<b>Committee:</b> Strategic Development	Date: 10 <sup>th</sup> November 2009	Classification: Unrestricted	Agenda Item No:		
Report of:		<b>Title:</b> Variation of existing s106 Agreement			
Corporate Director of De	velopment and Renewal	<b>Ref No:</b> PA/09/1350			
Case Officer: Shay Bug	ler	Ward(s): Weavers			

# 1. APPLICATION DETAILS

- 1.1 Location: 32-42 Bethnal Green Road, London, E1
- 1.2 **Existing Use:** Industrial
- 1.3 Proposal:

Variation of the S106 Agreement for the scheme granted on the 21<sup>st</sup> May 2008 (PA/07/2193) for the demolition of existing building and erection of two buildings ranging from 4 to 25 storeys in height to provide 3,434 sqm of commercial floorspace within use class A1, A2, A3, A4, B1, B8, D1 & D2 and 360 residential units (comprising of 32 x studios, 135 x 1 bed, 116 x 2 bed, 65 x 3 bed, 7 x 4 bed, 5 x 5 bed), to amend the tenure and mix of residential units as follows:

- Reduction in the number of market housing from 259 to 257 residential units

- Reduction in the number of shared ownership units from 29 to 9

- Increase in the number of social rented units from 72 to 94 residential units

The overall number of residential units remains at 360 units. The proposed new residential mix comprises of 19 x studios, 147 x 1 bed, 117 x 2 bed, 65 x 3 bed, 7 x 4 bed and 5 x 5 bed.

- 1.4 Drawing Nos:
   PL 102 Rev B; PL 103 Rev C; PL 104 Rev D; PL 105 Rev D; PL 106 Rev D; PL 107 Rev D; PL 108 Rev D; PL 109 Rev C; PL 110 Rev C; PL 111 Rev C; PL 112 Rev C; PL 113 Rev C; PL 114 Rev C; PL 111 Rev C; PL 116 Rev C; PL 117 Rev C; PL 118 Rev C; PL 119 Rev C; PL120 Rev C; PL121 Rev B;
- 1.5 **Supporting** Letter from CMA Planning dated 17<sup>th</sup> April 2009 **Documents**
- 1.6 **Applicant:** Bishopsgate Apartments LLP (which is 50% owned by Telford Homes Plc and 50% owned by Geninvest, a subsidiary of Genesis Housing Group).
- 1.7 **Owner:** Bishopsgate Apartments LLP (which is 50% owned by Telford Homes Plc and 50% owned by Geninvest, a subsidiary of Genesis Housing Group).

## 1.8 Historic Building: N/A

1.9 Conservation Area: Adjacent to Fournier Street and Boundary Estate Conservation Area

# 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Statements and Guidance and has found that:
- In light of the acute need for social rented housing within the borough, the proposal provides an acceptable amount of affordable housing and an appropriate tenure and dwelling mix overall. As such, the proposal is in line with policies 3A.1 & 3A.5 of the London Plan, policy HSG1, HSG7 of the Council's Unitary Development Plan 1998 and policies CP19, CP21, HSG2 of the Interim Planning Guidance (Oct 2007) & PPS3 (Housing) for the purposes of Development Control, which seek to ensure that new developments offer suitable housing choices to meet the housing needs of the borough.

# 3. **RECOMMENDATION**

3.1 That the Committee resolve that a Deed of Variation to the S106 Agreement be entered into, to the satisfaction of the Chief Legal Officer, in accordance with the affordable housing proposal as outlined in section 1.3 of the report.

# 4. PROPOSAL AND LOCATION DETAILS

- 4.1 Planning permission was approved under ref; PA/07/2193 on the 21<sup>sy</sup> May 2008 for the demolition of the existing building and erection of two buildings ranging from 4 to 25 storeys in height to provide 3,434 sqm of commercial floorspace within use class A1, A2, A3, A4, B1, B8, D1 & D2 and 360 residential units (comprising of 32 x studios, 135 x 1 bed, 116 x 2 bed, 65 x 3 bed, 7 x 4 bed, 5 x 5 bed)
- 4.2 The table below illustrates the approved dwelling and tenure mix.

		Social Rented		Intermediate			Private Sale			
Unit ze	Total units	Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	32	0	0	0	0	0	25	32	12.3	25
1 bed	135	20	28	20	8	27.5	25	107	41.3	25
2 bed	116	19	26.3	35	8	27.5	25	89	34.3	25
3 bed	65	21	29	30	13	45	25	31	12	25
4 bed	7	7	10	10	0	0		0	0	
5 bed	5	5	5.5	5	0	0		0	0	
Total	360	72		100	29	100	100	259	100	100

 Table 1: Dwelling and tenure mix as approved under ref PA/07/2193 dated 21<sup>ST</sup> May 2008

- 4.3 The applicant has now submitted this application to amend the tenure split in the existing S106 Agreement. The amendments involve the following:
  - Reduction in the number of market housing from 259 to 257 residential units
  - Reduction in the number of shared ownership units from 29 to 9
  - Increase in the number of social rented units from 72 to 94 residential units

The overall number of residential units remains at 360 units. The proposed new residential mix comprises of 19 x studios,  $147 \times 1$  bed,  $117 \times 2$  bed,  $65 \times 3$  bed,  $7 \times 4$  bed and  $5 \times 5$  bed.

		Social Rented			Intermediate			Private Sale		
Unit ze	Total units	Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	19	0	0	0	0	0	25	19	7.3	25
1 bed	147	26	28	20	9	100	25	112	43.6	25
2 bed	117	23	24.5	35	0	0	25	94	36.5	25
3 bed	65	33	35	30	0	0	25	32	12.45	25
4 bed	7	7	7.2	10	0	0	0	0	0	
5 bed	5	5	5.3	5	0	0	0	0	0	
Total	360	94	100	100	9	100	100	257	100	100

4.4 The table below illustrates the proposed amendments to the tenure and dwelling mix.

#### Table 2: Proposed amendments to the tenure and dwelling mix

- 4.5 The subject application has been brought to committee for determination as the proposed amendment to the dwelling mix within the affordable housing provision is considered to alter the character of the approved scheme (ref; PA/07/2193) and is materially different to the one approved earlier by members of the Strategic Development Committee.
- 4.6 A Section 106 Agreement can be varied either by the agreement of the parties to the Agreement or by formal application under S106A of the Town and Country Planning Act 1990. This report seeks the Committee's resolution to vary the existing S106 by agreement of the parties.
- 4.7 Should the committee resolve to vary the S106 Agreement; the existing legal Agreement will be amended via a Deed of Variation. This will amend the existing S106 Agreement to include the proposed amendments to the tenure split within the affordable housing provision, as outlined in sections 1.3 of the report. The existing S106 Agreement will remain in full force and effect.

## 5. RELEVANT POLICY FRAMEWORK

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

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

Policies	DEV1	Design Requirements
	HSG1	Provision of Housing Development
	HSG7	Dwelling Mix

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

Policies	CP19	New Housing Provision
	CP21 CP22 HSG2 HSG4 HSG5	Dwelling Mix and Type Affordable Housing Housing Mix Varying the Ratio of Social Rented to Intermediate Housing Estate Regeneration Schemes

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

- 2A.1 Sustainability Criteria
- 3A.1 Increasing London's Supply of housing
- 3A.5 Housing choice
- 3A.7 Large Residential Developments
- 3A.8 Definition of affordable housing
- 3A.9 Affordable Housing Targets
- 3A.11 Affordable housing thresholds

### 5.5 Government Planning Policy Guidance/Statements

- PPS1Delivering Sustainable DevelopmentPPS3Housing
- 5.7 **Community Plan** The following Community Plan objectives relate to the application:

A better place for living safely A better place for living well Adopted Community Plan 2020 Vision/Issue

### LBTH Council Housing Documents

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

### 6. LOCAL REPRESENTATION

6.1 A total of 651 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised on East End Life and on site. The number of representations received from neighbouring and local groups in response to the publicity of the applications is as follows:

No of responses:	Objecting: 4	Supporting: 0
Petitions	Objecting: 0	Supporting: 0

The following issues were raised in representations relating to the proposed development.

6.2 The proposal will have an adverse impact on the amenity of surrounding residential properties in terms of loss of light, shadowing and "the loss of the main market site of Brick Lane".

(Officers comment: Amenity issues were considered in the original permission ref PA/07/2193. The proposed design of the scheme has remained unaltered. The proposal relates solely to alterations to the tenure and dwelling mix. As such, all other planning issues are not material planning considerations to the application).

6.4 One local residents objects " to any development on the site, until such time the emergency services are satisfied"

(Officers comment: The applicant is required to liaise direct with LBTH Building Control team on emergency and security matters to ensure this matter to ensure that the development appropriately satisfies Building Control regulations). 6.5 The density of the proposed development is too high and unjustified.

(Officers comment: The principle of the proposed residential density on this site was approved under planning reference PA/07/2193. The number of units remains at 360 units, whilst the number of habitable rooms increases from 987 to 1001. This is considered to be acceptable).

6.6 'While the area needs more housing it is a very retrograde step to re-introduce the concept of the residential tower block and to cram so many dwellings in such a small space. The impact of such a high building in the primary residential neighbourhood would also be very detrimental".

(Officers comment: The proposed height, scale and bulk of the development and its associated impacts have already been considered and approved under planning ref; PA/07/2193 dated 21<sup>st</sup> May 2008 and remains unaltered in this application. These matters are not relevant to this application and as such are not material planning considerations).

# 7. MATERIAL PLANNING CONSIDERATIONS

- 7.1 The main planning issues raised by this report that the committee must consider are:
  - The proposed amendment to the tenure split in comparison to the approved tenure mix
  - The acute demand/need for social rented housing within the Borough
  - The relevance the proposal has in addressing the problem of overcrowding of dwellings within the Borough
  - The existing and forecast supply of intermediate housing within the Borough
  - The deliverability of new housing schemes during the economic downturn.

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

- 7.2 As noted in section 4.1 of the report, planning permission (PA/07/2193) was approved on the 21<sup>st</sup> May 2008 for demolition of existing building and erection of two buildings ranging from 4 to 25 storeys in height to provide 3,434 sqm of commercial floorspace within use class Al, A2, A3, A4, B1, B8, DI & 02 and 360 residential units (comprising of 32 x studios, 135 xl bed, 116 x 2 bed, 65 x 3 bed, 7 x 4 bed, 5 x 5 bed), car parking, bicycle parking, refuse /recycling facilities, access, public amenity space and new public space.
- 7.3 The proposal seeks to amend the dwelling and tenure split within:
  - a) The approved market units
  - b) The approved intermediate units
  - c) The approved social rented units

## Proposed amendments to market units

7.4 Planning permission was approved for 259 residential units in the market tenure (ref; PA/07/2193). It is now proposed to reduce the number of market housing from 259 to 257 units.

This will result in the following::

• The number of studio units will be reduced from 32 to 19 units.

- The number of one bed units will be increased from 107 to 112 units.
- The number of two bed units will be increased from 89 to 94 units.
- 7.5 Although the proposal results in a loss of market units, the number of habitable room's increases from 637 to 653. As a result, the number of 1 and 2 bed units increases. This is supported by officers as it is considered that 1 and 2 bed unit's offer a better form and quality of accommodation to studio units.

## Proposed amendment to the affordable housing provision

7.6 The proposal alters the approved tenure and dwelling mix in both the intermediate and social rented units

### Intermediate units

- 7.7 Planning permission was approved for 29 residential units in the intermediate tenure under planning ref; PA/07/2193). The approved dwelling mix is illustrated in table 1 in section 4.2 of the report. The proposal would result in the reduction of shared ownership units from 29 to 9 units. The number of habitable rooms is also reduced from 92 to 18 units. This would result in the following:
  - The number of one bed units will increase from 8 to 9 units
  - The number of two bed units will decrease from 8 to 0 units
  - The number of 3 bed units will decrease from 13 to 0 units
- 7.8 The reduction in the overall number of intermediate units is considered acceptable as there is adequate provision of intermediate housing within the borough. This is explained further in sections 7.35-7.47 of the report.

#### Affordable social rent

- 7.9 Planning permission was approved for 72 residential units under planning ref; PA/07/2193. The approved dwelling mix is illustrated in table 1 in section 4.2 of the report. The proposal would result in an increase in residential units from 72 to 94 residential units. The number of habitable rooms is also increased from 258 to 330 rooms.
  - The number of one bed units increases from 20 to 26 units
  - The number of two bed units increases from 19 to 23 units
  - The number of three bed units increases from 21 to 33 units
  - The number of four bed units remains at 7 units
  - The number of five bed units remains at 5 units.
- 7.10 The increase in the provision of affordable rent units is supported by officers as it addresses:
  - a): The acute need for social rented housing within the Borough
  - b): overcrowding of dwellings within the Borough
- 7.11 This is examined further in sections 7.17-7.34 of the report.

### Implications to proposed amendments to the overall housing provision.

- 7.11 Overall the number of units remains at 360, although the number of habitable rooms increases from 987 to 1001. The increases in habitable rooms is supported by officers as it offers better quality accommodation overall.
- 7.12 The overall provision of family units is maintained at 77 units. In addition, the breakdown of 3 bed, 4 bed and 5 bed units remains the same as was approved on the 21<sup>st</sup> May 2008 under planning reference PA/07/2193.
- 7.13 Whilst the overall family provision is maintained, the number of much needed and sought after family units within the social rented element is increased by 12 units. This is welcomed by officers.
- 7.14 This scheme continues to provide 35% affordable housing in accordance which policy CP22 of the Interim Planning Guidance (Oct 2007) which seeks to secure a minimum of 35% affordable housing on site. Therefore the quantum of affordable housing is not a consideration in this application.
- 7.15 The approved tenure split within the new build affordable housing provision is 74/26 (social rented: intermediate) by habitable rooms. This was broadly in accordance with Policy 3A.9 of the London Plan which seeks to secure a 70% social rented and 30% intermediate unit split.
- 7.16 The proposed tenure split (by habitable room) provides 95% social rented housing and 5% intermediate housing within the affordable housing provision. Although the proposal does not strictly accord with the aspirations of policy 3A.9 of the London Plan and policy CP22 of the Interim Planning Guidance, it should considered against recent detailed evidence based Housing studies specific to London Borough of Tower Hamlets, which identify the need for social rented housing in the Borough. These studies include:
  - Tower Hamlets 2009/12 Housing Strategy adopted in 2009
  - Strategic Housing Market and needs Assessment dated August 2009
  - Overcrowding Reduction Strategy

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

- 7.17 LBTH Housing Strategy (2009-2012) provides detailed information on the Council's Housing needs, including the primary requirement for social rented housing in the borough.
- 7.18 PPS3 'Housing' encourages Boroughs to adopt an evidence based policy approach to housing. Local Development Documents and Regional Spatial Strategies policies should be informed by a robust, shared evidence base, in particular of housing need and demand, through a Strategic Housing Market Assessment. PPS3 stipulates that:

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

7.19 The Council's Strategic Housing Market & Needs Assessment dated August 2009 identifies the acute need for affordable housing within the borough. It notes that there is a shortfall of 2, 700 units of affordable housing per annum. The total scale of future delivery would require a very significant increase in dwelling numbers to meet all needs.

- 7.20 With specific reference to social rented housing, the Strategy provides a detailed analysis of the social rented stock by bedroom size, the level of registered need and actual supply from turnover, based on the 2008/2009 year.
- 7.21 The table below illustrates the ratio of waiting list to supply as the number of years it would take for the waiting list for each property size to be met through the turnover of the existing stock. It also illustrates that there is an overwhelming demand for social rented housing in the Borough.

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Stock size	Waiting list (HSSA) * Number Percentage		Social Turnover	Stock	Demand versus Supply
		. er ee meige	Number	Percentage	
1	11, 544	51.0	990	46.2	11.7:1
bedroom					
2	4,695	20.8	733	34.2	6.4: 1
bedroom					
3	4,677	20.7	346	16.2	13.5:1
bedroom					
4	1,465	6.4	61	2.8	24.0:1
bedroom					
5	243	1.1	12	0.6	20.2: 1
bedroom					
Total	22,624	100.0	2,142	100.0	10.6:1

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

\*- Local Authority HSSA Return- 2009

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

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

"the amount of affordable housing- particularly social housing in Tower Hamlets needs to be maximised"

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

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

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

# The importance and relevance this proposal has in addressing overcrowding of dwellings within the Borough

- 7.26 Overcrowding in residential units is a serious problem in the Borough. The severity of overcrowding is well documented in the following Councils evidence based documents:
  - Housing Strategy 2009/12 adopted in 2009-09-06
  - Overcrowding Reduction Strategy 2009-12
- 7.27 The evidence base to the adopted Housing Strategy 2001/12 notes that:

- Over 22,000 households were on the Common Housing Register, of which 64% were waiting for a home, with the remaining 36% likely to be existing tenants seeking a transfer
- Over 7,000 households on the Common Housing Register were experiencing overcrowding
- 7.28 The Strategic Housing Market and needs Assessment dated August 2009 notes that :

" the overall over occupation level in the borough is 16.4% or 15, 752 implied households, much higher than the average U.K level indicated by the survey of English Housing Preliminary report 2007/2008 of 2.7%"

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

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

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

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

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

- 7.33 There are approximately 10,720 households on the housing register requiring 2 bed plus sized properties. By implication, these are households with children as you would require only one bedroom for the parents and any additional bedrooms for children. Of these, 4,950 households lack 1 bedroom or more. This would imply that 46 percent of families on the housing register are living with children in overcrowded conditions.
- 7.34 It is considered that the proposal would assist in alleviating some of the severe over crowding that many existing residents currently experience in the social rented sector in the Borough. It would also assist in implementing key objectives explored in following two evidence based documents:

- 1) Housing Strategy 2009/12 adopted in 2009
- 2) Overcrowding Reduction Strategy 2009-2012

# The existing and forecast supply of intermediate housing within the Borough

- 7.35 It has been reported both on a national and local level that, due to the economic downturn, Registered Social Landlords (RSL's) have experienced difficulty in attracting buyers for intermediate units. This is due to a number of reasons including;
  - Difficulty in getting mortgages,
  - Buyers unwilling to buy in a period of uncertainty,
  - Over supply of new intermediate units.

As a consequence, some RSL's have, with the approval of their Local Planning Authority, changed these to units to another form of affordable housing.

7.36 The table below demonstrates that there is not a shortage of intermediate housing in the Borough. On the contrary, there is adequate amount of intermediate housing within the borough and it is anticipated that the supply will continue to increase in 2010 & 2011. Over the past three years delivery of intermediate units as a percentage of the total new affordable supply was 44%.

7.37		2006/07	2007/08	2008/09	Average	%
	New RSL Affordable (Social) Rent	759	704	356	606	56
	RSL Shared Ownership (Intermediate)	277	542	616	478	44
		1036	1246	972	1084	100

Table 4. 2006/07 to 2008/09 New Affordable Housing Supply

7.38 The Borough's forecast for the delivery of intermediate affordable housing units in 2009/10 will be 39% of the overall new affordable housing; which equates to 553 intermediate units. The units forecast to be delivered in 2010/11 will be 36% of the overall new affordable housing provision; which equates to 407 intermediate units. The table below illustrates this further.

7.39		2009/10 units	% age	2010/11 units	% age
	Rent	847	61.4	730	64.2
	Intermediate	533	38.6	407	35.8
	Total	1380	100	1137	100

7.40 Therefore, it is evident that there is adequate provision for intermediate housing in the Borough. Notwithstanding, the proposal provides 9 intermediate units which is considered acceptable. The reduced provision of new intermediate units on this site will not have an affect on individuals who seek to occupy intermediate units within the Borough.

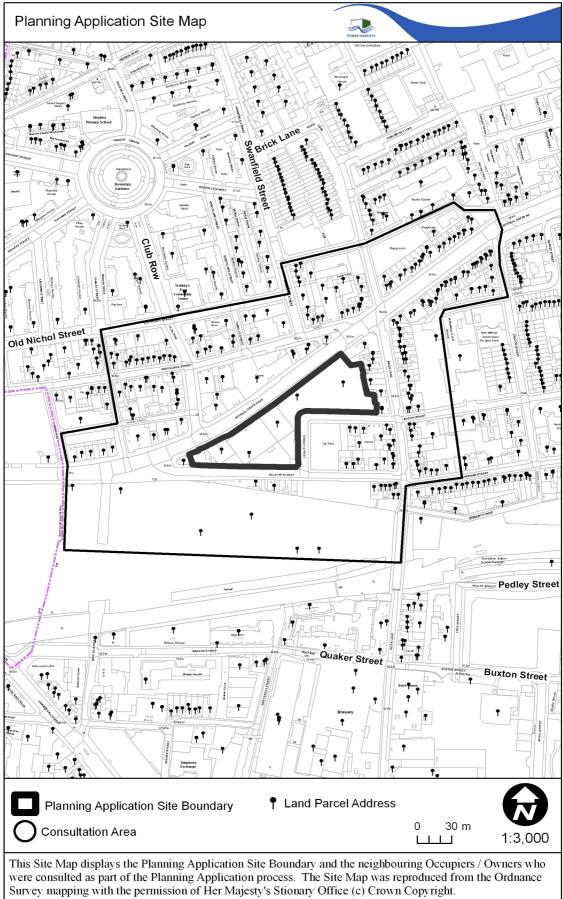
## The continued deliverability of new housing schemes during the economic downturn.

7.41 In assessing the subject proposal, one of the key issues to consider is the overall deliverability of the scheme during the economic downturn, and in turn the deliverability of much needed affordable housing on this site.

- 7.42 Since the application was approved on the 21<sup>st</sup> May 2008, the change in the economic climate has become increasingly evident. As a response to the downturn in market conditions, the applicant applied for funding from the Homes & Communities Agency (HCA) based on a tenure mix of 94 (26 x 1 bed; 23 x 2 bed; 33 x 3 bed; 7 x 4 bed; 5 x 5 bed) units for general needs rent and 9 (9 x 1 bed) units for intermediate tenure. This mix was considered more viable in the current climate where sales of shared ownership units have declined due to the difficult market conditions.
- 7.43 The bid for grant funding was made by the applicant after the S106 Agreement was signed. LBTH officers were consulted by the Homes & Communities Agency and confirmed their support for the grant application on condition that a deed of variation to the S106 was agreed. The HCA approved the bid on the 25<sup>th</sup> August 2009. In order to release the HCA funding, the applicant is required to agree this deed of variation and to submit this application to alter the S106 as the proposed change to the tenure mix is considered to alter the character of the approved scheme. The applicant has stated that the development would not be viable if it used the consented scheme mix.
- 7.44 PPS3 (para11) identifies overall objectives which requires that housing polices account for market conditions. The deliverability of housing, particularly in the current economic climate is a priority for both Council and Government Office for London, in particular in terms of meeting the borough's commitments for National Indicator 154 (net additional homes provided) and National Indicator 155 (number of affordable homes delivered).
- 7.45 In summary, the composition of housing (including the affordable component) at 32-42 Bethnal Green Road has to be assessed in terms of what is appropriate and deliverable on this site, within the context of the local planning guidance, local housing priorities and available funding. It is within this specific context that this proposal to vary the S106 Agreement is considered acceptable and therefore recommended for approval.
- 7.46 Policy HSG4 of the Council's Interim Planning Guidance (Oct 2007) stipulates the Council's preferred option of 80:20 social rented to intermediate housing, but makes clear that the Council may consider varying the ratio of social rented to intermediate housing. The current application, to vary the approved mix to 95% social rented and 5% intermediate units, does not imply a change in policy or set a precedent for any future similar applications, which will all be considered on their individual merits.
- 7.47 Officers consider that the applicant's proposal to vary the s106 Agreement in order to provide 95% affordable social rented units and 5% intermediate will ensure that affordable housing will be delivered in line with the current housing needs of the Borough, as identified in the following Council documents:
  - Tower Hamlets Housing Strategy 2009/12
  - Overcrowding Reduction Strategy dated 2009
  - Strategic Housing Market and needs Assessment August 2009
  - Adopted Community Plan 2020 Vision/issue

## Conclusions

8.1 All other relevant policies and considerations have been taken into account. Resolution to enter into a Deed of Variation to the S106 Agreement should be granted for the reason set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.



London Borough of Tower Hamlets LA100019288