outlook over the surrounding roads with an acceptable separation distance exceeding 18m between any neighbouring buildings. The proposed distances between buildings are reduced to approximately 15m on Old Castle Street, however given that the outlook would be across the public road this is considered acceptable and would not significantly impact on the existing expected privacy level in the central city location.
- 8.40 On balance it is therefore considered that the proposed development would be acceptable in terms of privacy and generally in accordance with policy DEV2 of the UDP and policy DEV1 of the IPG.

Noise and Vibration

- 8.41 In protecting the amenity of the surrounding area Policies DEV2 and DEV 50 of the UDP and policy DEV1 and DEV 10 of the IPG also require the noise and vibration nuisance from a development to be minimised.
- 8.42 No specific details of the proposed noise and vibration levels of plant or ventilation systems to the proposed development has been provided with the application, however it is considered that a condition of consent could ensure that details of the noise and vibration impacts of any proposed plant and ventilations systems would be submitted to Council for approval prior to installation. This would ensure that any acoustic attenuation required would be installed to mitigate the impact on the adjoining occupiers and surrounding area.

Odour & ventilation

- 8.43 The proposed development includes the replacement of the existing 1,167m² of retail floorspace provided by 11 retail units with an increased provision totalling 1,490m² in 6 retail units, which is proposed to include A1-A3 uses. As such, there will potentially be a food cooking and associated odours being created within the development. Policy DEV 2 of the UDP and Policy DEV1 of the IPG require the mitigation of odours in order to protect amenities within the development and of the wider area.
- 8.44 In order to remove these odours from the development and create suitable internal amenity ventilation and extract systems would be required to be installed. This would potentially consist of general ventilation for units within the development, in order to provide fresh air into the development, and extract systems to the units with cooking facilities, in order to extract cooking odours.

- 8.45 Details of these systems have not been provided. It is therefore recommended if approved, conditions are included on the planning permission to ensure that the ventilation and extraction systems are appropriate and don't impact on the amenity of the adjacent occupiers or the appearance of the development.

Construction

- 8.46 It is acknowledged that the proposed development would result in some disruption to the amenity of the area and highway network due to the construction effects of the proposed development, however these will be temporary in nature.
- 8.47 Demolition and construction is already controlled by requirements to adhere to numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995 and Air Quality Regulations 2000 and Health and Safety at Work Act 1974. However, PPS23 makes provision for the inclusion of conditions of consent to mitigate effects of construction.
- 8.48 It is therefore recommended that if approved a condition of consent is included, which would require the submission of a Construction Management Plan in order to ensure that the best practice examples are followed to avoid, remedy and mitigate the effects of construction.
- 8.49 There are also a number of existing mature trees on the footways around the proposed development. Officers consider that a condition should be imposed on any planning permission to protect the trees from construction impacts. This would include a requirement for protective fencing and prevention of the storage of materials under the canopy of the trees.

Vehicle Traffic Movements

- 8.50 Vehicle movements associated with the proposed development have the potential to impact on the amenity of the area through noise, pollution and the general vehicle movement within the public realm. Policy DEV2 of the UDP and DEV 1 of the IPG seek to protect this amenity.
- 8.51 As detailed below the proposed development will produce a number of additional trip movements. However, given the high Public Transport Accessibility Location (PTAL) rating and central city location of the site, there is a maximisation in the use of public transport and walking. This combined with the reduction in vehicle parking numbers would insure that the number of vehicle traffic movements and minimised.
- 8.52 It is therefore considered that the impact on the amenity of the area through increased vehicle traffic movement will not be significant and in terms of the impact of vehicle movements the development will accord with policy DEV2 of the UDP and DEV 1 of the IPG.

Traffic and Servicing Issues

Trip Generation

- 8.53 Policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policies ST28 and T16 of the UDP and policies CP41, DEV17 and DEV19 of the IPG seek to restrain unnecessary trip generation, integrate development with transport capacity and promote sustainable transport and the use of public transport systems.
- 8.54 The applicant has provided a Transport Assessments detailing the proposed additional trip generation as a result of the proposal. Table 8.2 shows the estimated increase across the

different transport modes during the peak morning and evening hours.

	Walk	Cycle	Public Trans	Car Driver	Car Pass	Taxi	Motor cycle
AM In	+54	+4	+59	+9	0	+1	+1
AM Out	+84	+6	+83	+16	+1	+1	+1
PM In	+74	+4	+51	+12	+1	+1	+1
PM Out	+63	+4	+68	+12	+1	+1	+1

Table 8.2 – Estimated trip generation

- 8.55 Table 8.2 shows that a significant number of trips generated from the development would be undertaken on the public transport network or by walking, which is reflective of the high PTAL rating of 6 that the area has and therefore would be in accordance with the aspirations of policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policies ST28 and T16 of the UDP and policies CP41, DEV17 and DEV19 of the IPG.

Parking

- 8.56 London Plan Policies 3C.17 and 3C.23 seek to reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promoting use of public transport. This is supported by policies DEV17 and DEV19 of the IPG.
- 8.57 The proposed development seeks to provide 105 car parking spaces which include 11 spaces for disabled uses. There are currently 141 car parking spaces within the Denning Point Complex of the development and thus the proposed development envisages a net reduction of 36 spaces. It is proposed that the existing basement car park would be retained to provide the 105 parking spaces.
- 8.58 It is therefore considered that the vehicle parking provisions would be in accordance with policies 3C.17 and 3C.23 of London Plan 2008 and policies DEV17 and DEV19 of the IPG. A S106 legal agreement should be entered into so that the Traffic Management Order can be amended to exempt residents, occupiers and employees of new build components of the development from obtaining parking permits. This will ensure no overflow parking on the road network.

Cycle Parking and Facilities

- 8.59 Policy 3C.22 of the London Plan 2008, policy ST30 of the UDP and policies CP40, CP42 and DEV16 of the IPG seek to provide better facilities and a safer environment for cyclists.
- 8.60 The proposals within the new build provision of the development provide for 319 bicycle spaces for the new residential units and allows for visitor spaces. In addition the scheme provides an additional 13 spaces for the retail units, 3 spaces for the community facility and 5 spaces for the offices.
- 8.61 The proposed cycle storage is to be secure and located in sheltered areas, within close proximity to the part of the development they serve. This provision is in accordance with

Council's standards and would be considered to provide adequate cycle storage. A condition of consent is recommended to ensure the layout of the cycle storage is acceptable.

- 8.62 It is therefore considered that the proposed development would accord with policy 3C.22 of the London Plan 2008, policy ST30 of the UDP and policies CP40, CP42 and DEV16 of the IPG.

Deliveries and Servicing

- 8.63 Policies ST30 and T16 of the UDP and policy DEV17 of the IPG seek to provide adequate provision for the servicing and operation of developments while minimising the impact on the highway.
- 8.64 Refuse collection and servicing would take place from the street for all elements of the scheme, albeit that the routes taken by refuse/service vehicles would vary depending on which part of the development was being served.
- 8.65 Refuse collection/servicing for the residential units would be undertaken from Old Castle Street or Pomell Way.
- 8.66 The large scale retail unit will be serviced from Commercial Street where there are on-street bays that permit loading for a maximum of 20 minutes between 10:00 and 16:00 any day.
- 8.67 The additional retail units will be served from Wentworth Street, as is currently the case, while the office development would be serviced from Commercial Street.
- 8.68 While both TFL and Council's Highways department have detailed concerns that the proposed servicing of the commercial units may not be appropriate, it is in line with the existing servicing of the area. While ideally developments should be serviced from onsite, the nature of the site and the development means that onsite provision is not appropriate. Any onsite servicing provision would result in a reduction in the amenity space and public open space provided for residents and the public.
- 8.69 There are existing servicing bays which are provided on Commercial Street. As the servicing of commercial sites is existing from this location and it is proposed to continue to utilise the existing bays for servicing of the commercial units in the development it is not considered that the impacts of the practice would be significant enough to warrant refusal on those grounds. A condition is considered appropriate to require a servicing plan for the site which would enable the times of servicing to be limited in order to mitigate against any impact.
- 8.70 It is therefore considered that the proposed servicing arrangements are acceptable in terms of policies ST30 and T16 of the UDP and policy DEV17 of the IPG.

Public transport capacity

- 8.71 While the applicant has not carried out an analysis of the impact of the increased number of public transport users in relation to the current capacity the moderate increase in public transport use is not considered to be a significant impact. The site is located in an area with a PTAL of 6A and is well connected to a number of public transport modes.
- 8.72 The proposed increase of 83 outward and 59 inward morning peak hour journeys and 51 inward and 68 outward evening peak hour journeys spread across the public transport infrastructure of underground tube, network rail and bus services, would not be considered to amount to a significant impact on these services.
- 8.73 As such, it is considered that there would not be a significant impact on the public transport capacity and the development is acceptable in terms of policies 3C.1 and 3C.2 of the London

Plan 2008 and policy DEV17 of the IPG.

Sight lines/Access

- 8.74 There are no obstructions within 2.4m in from the back edge of the carriageway at the head of the vehicle access ramp to the basement parking. The most advanced building line is 4.2m behind the carriageway at this point and the only construction beyond the face of the building is a guarding at the head of the ramp and, further away, guardings/railings to the terraces/front yards. These will be of visually open construction.
- 8.75 The proposed access will be located at the southern boundary of the site, the ramp has sufficient off street space to allow a vehicle to wait whilst waiting to access the proposed basement car parking area enter. There is sufficient space to allow vehicles to enter and exit the site in forward gear.
- 8.76 Council's Highways department have reviewed the application and consider sightlines to be acceptable and in accordance with guidance. It is therefore considered that the proposed development, in terms of sight lines and vehicle access would not cause unacceptable safety concerns to pedestrians or the highway network.

Design and Layout of the Development

- 8.77 Wheler House is the northern most property in the application site area and comprises a 5 storey brick building. The proposals for Wheler House seek to improve the boundary treatment, to provide new gated access, new lifts and secure entrances, as well as two new underground refuse storage stations and improved hard and soft landscaping.
- 8.78 Barnett, Bernard, Bruce and Carter Houses are all of the same style and range between 3 – 5 storeys. Proposals to these buildings include new controlled gated access, new passenger lifts, new underground refuse storage stations and new hard and soft landscaping.
- 8.79 Wentworth Dwellings, two separate buildings of 3 – 4 storeys, and Brunswick House, a 4 storey building, are all brick-faced with concrete tile roofs dating from the 1980's and form a distinct area. The works to these buildings include the removal of streetside glass canopies, improvements to the hard and soft landscaping, drainage of access decks and lighting.
- 8.80 Key refurbishment works to Herbert and Jacobson Houses, located on Old Castle Street, include new secure access gates, new lifts, new underground refuse storage stations, a restored play area and new soft and hard landscaping to the courtyards.
- 8.81 Ladbrooke and Bradbury Houses and Evershed House are all to be entirely redeveloped under the application proposals, providing a much needed enhancement of the estate. The proposed layout comprises a series of new blocks, reinforcing the traditional street frontage whilst creating a new open space on a busy route through the estate and a new private courtyard for communal use. All of the new development is clustered in an area surrounding Denning Point. Storey heights for the new build compliment the existing built form. This site is located within close proximity to various tall building clusters and the Aldgate Gyratory. This presents the opportunity to introduce buildings of a mass and scale appropriate to an inner city location. Buildings with a height of up to twelve storeys (Block C fronting Commercial Street) are proposed and will complement the character of this area, providing a transition between the higher buildings to the south and those of a smaller scale on Wentworth Street.
- 8.82 The 22 storey Denning Point building will remain and the scheme proposes to make significant improvements to the building externally, by recladding and providing new windows and balconies as well as a new entrance.

Mass and Scale

- 8.83 Policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies DEV1, DEV2 and DEV3 of the UDP and policies CP4, DEV1 and DEV2 of the IPG seek to ensure developments are of appropriate mass and scale to integrate with the surrounding environment, high quality in design and protect the amenity of the surrounding environment and occupiers.
- 8.84 The scale and mass of the new build development is considered to respond to the orientation of the site, the heights of nearby buildings and the nature of the surrounding streets.
- 8.85 Building heights fronting Old Castle Street have been kept at 4-5 storeys, respecting the neighbouring residential buildings and creating an appropriate residential scale to the street as well as admitting a quality of direct sunlight into the courtyard.
- 8.86 Taller buildings of 5-12 storey fronting onto Pomell Way and Commercial Street respond to the commercial nature and scale of the neighbouring buildings, while maximising the number of dwellings receiving direct sunlight.
- 8.87 The Wentworth Street building's height also acceptably responds to the heights of neighbouring buildings while respecting the scale of the street market. The buildings to the northern side of the courtyard have been kept relatively low to allow good sunlight into the public open space formed between the Wentworth Street buildings and the courtyard block.
- 8.88 Overall it is considered that the scale and massing of the building is appropriate and has been related to the neighbouring developments in terms of height, scale and nature. It is considered that in terms of scale and mass the proposal is generally in accordance with policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies DEV1, DEV2 and DEV3 of the UDP and policies CP4, DEV1 and DEV2 of the IPG.

Appearance and Materials

- 8.89 The proposed scheme comprises four main building elements:
- the existing tower of Denning Point;
 - the new courtyard buildings that are formed around Denning Point;
 - the free-standing building on Wentworth Street; and
 - the upgrades to the other building on the estate.

Denning Point

- 8.90 Denning point is currently somewhat degraded in terms of its appearance and its facing materials are showing decay. The applicant proposes to apply a rain-screen cladding system whose panel sub-divisions will follow the lines of the existing slab edges and brick wall infills. New windows will replace the existing with the same pattern of opening lights and glazed spandrel panels. Because the new overcladding will increase the overall thickness of the external wall construction, it is proposed to extend the balconies accordingly and replace the guarding with new glass balustrades.
- 8.91 It is proposed to use a pale coloured cladding material, such as precast fibre-reinforced cement panels or a matt finished coated metal system. Insulated render, contained in small bays trimmed with metal reveals, is an alternative option. Final choice of materials has not been made and the applicant is still researching appropriate finishing materials in terms of performance, cost and appearance.
- 8.92 There is currently no terminal treatment at roof level of the Denning Point tower. It is therefore proposed to apply a screen of glass or metal panels at roof level that will give the building a positive "crown".

- 8.93 The regularity of the building plan – a rectangle with balconies applied equally to the four corners – is interrupted on the Commercial Street elevation by the escape staircase that protrudes eccentrically beyond the face of the building. The glazing to the staircase will be replaced as part of the re-cladding and it is proposed to use the new cladding as an expressive vertical element on the façade.

The Courtyard Block

- 8.94 The courtyard building faces onto busy Commercial Street as well as the quieter Pomell Way, Old Castle Street and the new public square.
- 8.95 The ground floor of the Commercial Street building is proposed to be occupied by a large retail space that is faced with a simple curtain wall shopfront system. The glazing pattern is proposed to be enlivened by using a limited variety of panel widths, deployed in an irregular array. This glazing system would extend around the plinth at the base of Denning Point, rising up to two storeys in height. The transparency of the shopfront glazing will give way to a greater proportion of opaque glazing where it forms the solid external walls to offices and service spaces.
- 8.96 The double-height reception area of the new EastendHomes offices is located on the corner of Commercial Street and the new public square, with the entrance facing the square. This double-height space will be clad in clear glass so that its presence will be highly visible by day and by night.
- 8.97 The principle of the treatment of the Commercial Street elevation will be carried throughout this block, along Pomell Way and into its rear elevations that overlook the courtyard, except that the unified linear balconies will give way to individual balconies for each flat. Colour will be expressed in the glass balustrades to these balconies.
- 8.98 This lower key appearance is appropriate to these quieter streets and it allows a change in facing materials to be applied to the remainder of the courtyard building.
- 8.99 The domestic quality of Old Castle Street is reflected in the choice of light coloured brickwork as the facing material for the new terrace of maisonettes and flats. A rhythm of individual two-storey dwellings is expressed in the composition of openings in this façade, with a varied pattern of openings serving the flats on the upper floors.

Wentworth Street

- 8.100 The Wentworth Street building must fit into the existing market streetscape which, regardless of the varieties of architectural style, is predominantly composed of brickwork with shopfronts at street level. The new building will be faced in the same light coloured brickwork used on the Old Castle Street terrace, expressed in a composition that is characterised by large openings onto living rooms and inset balconies. Smaller vertical openings for bedroom windows echo the domestic quality of the Old Castle Street building and give a nod to the traditional sash windows of the neighbouring buildings. Occasional tall coloured glass infill panels to the balcony balustrades make a visual connection to the main Commercial Street elevation.
- 8.101 The new community centre is located on the southern side of the Wentworth Street building, taking the form of a wedge cut into the brick mass of the building. It is two storeys high and is finished in the same glazed curtain wall system as the EastendHomes on the opposite side of the public square.

General Estate

- 8.102 It is considered that the proposal for the main new build and the recladding of Denning Point each responds to its context whilst also complementing the other. The concept of

the proposed materials is acceptable in principle, however it is recommended that a condition is included on the consent to require the submission and approval of material samples in order to ensure an appropriate quality of material is used in the development and that the quality of the development is not compromised.

- 8.103 With regards to the proposals elsewhere on the estate, including the provision of lift blocks and entrance improvements to the existing buildings, no detail of the materials, which are proposed to be used, have been provided. It is therefore recommended that a condition be included to require the submission and approval of materials in relation to this work also, in order to ensure that appropriate materials are used and that the proposals do not detract from the appearance of the existing buildings.
- 8.104 In terms of materials it is considered, subject to the proposed conditions, that the proposals are acceptable in terms of policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies DEV1, DEV2 and DEV3 of the UDP and policies CP4, DEV1 and DEV2 of the IPG.

Internal Amenity

Flat Sizes

- 8.105 The proposed flat sizes are considered to be generally good size, exceeding the Council's Supplementary Planning Guidelines. Furthermore, the layouts of the flats generally provide for maximum internal living space in that the internal halls are minimised. Balcony areas of living rooms would add to the useable space, allowing an element of indoor outdoor living.
- 8.106 It is therefore considered that that the size of the proposed units would be acceptable and would provide appropriately for the living conditions of future occupiers.

Noise

- 8.107 The proposed development is located in a poor noise environment, with road traffic noise and underground railway noise contributing to the potential noise impacts upon the proposed living environments.
- 8.108 The Council's Environmental Health Officer has reviewed the application and the acoustic report information submitted by the applicant and recommended that the condition be included on the planning permission, if approved, requiring that the developer provide details of how adequate sound attenuation can be provided to ensure acceptable an internal living environment to the proposed dwellings.
- 8.109 In addition the Environmental Health Officer has recommended that the developer must carry out a survey and demonstrate by calculation and prediction of ground borne noise and vibration levels inside the proposed development, due to the underground railway tunnels that run under the site. It is recommended that any approval of the development be subject to a condition requiring the submission of the ground borne noise and vibration details as well as appropriate mitigation measures, if required, in order to ensure the living conditions of the future residents.

Impact on Conservation and Heritage Values

- 8.110 Policies 4B.11, 4B.12 and 4B.13 of the London Plan, policies DEV32 and DEV37 of the UDP and policies CON1 and CON2 of the IPG seek to preserve the historic assets of the city.
- 8.111 The site is surrounded by a number of Conservation Areas and is bounded by Wentworth Street Conservation Area, the Whitechapel High Street Conservation Area and the Artillery Passage Conservation Area.
- 8.112 Wheler House lies within the Fournier Street Conservation Area, whilst Bernard House and Old Wentworth Dwellings both lie within different parts of the Wentworth Street Conservation Area.

	3bed			(10) 5	(10) 5	(10) 5									15	30	
															Total	242	318
															Surplus/Shortfall II		-76
Block C	Type	Grnd	Upper Grnd	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	Total	Req	
	studio	(25) 8		(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5				48	73	
	studio			(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5	(6) 5				40	48	
	1bed	(25) 20		(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	130	91	
	1bed			(6) 10	(6) 10	(6) 10	(6) 10	(6) 10	(6) 10						60	36	
	1bed			(6) 11	(6) 11	(6) 11	(6) 11	(6) 11	(6) 11						66	36	
	1bed			(6) 11	(6) 11	(6) 11	(6) 11	(6) 11	(6) 11						66	36	
	1bed			(6) 11	(6) 11	(6) 11	(6) 11	(6) 11	(6) 11						66	36	
	2bed			(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	55	110	
	2bed			(10) 7	(10) 7	(10) 7	(10) 7	(10) 7	(10) 7	(10) 7	(10) 7	(10) 7	(10) 5	(10) 5	71	110	
	2bed			(10) 10	(10) 10	(10) 10	(10) 10	(10) 10	(10) 10	(10) 10	(10) 10	(10) 10	(10) 7	(10) 7	101	110	
	2bed			(10) 5	(10) 5	(10) 7	(10) 7	(10) 6	(10) 6				(10) 10	(10) 10	66	90	
	2bed			(10) 6	(10) 5	(10) 6	(10) 5	(10) 6	(10) 6						34	60	
	3bed	(50) 27		(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5	(10) 6	(10) 5	(10) 6	(10) 5	84	160	
	3bed			(10) 6	(10) 5	(10) 5	(10) 5	(10) 5	(10) 5						31	60	
	3bed			(10) 5											5	10	
															Total	923	1066
														Surplus/Shortfall II		-143	
Block F	Type	Grnd	Upper Grnd	1st	2nd	3rd	4th	5th							Total	Req	
	2bed			(10) 7	(10) 7										14	20	
	2bed			(10) 5	(10) 6										11	20	
	2bed			(10) 6	(10) 16										22	20	
	2bed				(10) 16										16	10	
	3bed		(10) 7	(10) 5	(10) 5										17	30	
	3bed			(10) 5	(10) 15										20	20	
	3bed			(10) 6											6	10	
	3bed			(10) 6											6	10	
														Total	112	140	
														Surplus/Shortfall II		-28	
Block G	Type	Grnd	Upper Grnd	1st	2nd	3rd	4th	5th							Total	Req	
	studio				(6) 0	(6) 0	(6) 0								0	18	
	1bed			(6) 6	(6) 6	(6) 6	(6) 6								24	24	
	2bed			(10) 6	(10) 6	(10) 6	(10) 6								24	40	
	2bed			(10) 6	(10) 6	(10) 6	(10) 6								24	40	
	2bed			(10) 6	(10) 6	(10) 6	(10) 6								24	40	
	2bed			(10) 6	(10) 6	(10) 6	(10) 6								18	30	
	3bed			(10) 5	(10) 5	(10) 5	(10) 5								20	40	
	3bed			(10) 6	(10) 6	(10) 6	(10) 6								24	40	
	3bed			(10) 7	(10) 6	(10) 6	(10) 6								25	40	
	3bed			(10) 7	(10) 7	(10) 7									21	30	
														Total	204	342	
														Surplus/Shortfall II		-138	
TOTAL														Overall Total	1713	2316	
														Surplus/Shortfall II		-603	

Note: The figures in brackets refer to the LBTH amenity space requirements

Table 8.3 – Private amenity Space Provision

8.118 There is variation in the amount of exclusive amenity space provided within individual flats. The vast majority are provided with a balcony, terrace or ground floor garden. Whilst 45 flats exceed the requirements, the majority of units fall below the standard provided by the Council's IPG. However, the open space provision above ground floor level is restricted on

this site by the need to protect the privacy of the residents and to prevent overlooking, which is a symptom of the central city location.

- 8.119 However, since there will be access to the new 1,048 sq.m. semi-private courtyard at the centre of the Denning Point complex, then the provision of outdoor space becomes much improved and exceeds standards by providing some 445 sq.m. over Council standards, albeit this central courtyard is accessible by all residents of the surrounding blocks.
- 8.120 A significant reason for the shortfall in private amenity space is also as a result of the attempts to improve the communal open space provision for the estate at ground floor level and enhance the usability.
- 8.121 On balance it is considered that the outdoor space provision within the new build component of the development, including Denning Point, is acceptable and generally in accordance with policies 3D.8, 4B.1, 4B.2 and 4B.3 of the London Plan 2008, policy DEV12 of the UDP and policies CP4, CP30 and DEV13 of IPG.

Child Play Space

- 8.122 The proposed scheme provides approximately 1,048m² of play space within the Denning Point site alone, and will refurbish and improve the existing, poor quality and run down areas of defined playspace across the wider estate to provide a total of 1,608m² playspace.
- 8.123 In accordance with policy HG7 of the IPG, it has been calculated that the wider estate, based on the combined proposed new and existing homes, should provide a total of 621.5m² of children's play space (see Table 8.4 below). Currently, the estate provides just 560m² of dedicated play space. The proposals will provide approximately 1,608m² of dedicated play space distributed appropriately throughout the estate, improving opportunities for overlooking and creating safer play environments. As such, the amount of play area exceeds the policy requirements and is therefore considered in accordance with policy 3D.13 of the London Plan 2008, policy O9 of the UDP and Policies CP25 and HSG7 of the IPG.

Tenure	Market Units				Intermediate Units				Social Rented Units			
Unit Size	No. of Units	Child Yield	Total Yield	LBTH 3sq.m.	No. of Units	Child Yield	Total Yield	LBTH 3sq.m.	No. of Units	Child Yield	Total Yield	LBTH 3sq.m.
Studio	20	0.036	0.72	2.16	0	0.036	0	0	0	0	0	0
1 bed	80	0.036	2.88	8.64	4	0.036	0.144	0.432	59	0.059	3.481	10.443
2 bed	164	0.228	37.392	112.176	7	0.228	1.596	4.788	117	0.49	57.33	171.99
3 bed	56	0.564	31.584	94.752	2	0.564	1.128	3.384	35	0.912	31.92	95.76
4 bed	14	0.742	10.388	31.164	0	0.742	0	0	13	1.221	15.873	47.619
5 bed	3	0.742	2.226	6.678	0	0.742	0	0	8	1.221	9.768	29.304
6 bed	1	0.742	0.742	2.226	0	0.742	0	0	0	1.221	0	0
Totals (sq.m.)	338		85.932	257.796	13		2.868	8.604	232		118.372	355.116
Grand Total				621.5								

Table 8.4 – Playspace requirement

Wind Micro-Environment

- 8.124 Planning guidance contained within the London Plan 2008 places great importance on the creation and maintenance of a high quality environment for London. Policy 4B.10 of the London Plan 2008, requires that “All large-scale buildings including tall buildings, should be of the highest quality design and in particular: ... be sensitive to their impacts on microclimates in terms of wind, sun, reflection and over-shadowing”. Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 of the IPG also identifies microclimate as an important issue stating that:

“Development is required to protect, and where possible seek to improve, the amenity of

surrounding and existing and future residents and building occupants as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should: ...not adversely affect the surrounding microclimate.”

- 8.125 The applicant has provided a Wind Microclimate study which details the impact on the pedestrian environment as a result of the proposed tall building development. The report concludes that in none of the scenarios modelled were there any areas with winds that would be perceived as unpleasant by pedestrians.
- 8.126 It is therefore considered that the proposed development would be acceptable in terms of the impact on microclimate wind conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 and policy DEV1 of the IPG.

Landscaping

- 8.127 Landscaping is used to enhance the aesthetics and amenity of the public realm and outdoor spaces within and surrounding developments. In addition, appropriate landscaping can provide enhancements to the biodiversity and natural habitats within the area.
- 8.128 The applicant has submitted a general landscaping strategy for the entire estate, however there is no specific detail on the landscaping improvements proposed. As such, it is recommended that a condition is imposed on the application to ensure that the proposed landscaping is of an acceptable level and quality to ensure the amenity of the estate.
- 8.129 The proposed development also includes security gating and improved boundary treatment. No details of the proposed gate design or boundary treatment has been provided with the application. It is therefore recommended that a condition be included on any planning permission requiring the submission and approval of the boundary treatment and security gates in order to prevent the estate becoming a gated community and to ensure continued social cohesion and prevent a fear of crime and anti-social behavior.
- 8.130 It is therefore considered the proposed development would be in accordance with policy DEV12 of the UDP, policies DEV1, DEV2 and Dev 13 of the IPG and policies 4A.11, 4B.1 and 4B.10 of the London Plan 2008.

Views

- 8.131 Policies 4B.10, 4B.16, 4B.17 and 4B.18 of the London Plan 2008, policy DEV8 of the UDP and policies CP50 and CON5 of the IPG protect strategic views of the city and locally important views of the townscape.
- 8.132 The site does fall within a designated Strategic View Consultation Area under the London Plan 2008. The applicant has provided an assessment of the impact showing that the proposed development would be located below the threshold plane and given the surrounding heights of development would have nil impact on the Strategic View.
- 8.133 The proposal is therefore considered in accordance with policies 4B.10, 4B.16, 4B.17 and 4B.18 of the London Plan 2008, policy DEV8 of the UDP and policies CP50 and CON5 of the IPG

Access

- 8.134 The scheme will yield much needed accommodation including social rented and intermediate affordable housing. The access statement submitted highlights the developer's commitment to provide all accommodation to lifetime homes standards. Most of the units will have relative ease of access to disabled parking bays. 10% of the units provided will be

wheelchair accessible design. Conditions of consent can be included on the application to ensure that the provisions are met adequately for mobility impaired persons.

- 8.135 It is therefore considered that the access for mobility impaired persons is acceptable and would be in accordance with policy ST12 of the Unitary Development Plan 1998, policies CP46 and DEV3 of the Interim Planning Guidance 2007 and policy 4B.5 of the London Plan 2008

Waste Storage

- 8.136 The refuse provisions for Denning Point will retain the existing refuse chute, although the location of the bin store will be changed to allow collection from Commercial Street, as well as provide additional bin storage space for recycling and composting waste.
- 8.137 Each of the ground level maisonettes on Old Castle Street is provided with a screened bin storage area in its front yard, containing storage for general refuse, co-mingled dry recyclables and compostable waste.
- 8.138 Common residential cores B, C and F (situated in the courtyard building) are provided with enclosed refuse stores adjacent to the common entrances but accessed from the street. Common residential cores in the Wentworth Street building are provided with underground refuse storage stations located in the public square and on Old Castle Street.
- 8.139 Refuse stores are located so that horizontal travel distances from dwellings are within accepted limits. Refuse stores have been positioned so that they are sufficiently close to the public highway to allow collection by London Borough of Tower Hamlets refuse collectors (or its sub-contractors).
- 8.140 No specific provisions have been made for the storage or collection of non-residential uses. The applicant has stated assumed that, since this will depend to a large extent on the precise nature of these uses, that such provision will be made within the space allocated for these uses and that details will be submitted for approval in due course, when the nature of these uses becomes known.
- 8.141 It recommended that a condition be included on the consent to require the submission and approval of all bin stores, including for the commercial units, to ensure that the appropriate area and set out is proposed to cater for both waste and recycling. It is considered with such a condition the proposed storage arrangements would be acceptable and would not impact on the amenity of the surrounding area or the appearance of the development.

Sustainability

- 8.142 The London Plan 2008 has a number of policies aimed at tackling the increasingly threatening issue of climate change. London is particularly vulnerable to matters of climate change due to its location, population, former development patterns and access to resources. Policies within the UDP and IPG also seek to reduce the impact of development on the environment, promoting sustainable development objectives.

Energy

- 8.143 The applicant has provided an Energy Strategy with the application, detailing the estimated energy usage, energy efficiency and what renewable energy provisions have been provided within the development.
- 8.144 PPS22 seeks to require the inclusion of renewable technology and energy efficiency within developments, as do policies 4A.1, 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan 2008 and

policies CP38 and DEV6 of the IPG, unless it can be demonstrated that the provision is not feasible.

- 8.145 The Holland Estate Regeneration consists of refurbishing 374 of the current 417 apartments on the estate to improve the welfare and standard of living to the current residents. In order to fund these improvements it is proposed to integrate 209 new build homes into the scheme. These extra units will be generated by the demolition of 43 existing units and better usage of the area around Denning point.
- 8.146 The Energy Strategy shows that large carbon savings can be made during the Estate regeneration. Due to the nature of the scheme the largest and most cost effective carbon savings are to be made by increased energy efficiency in the existing buildings.
- 8.147 The report shows energy demands for the existing stock, refurbished stock and new build elements. The existing housing is circa 1930's to 1960's with very poor insulation levels, inefficient boilers, no ventilation and poor air permeability.
- 8.148 It is proposed that blown fibre insulation be introduced to the cavity walls, boilers and controls be updated and ventilation be added. Windows are also to be replaced or refurbished.
- 8.149 In terms of the new build elements, these will have high efficiency condensing boilers, low insulation values (Walls – 0.25 W/m²k, roof 0.16 W/m²k, Floor 0.25 W/m²k, window 1.8 W/m²k), heat recovery ventilation and low energy lighting. It is also proposed that the new build element of the works included a district heating scheme. A total of 400m² (circa 51kW) of Photovoltaic panels will also be included on the scheme.
- 8.150 The carbon saving results of the proposed energy efficiency and renewable energy measures are shown in Table 8.5 below.

	Annual Carbon Emissions (kg CO ₂)		
	Residential	Common Areas and Commercial	Total
Existing Stock	1,754,605	123,324	1,877,929
Existing Stock Refurbished	1,076,575	23,593	1,100,168
Existing Stock Change	678,030	99,731	777,761
New Build (Part L)	483,835	421,518	905,353
New Build (After Lean, clean and Green)	373,104	238,602	611,706
New build Change	110,731	182,916	293,647
Total (Existing + New Build)	2,238,440	544,842	2,783,282
Total (Refurb + New build)	1,449,679	262,195	1,711,874
Total Change	788,761	282,647	1,071,408

Table 8.5 – Proposed Carbon Emission Savings

- 8.151 Policy 4A.7 of the London Plan 2008 requires that developments achieve a 20% reduction in carbon emissions through the use of onsite renewable energy, unless it can be demonstrated that such provision is not feasible. This is supported by policy CP38 of the IPG which seeks to ensure developments maximise the opportunities for the production of energy from renewable sources and policy DEV6 of the IPG which requires a minimum of 10% of the predicted energy production to be from renewable energy production.
- 8.152 As part of the proposed carbon emission savings it is proposed to integrate a Photovoltaic array into the scheme. The usable roof area for this is approximately 400m². Using the highly efficient Shuco Panels a 51 kW array could be installed. According to the applicant this would cost in the region of £285,000 and provide carbon emission reductions of 24,623 kg

CO₂ per annum. This would only equate to 3.9% of the new build carbon emissions.

- 8.153 In terms of carbon savings, it is more cost effective to invest in energy efficiency within the refurbishing works, rather than costly renewable technologies. There are larger carbon savings per pound for the energy efficiency refurbishment works than there are for the renewable elements. The cost of the energy efficiency refurbishment works is approximately £4,056,321 for carbon savings of 777,761 kg CO₂. This equates to 5.22 £/kg. The cost of renewable technologies to give similar savings would be approximately £4,792,540 (6.16 £/kg) for Wind turbines, £8,866,475 (11.4 £/kg) for PV and £6,167,644 (7.93 £/kg) for Solar thermal.
- 8.154 It is therefore considered that the proposed energy strategy represents a larger carbon emissions saving than would be feasible if onsite energy production was to be included to a higher level. As such the proposed development is considered to accord to policies 4A.1, 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan 2008 and policy CP38 of the IPG.

Biodiversity

- 8.155 Policy 3D.14 of the London Plan 2008, policies DEV57 and DEV61 of the UDP and policies CP31 and CP33 of the IPG seek to protect and enhance biodiversity and natural habitats.
- 8.156 The site is not designated as a Site of Nature Conservation or Importance. In overall terms, the provision of additional landscaped open space is likely to improve the range of habitats available and promote biodiversity in accordance with policy.
- 8.157 Conditions of consent are recommended to require an acceptable landscape plan to be produced for the landscaping works within the estate. Assessment and approval of the landscaping would ensure that biodiversity enhancements and natural habitats are maximised within the landscaping proposals.
- 8.158 It is therefore considered that the proposed development would provide important biodiversity enhancements to this inner city location and that the proposed development would be consistent with policy DEV61 of the UDP policy CP31 of the IPG and Policy 3D.14 of the London Plan 2008.

Water

Flood Risk, Water run-off and Waste Water

- 8.159 The Holland Estate is located in Flood Risk Zone 1 and thus is not at risk from flooding from fluvial or tidal influenced sources within a return period of 1 in 1000 years. However, as the site exceeds one hectare a Flood Risk Assessment has been provided.
- 8.160 The report made two recommendations pertaining to the management of surface water and foul water from the Denning Point site, including the new build areas. The first that it be demonstrated that the surrounding sewer capacity is sufficient to take the increased foul water discharge from the site. The utilities statement does not detail whether there is sufficient capacity and therefore it is recommended a condition of consent is included to require confirmation of sufficient sewer capacity.
- 8.161 Secondly, that tanked storage is provided to mitigate against the runoff from the impermeable areas. A condition is recommended regarding the provision of this, which is in accordance with the Environment Agencies request for a condition relating to surface water storage.
- 8.162 Subject to imposing the recommended conditions it is considered that the proposed development would adequately mitigate against flood risk, water run-off and waste water generation.

Water use

- 8.163 The applicant has not provided details of the proposed water usage or mitigation provisions. It is therefore considered that conditions be included that low flow water use devices be used and that a Sustainable Homes Assessment be required, in order to ensure the minimisation of water usage.
- 8.164 Subject to the recommended conditions the proposed development is considered in accordance with policies, DEV69, U3 of the Unitary Development Plan 1998, policies CP37, DEV7, DEV 8 and DEV21 of the IPG and policies 4A.12, 4A.13, 4A.14 and 4A.16 of the London Plan 2008.

Construction Waste and Recycling

- 8.165 Policy 4A.28 of the London Plan 2008 and policy CP39 of the IPG require developments to follow the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste.
- 8.166 The applicant has provided an initial Site Waste Management Plan for the development detailing that they will follow the principles of the waste hierarchy and reduce, reuse and recycle.
- 8.167 Conditions of consent should require an updated Site Waste Management Plan to be submitted detailing the particulars in relation to the development to ensure that the development is implemented in accordance with the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste. If development is undertaken in accordance with an appropriate Site Waste Management Plan the development would be considered to be in accordance with policy CP39 (Sustainable Waste Management) of the IPG and policy 4A.28 (Construction, excavation and demolition waste) of the London Plan 2008.

Planning Obligations

- 8.168 Policy DEV 4 of the UDP and policy IMP1 of the IPG state that the Council will seek planning obligations to secure onsite or offsite provisions or financial contributions in order to mitigate the impacts of a development.
- 8.169 The applicant has agreed to the following being included in a Section 106 to ensure mitigation of the proposed development:
- Provide a contribution of **£225,596** towards the provision of future health and social care facilities.
 - Provide a contribution of **£283,866** towards the provision of primary school places.
 - Affordable Housing (38.6%)
 - Car Free Development for all new units
 - Employment Initiatives to use reasonable endeavours to employ local people during the construction and end user phases of the development.
 - Green Travel Plan to encourage sustainable travel to and from the development by residents.
 - Clause requiring £10,285,000 (residual value after Stamp Duty Land Tax – SDLT) to be spent on the upgrade of the Holland Estate to bring existing units up to Decent Homes Standard.
 - Provision of a car club and min 2 car club spaces provided within the development for the use of residents
 - Provision and operation of a Community Centre

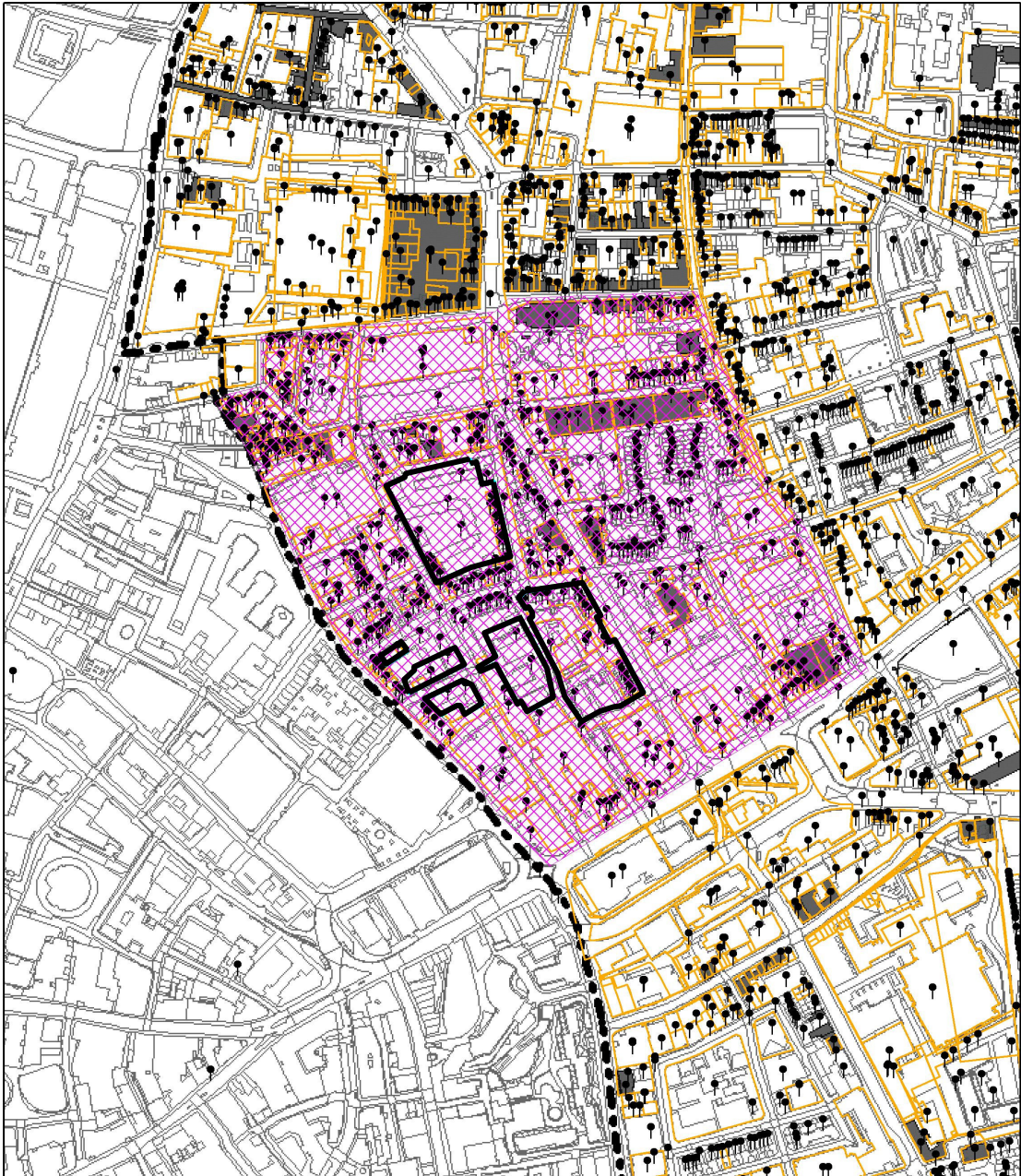
- Provision of public access to the public open space

8.170 In accordance with policy DEV 4 of the UDP and policy IMP1 of the IPG it is considered that the inclusion of these matters in a Section 106 Legal Agreement, together with the recommended conditions would adequately mitigate against the impacts of the development.

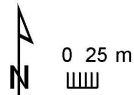
Conclusions

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

Planning Application Site Map



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



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