

Committee: Strategic Development	Date: 15 th December 2009	Classification: Unrestricted	Agenda Item Number:
---	--	--	----------------------------

Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Richard Murrell	Ref No: PA/09/02065 (Planning Permission) PA/08/02066 (Conservation Area Consent)
	Ward: Mile End East

1. **APPLICATION DETAILS**

Location: The Eric and Treby Estates, Treby Street, Mile End, London.

Existing Use: Housing estate

Proposal: PA/09/02065 (Full Planning Permission)
Regeneration of Eric and Treby Estate comprising the refurbishment of existing buildings the demolition of 14 bed-sit units at 1-14 Brokesley Street and the erection of buildings between 1 and 7 storeys to provide 179 residential units (comprising: 19 x studio, 61 x 1 bed, 52 x 2 bed, 38 x 3 bed and 9 x 5 bed), two new community buildings of 310sq.m and 150sq.m, a new housing management office of 365sq.m and 251sq.m of commercial space and the introduction of an estate wide landscape improvement scheme.

PA/09/02066 (Conservation Area Consent)
Demolition of 1-14 Brokesley Street

Drawing Nos/Documents: Drawing Numbers:

Site Wide:

F528/L/01, P0/01 REVG, P0/02, P03 REV C, P04 REVC, P05 REVG, P06 REVD, P07 REVB, P08 REVC, P09 REVD, P0/10 REVC, P011 REVC, P012 REVD, P014 REVC, P015 REVD, P016 REVD, P017 REVD, P018 REVD, P019 REVD, P020, P021, P022 REVC, P024, P025, P026 REVB, P027 REVB, P028 REVC, P029 REVC, P030 REVD, P031 REVC, P032 REVB, P033 REVC, P034 REVC.

Site 1

P1/01 REVC, P1/02 REVC, P1/03 REVD, P1/04 REVB, P1/05 REV C, P1/06 REVB, P1/07, P1/08, P1/09, P1/10.

Site 2

P2/01 REVE, P2/02 REVE, P2/03 REVD, P2/04 REVD, P2/05 REVD, P2/06 REVD, P2/07 REVE,

P2/08 REVC, P2/09 REVD, P2/10 REVD, P2/11 REVD, P2/12 REVC, P2/14 REVC, P2/15 REVA, P2/16 REVB, P2/17 REVB, P2/18 REVB, P2/19 REVB, P2/20.

Site 4

P4/01 REVC, P4/02 REVC, P4/03.

Site 6

P6/01 REVE, P6/03 REVB

Site 7

P7/01 REVG, P7/02 REVE, P7/03 REVF, P7/04 REVC

Site 8

P8/01 REVD, P8/02 REVD, P8/03 REVA

Site 9

P9/01 REVD, P9/02 REVC, P9/03

Site 10

P10/01 REVD, P10/02 REVC, P10/03 REVC, P10/04 REVA, P10/05 REVB, P10/06 REVB, P10/07

Site 11

P11/01 REVC, P11/02 REVD, P11/03 REVC, P11/04 REVD, P11/05 REVE, P11/06 REVD, P11/07 REVA, P11/08 REVB, P11/09 REVB, P11/10 REVA, P11/11 REVB

Site 12

P12/01 REVC, P12/02 REVC, P12/03 REVC, P12/04, P12/05, P12/06.

Site 13

P13/01 REVC, P13/02 REVC, P13/03 REVA.

Site 14

P14/01 REV C, P14/02 REV C, P14/03 REVA, P14/04 REVA.

Site 15

P15/01 REVD, P15/02 REVD, P15/03 REVD, P15/04 REVD, P15/05 REVD, P15/06 REVC, P15/07 REVD, P15/08 REVD, P15/10 REVA, P15/11 REVB, P15/12 REVB, P15/13 REVA.

Existing Services.

SERV/01, SERV/02, SERV/03, SERV/04, SERV/05, SERV/06, SERV/07, SERV/08, SERV/09.

Improvements and Repairs

R/01 REC, R/02 REVB, R/03 REVC, R/04 REVC, R/05 REVC, R/06 REVC, R/07 REVC, R/08 REVB, R/09 REVB, R/10 REV A, R/11 REVB, R/12 REVB, R/13

REVB, R/14 REVB, R/15 REVB, R/16 REVB, R/17 REVA, R/18 REVA, R/19 REVB, R/20 REVB, R/21 REVB, R/22 REVB, R/23 REVB, R/24 REVA, R/25 REVA, R/26 REVA, R/27 REVB, R/28 REVA.

Supporting Documents:

- Design, Access and Landscape Statement (and addendums)
- Planning and Regeneration Statement (Prepared by Leaside Regeneration dated October 2009)
- Conservation Statement (Prepared by Leaside Regeneration dated October 2009)
- Statement of Community Involvement (Prepared by Leaside Regeneration dated October 2009)
- Flood Risk Assessment (Prepared by Amec dated – October 2009).
- Phase 1 Desk Top Study Report (Prepared by Herts and Essex Site Investigations dated September 2008)
- Noise Assessment (Prepared by Enviros Consulting Limited. Cover letter dated October 2009)
- Report on the availability of Natural Daylighting and Sunlighting (Prepared by calfordseaden. Cover letter dated 8 October 2009).
- Transport Assessment (Prepared by Peter Brett Associates. Cover letter dated 12 October 2009)
- Energy Statement (Prepared by Whitecode Design Associates dated September 2009)
- Aborigicultural Impact Assessment (Prepared by D F Bionominque Ltd dated 10th September 2008, and addendum)
- Air Quality Assessment (Prepared by Enviros Consulting June 2008)
- Archaeological Assessment (prepared by Sutton Archaeological Services dated October 2009)

Applicant:	East End Homes Ltd.
Ownership:	Various
Historic Building:	Brokesley Street adjacent to London Hospital St Clements site
Conservation Area:	Tower Hamlets Cemetery Conservation Area. Ropery Street Conservation Area.

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 PA/09/02065 – Full Planning Permission

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 Plus 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 414 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 the maximum intensity of use compatible with local context.
- The proposal provides an acceptable amount of affordable housing (37.2% by habitable room) 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 proposed development would improve the overall quality of amenity space provision for existing and future residents. The development therefore accords with PPS3, policies 3A.6, 3D.13 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan 1998 and policies OSN2, 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 (Consolidated with Alterations since 2004), 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): Core Strategy and Development Control, which seek to ensure buildings are of a high quality design and suitably located.
- The scale, design and detailed architectural design of buildings in, or near, Conservation Areas is considered sensitive to the character of these areas and as such accords with the requirements of saved policy DEV28 of the Council's Unitary Development Plan 1998, policy CON2 in the Council's Interim Planning Guidance (October 2007): Core Strategy and Development Control and advice in PPG15, which seek to ensure high quality development that enhances the character of Conservation Areas.
- 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): Core Strategy and 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 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 renewable energy provision. The proposal will make energy savings across the Eric and Treby 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): Core Strategy and Development Control, which seek to reduce carbon emissions.
- Planning contributions have been secured towards education and health care, 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): Core Strategy and Development Control, which seek to secure contributions towards infrastructure and services required to facilitate proposed development.

2.2 PA/09/02066 Conservation Area Consent

- The demolition of the existing building on Brokesley Street is acceptable because it does not significantly contribute to the architectural and historic character of the area. As such its removal, and replacement with an acceptable building, would enhance the character of the Tower Hamlets Cemetery Conservation Area and accord with the requirements of saved policy DEV28 of the Council's Unitary Development Plan 1998, IPG policy CON2 advice in PPG15: Planning and the Historic Environment.

3. RECOMMENDATION

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

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

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

Financial Contributions

- a) Provide a contribution of **£224, 122** towards the provision of future health and social care facilities.
- b) Provide a contribution of **£320, 892** towards the provision of primary school places.

Non-financial Contributions

c) Affordable Housing (37.2%)

d) Clause requiring £7.9M (residual value after Stamp Duty Land Tax – SDLT) to be spent on the upgrade of the Eric and Treby Estate to bring existing units up to Decent Homes Plus Standard

e) Car Free Development for all new units

f) Employment Initiatives to use reasonable endeavours to employ local people during the construction and end user phases of the development.

- g) Travel Plan to encourage sustainable travel to and from the development by residents.
 - h) Management plan for community centre and community use building.
 - i) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.
- 3.4 That the Corporate Director Development & Renewal is delegated authority to negotiate the legal agreement indicated above.
- 3.5 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

1. Time Limit
2. Compliance with approved plans
3. Contaminated land survey
4. Comprehensive Service/Delivery Strategy for all new and existing units
5. Construction Management Plan (including consideration of feasibility of access to Brokesley Street via St Clements Hospital).
6. Design and method statement for foundations to accommodate London Underground Tunnels
7. Water and sewerage infrastructure survey
8. Details refuse stores
9. Details cycle parking
10. Samples / pallet board of all external facing materials
11. Full details of landscaping specifying the use of native species
12. Noise mitigation measures for proposed flats fronting Burdett Road and Southern Grove.
13. Community Centre and community use building provided prior to occupation of 50% of units
14. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
15. Control of development works (restricted hours of use for hammer driven piling or impact breaking)
16. All residential accommodation to be completed to lifetimes homes standards
17. At least 10% of homes wheelchair accessible or easily adaptable
18. Energy Implementation Strategy for existing units and new build
19. Sustainable Homes Assessment - minimum Code 3
20. Water source control measures implemented in accordance with submitted Flood Risk Assessment
21. Scheme to dispose of foul and surface water
22. Remove PD rights for new houses in Brokesley Street
23. Restriction on hours of operation of ball court until 9.00pm
24. Detail of enlarged windows
25. Completion of ecological assessment of site
26. Obscure glazing to rear window of site 14
27. Details of scheme to provide on-site renewable energy.
28. Details of any fencing / boundary treatments prior to erection
29. Details of visibility splays for all new and amended entrances
30. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

1. Contact Thames Water
2. Contact Building Control
3. S278 Highways Agreement
4. Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.6 That the Committee resolve to **GRANT** Conservation Area Consent subject to:

Conditions

1. Time Limit
2. No demolition until planning permission granted for replacement buildings. Demolition and rebuild as part of one development.

3.7 That, if by 30th April 2010 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4 BACKGROUND

A planning application (reference PA/08/2239) for the regeneration of the Eric and Treby Estate was reported to Strategic Development Committee on 23rd September 2009. Members' resolved to refuse the scheme. In accordance with Members' resolution, on 9th October 2009 planning permission was refused for the following reasons:-

1. The proposed development results in the net loss of publicly accessible open space to the detriment of the enjoyment of existing and future residents and the amenity of the area contrary to the objectives of London Plan (Consolidated with Alterations since 2004) policies 3A.6, 3D.13 and 4B.1, saved policy OS7 of the adopted Tower Hamlets Unitary Development Plan 1998 and policies OSN2, 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.
2. The proposed development results in the loss of available parking spaces (especially disabled parking) across the estate contrary to the objectives of London Plan (Consolidated with Alterations since 2004) 2008 policy 3C.23, which detail the Mayor's car parking strategy and sets maximum car-parking standards.
3. The scheme provides an unacceptably low proportion of affordable housing, particularly in the social rent tenure, contrary to the objectives of London Plan (Consolidated with Alterations since 2004) 2008 policies 3A..9 and 3A.10, which states that Borough's should seek the maximum reasonable amount of affordable housing.
4. The design of the proposed buildings is unacceptable and would result in a proposal that is out of character with surrounding area. The buildings would have a detrimental impact on the amenities of neighbouring occupiers. The scheme is therefore contrary to the objectives of 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.

4.1 The associated application for Conservation Area Consent (reference PA/08/2240) was refused for the following reason:

1. In the absence of an approved planning permission for the redevelopment of the site, the demolition of 1 – 14 Brookesley Street would leave an undeveloped site which would represent a blight on the character and appearance of the Tower Hamlets Cemetery Conservation Area contrary to the objectives of saved policy DEV28 of the adopted Tower Hamlets Unitary Development Plan 1998 and policy CON2 of the Council's Interim Planning Guidance (2007) Core Strategy and Development Control.

4.2 This application is a resubmission of the previous scheme. The proposal has been amended in an attempt to overcome each of the reasons for refusal.

4.3 Main Changes

The proposal is fully described and assessed in the following sections of this report, but for ease of reference the main differences between the previous and current scheme are outlined below:-

- 4.4 - Increase in proposed public open-space. The main changes are found in the open-space area behind the Tabernacle. This has been enlarged, and will be used in association with the proposed community use building at site 6. Additional open-space will also be provided on areas of existing hard-standing on the south edge of the courtyard areas west of Windermere House.
- 4.5 - Increase in number of affordable units from 48 units to 50 units (35% to 37.2% by habitable room)
- 4.6 - Amendments to elevation treatments of buildings 2A, 11 and 15.
- 4.7 - Incorporation of commercial space in place of residential at ground floor of building 7.
- 4.8 - Provision of new community use building at site 6.
- 4.9 - Increase in number of parking spaces from 91 to 95. An additional 13 spaces will be dedicated as disabled spaces (giving a total of 27 disabled spaces).
- 4.10 - Reduction overall number of units from 181 to 179.

5. PROPOSAL AND LOCATION DETAILS

Proposal

5.1 The application seeks to facilitate the comprehensive regeneration of the Eric and Treby Estates. The proposal includes:-

- The demolition of 14 bed-sit units at 1 – 14 Brookesley Street;
- The erection of 12 buildings between 1 and 7 storeys in height;
- The provision of 179 new residential units comprising 19 x studio flats, 61 x 1 bed flats, 52 x 2 bed flats, 38 x 3 bed flats and 8 x 5 bed house and 1 x 5 bed flat;
- 37.2% of the new units will be designated as affordable housing (by habitable room);
- 100% of the new affordable units will be in the social rent tenure;

- Provision of new community centre (310 square metres) and external ball court at base of Ennerdale Tower;
- Provision of new community use building (150 square metres) fronting Burdett Road;
- The provision of a new management offices (365 square metres);
- Provision of three commercial units fronting Burdett Road (total area 251 square metres) at the base of sites 7 and 8;
- Provision of 95 car-parking spaces (including 13 dedicated wheelchair spaces);
- Retention of 62 garages. Conversion of 11 garages to stores.
- Introduction of estate-wide landscaping works

5.2 A full description of each new build site is given under the Design and Amenity Section of the report.

5.3 The application also proposes refurbishment and improvements works to the rest of the estate comprising:-

- Refurbishment of existing dwellings to Decent Homes Plus Standards
- New entrance canopies to Ennerdale House, Wentworth Mews, Derwent House, Beckley House and 31 – 39 Brokesley Street
- Installation of new stairways to Windermere House
- Installation of new windows, cavity wall insulation, replacement cladding
- Improvements to building entry points, rationalisation of entrances and provision of door entry systems
- New lighting and signage
- Improvements to refuse storage and disposal systems
- Introduction of play facilities
- Improvements to landscaping and walkways

5.4 During the course of the application changes were made to the proposal. These comprised:-

- Submission revised Archaeological Assessment (prepared by Sutton Archaeological Services dated October 2009, study revised to include Brokesley Street).
- Submission revised air quality report (Prepared by Enviros Consulting June 2008), the new report analyses the correct site).
- Amendment to building 6 to change material of north elevation from brick to white render. Amendment to building 7 to change from dark blue brick to lighter red brick (as shown on amended drawings F528/P6/01 REVE, F528/P7/03 REVF and F528/P7/01 REVG).
- Submission of revised existing open-space plan (plan amended to remove area 8 from categorisation as existing open space. New drawing reference F528/P0/08 REVC).

5.5 The amendments are not considered to introduce substantive changes to the scheme, and it was not considered necessary to further consult residents.

Site and Surroundings

5.6 The Eric and Treby Estate occupies an area of 5.8 hectares. The site is approximately rectangular in shape with the majority of the estate contained between Burdett Road and Southern Grove, with an extension to the East to include properties on Brokesley Street. The site is bisected by Hamlets Way.

- 5.7 The site itself is predominately residential with the exception of a small parade of shops along Hamlets Way. Around the site there are a variety of uses including residential, offices along Southern Grove, the East London Tabernacle on Burdett Road and shops and cafes along Mile End Road.
- 5.8 The existing buildings on-site comprise a mixture of more modern estate blocks built in the latter part of the 20th century, and older Victorian terraces along Ropery Street, Eric Street, Mossford street and Brokesley Street. The estate is currently dominated by the 19 storey Ennerdale House, which stands significantly higher than surrounding buildings at the junction of Southern Grove and Hamlets Way. Beckley House at 11 storey is the second tallest building on the estate and is also located along Hamlets Way. The other buildings around the estate range from 2 to 7 storeys.
- 5.9 Two parts of the site fall within designated Conservation Areas. Brokesley Street is located towards the western edge of the Tower Hamlets Cemetery Conservation Area. The boundary of this area runs north to south behind the Victorian dwellings on the west side of Brokesley Street then returns along Hamlets Way to Southern Grove.
- 5.10 The Ropery Street Conservation is located towards the south-west of the site. The boundary of this Conservation Area extends south down the centre of Eric Street from Hamlets Way, with buildings on the Western side within the designated area. Further to the South all buildings on Ropery Street are within the area.

6 POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

6.2	Proposals:	None
6.3	Policies:	<ul style="list-style-type: none"> ST1 Deliver and Implementation of Policy ST12 Cultural and Leisure Facilities ST15 Encourage a Wide Range of Activities ST23 Quality of Housing Provision ST25 Provision of Social and Physical Infrastructure ST26 Protect existing residential accommodation ST28 Restrain Private Car ST30 Safety and Movement of Road Users ST34 Provision of Quality Shopping ST37 Improve of Local Environment ST41 Provision of Adequate Space for Local Business ST43 Use of High Quality Art ST49 Provision of Social and Community Facilities ST51 Public Utilities DEV1 Design Requirements DEV2 Environmental Requirements DEV3 Mixed Use Development DEV4 Planning Obligations DEV9 Minor Works DEV12 Landscaping DEV15 Retention/Replacement of Mature Trees DEV27 Minor Alterations in Conservation Areas

DEV28	Proposals for Demolition in Conservation Areas
DEV30	Additional Roof Storeys
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV63	Greenchains
S10	Shopfronts
EMP1	Employment Uses
EMP6	Employing Local People
EMP8	Small Businesses
HSG4	Loss of Housing
HSG7	Dwelling Mix
HSG13	Internal Standards for Residential Development
HSG15	Preserving Residential Character
HSG16	Amenity Space
T8	New Road
T10	Traffic Management
T16	Impact on Traffic
T18	Pedestrians
T21	Pedestrians
OS7	Loss of Open Space
OS9	Children's Play Space
OS13	Youth Provision
SCF11	Meeting Places

Interim Planning Guidance for the purposes of Development Control

6.4 Proposals:

6.5 Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP21	Dwelling and Mix Type
	CP22	Affordable Housing
	CP23	Efficient Use and Retention of Existing Housing
	CP24	Special Needs and Specialist Housing
	CP25	Housing Amenity Space
	CP27	High Quality Social and Community Facilities to Support Growth
	CP29	Improving Education and Skills
	CP30	Improving the Quality and Quantity of Open Spaces
	CP31	Biodiversity
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Waste Management Plan
	CP40	Sustainable Transport Network
	CP41	Integrating Transport with Development
	CP42	Streets for People
	CP43	Better Public Transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
6.6 Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design

DEV4	Safety and Security
DEV5	Sustainable Design
DEV6	Energy Efficiency and Renewable Energy
DEV7	Water Quality and Conservation
DEV8	Sustainable Drainage
DEV9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Quality and Air Pollution
DEV12	Management of Demolition and Construction
DEV13	Landscaping and Tree Preservation
DEV15	Waste and Recyclable Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capability of Utility Infrastructure
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
CON2	Conservation Areas
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing Provisions
HSG4	Varying the Ratio of Social Rented to Intermediate Housing
HSG5	Estate Regeneration Schemes
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating the Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN2	Open Space
PS1	Noise
PS2	Residential Water Refuse and Recycling Provision
PS3	Parking
PS4	Density Matrix
PS5	Lifetime Homes

Supplementary Planning Guidance/Documents

- 6.7 Residential Space
 Designing Out Crime
 Landscape Requirements

Spatial Development Strategy for Greater London (London Plan)

- 6.8 2A.1 Sustainability Criteria
 2A.2 Spatial Strategy for Development
 2A.6 Areas for Intensification
 2A.7 Areas for Regeneration
 3A.1 Increasing London's Supply of Housing
 3A.2 Borough Housing Targets
 3A.3 Maximising the Potential of Sites
 3A.5 Housing Choice
 3A.6 Quality of New Housing Provision
 3A.7 Large Residential Developments
 3A.8 Definition of affordable Housing
 3A.9 Affordable Housing Targets
 3A.10 Negotiating Affordable Housing

3A.11	Affordable Housing Thresholds
3A.13	Special needs and Specialist Housing
3A.15	Loss of Housing and Affordable Housing
3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and Enhancement of London's Infrastructure
3A.19	The Voluntary and Community Sector
3A.20	Health Objectives
3A.23	Health Impacts
3A.24	Education Facilities
3B.3	Mixed Use Development
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.14	Enhanced Bus Priority
3C.16	Road Scheme Proposals
3C.20	Improving Conditions for Buses
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3C.3	Maintaining and Improving Retail Facilities
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.11	Open Space Provision
3D.12	Open Space Strategies
3D.13	Play and Informal Recreation Strategies
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy; Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4A.12	Flooding
4A.13	Flood Risk Management
4A.16	Water Supplies and Resources
4A.18	Water Sewerage and Infrastructure
4A.19	Improving Air Quality
4A.20	Reducing Noise
4B.1	Design Principles for a Compact City
4B.3	Enhancing the Quality of the Public Realm
4B.4	London's Buildings: Retrofitting
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.9	Tall Buildings
4B.10	Large Scale Buildings

Government Planning Policy Guidance/Statements

6.9	PPS1	Delivering Sustainable Development
	PPS3	Housing
	PPS22	Renewable Energy
	PPS23	Planning and Pollution Control
	PPG13	Transport
	PPG15	Planning and the Historic Environment
	PPG17	Planning for Open Space, Sport and Recreation

- Community Plan** The following Community Plan objectives relate to the application:
- 6.10 A better place for living safely
A better place for living well
A better place for creating and sharing prosperity
A better place for learning, achievement and leisure
A better place for excellent public services

7. CONSULTATION RESPONSE

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

7.2 The following were consulted regarding the application:

7.3 **LBTH Biodiversity / Arboriculture Officer:**

- No objections to proposals

7.4 **LBTH Cleansing**

- No objections (subject to confirmation from Highways section)

7.5 **LBTH Cultural Services**

Support estate regeneration programme. Note that scheme does not make adequate provision of new publicly accessible open-space for new residents. Request following financial contributions to mitigate for increased pressure on local resources:-

Increased use of open space - £119, 989

Leisure facilities - £111, 599

Library facilities - £28, 080

Cultural Services has no specific comments to make on the quality of the proposed child-play space.

(Officer comment: Request for financial contributions are considered under Main Issues section of report. The submitted toolkit assessment demonstrates that the scheme would not be viable if additional contributions towards open space improvements were required. It is noted the scheme already delivers considerable improvements to the quality and usability of the existing open-spaces around the estate. On balance it is not considered that future mitigation for additional impact on infrastructure is required.)

7.6 **LBTH Crime Prevention Officer**

- Has had detailed discussions with Applicants regarding scheme and observations have been taken on board.
- Scheme has makings for great improvements to security and safety for existing residents/users, and new alike. Scheme will make the area safer against those wishing to mis-use it.
- Slight concerns over height of railings (for instance to rear of Ennerdale) doest give security to un-overlooked areas.

(Office comment: Security measures must be balanced against other factors. An increase in the height of the fence would have a negative impact on the outlook from the neighbouring flats.)

LBTH Education

7.7 Assessed scheme as requiring a contribution towards the provision of 26 additional primary

school places @ £12,342 = £320, 892.

The Education Service has no specific comments on the development regarding the provision of childplay space.

(Officer comment: This is secured through S106 agreement)

LBTH Energy Efficiency

- 7.8 - No comments received in relation to current scheme.

(Officer comment: Energy Efficiency is discussed in detail under main issues section of report.

London Fire and Emergency Planning Authority

- 7.9 - Preliminary observation: Existing dry-riser inlet will need to be relocated. Ground floor plan A1/PL/003 would indicate that Brigade access should not be problematic.
- Fire Authority reserve right to make further observations at Building control consultation phase.

(Officer comment: Objectors have made a number of comments about the adequacy of existing, and future, fire safety measures. Officers consider that these matters are adequately controlled under other legislation.)

English Heritage (Statutory Consultee)

7.10

Historic Buildings and Areas Section

- Brokesley Street is situated within the Tower Hamlets Cemetery Conservation Area. The western side of the street is made up of Victorian terraced houses which stand in stark contrast to the post-war terraces of houses and flats on the eastern side of the street such as the existing nos. 1 to 14 Brokesley Street, the subject of this current Conservation Area Consent application.
- The Conservation Statement submitted with the application states that 'It is considered that the proposals will improve the vista when looking down the street, by providing a well designed elevation which echoes the principles of the Victorian terracing opposite'
- We [English Heritage] disagree with this statement. Whilst the height of the proposed replacement might be more in keeping with the substantial Victorian terraces, it appears to us that the proportions and form of the proposed terrace are radically different. The proposed terrace appears mean and sparsely detailed when compared with the handsome, richly detailed terrace opposite and the twin mid Victorian terraces which mark the entrance to Brokesley Street from Bow Road.
- You may wish to obtain large scale elevations of the proposed terrace, at this stage, so that a more informed assessment can be made.

(Officer comment: Comments relate to new build site 10. This is discussed under Main Issues)

Archaeology Section

- Reviewed submitted archaeology desk based assessment. Stated that proposals were unlikely to affect significant archaeological remains, and this

matter no longer need be a consideration in the determination of this application for planning consent.

(Officer comment: These comments related to the updated strategy that included Brokesley Street).

LBTH Environmental Health

7.11 Contamination

- At time of previous application the submitted Environmental Report was been reviewed. Additional sampling is required and confirmation of remediation measures proposed.

(Officer comment: This would be secured by condition)

Daylight/Sunlight

- Satisfied with submitted Daylight / Sunlight study in terms of impact on neighbours. Recommend increase in size of bedroom window for specific units located behind balconies on sites 2a and 15 to ensure adequate internal day-lighting.

(Officer comment: This would be secured by condition)

Noise and Vibration

- At time of previous application it was noted that parts of site fall within Noise Exposure categories B and C. Noted detail of window glazing and ventilation systems required to ensure reasonable internal noise levels not compromised on facades facing roads.

(Officer comment: This is discussed under main issues. Details of specifications would be required by condition.)

Air Quality

- No comments received in relation to air quality study.

Environment Agency (Statutory Consultee)

- 7.12 - No objection, subject to condition requiring compliance with surface water control measures outlined in submitted Flood Risk Assessment.

(Officer comment: A suitable condition would be imposed on any permission)

Greater London Authority (Statutory Consultee)

Stage One response received. The following conclusions were drawn:-

7.13

Affordable Housing:

- A more detailed assessment of the financial appraisal is required.

Energy:

- The application does not provide a complete assessment of the potential to include a communal energy system, and does not provide full information on the proposed photovoltaic panels.

Climate Change:

- The application provides limited information on the opportunities to include sustainable urban drainage techniques or living roofs.

Transport:

- The applicant has not provided sufficient improvements to pedestrian and cycle conditions in the nearby area, does not include a detailed travel plan or construction and logistics plan, does not include sufficient cycle parking, nor does it include sufficient servicing.

Conclusion

- On balance the proposal does not comply with the London Plan.

However the following changes might remedy the above-mentioned deficiencies.

Affordable Housing

- More detailed assessment will take place

Energy:

- Applicant required to assess potential of installing a communal heating system linking the proposed communal system with sites 11, 2a and 15. In addition the Applicant must also provide further information on the proposed photovoltaic panels.

Climate Change:

- The applicant must provide further information on the opportunities to include living roofs and sustainable urban drainage techniques.

Transport:

- Confirm existing and proposed levels of car-parking, should provide a financial contribution to street level improvements in the wider area, should provide sufficient cycle parking, should ensure off-site servicing for the commercial units, should provide a travel plan, a construction / delivery plan and a servicing plan.

Officer comment: The issues raised are discussed in-depth in the appropriate sections of the report. On balance Officer's consider that in many cases the issues raised can be resolved via condition. In other cases, such as the lack of off-street servicing and lack of S106 contributions, Officer's consider that the overall benefits of the scheme outweigh the shortcomings.

LBTH Highways

7.14

- Concerns and objections raised regarding servicing arrangements, in particular proposals to service sites from the road rather than on-site servicing.
- Highways would accept a condition is put in place to secure a Service Management Strategy be submitted to and approved in writing by the Local Planning Authority. This Strategy shall cover the site as a whole and shall be subject to public consultation.
- Highways does not consider this approach is ideal, as fundamental issues should be dealt with at the application stage.

Officer comment: The issues raised are discussed in the main section of the report.

Natural England (Statutory Consultee)

7.15

- No new comments have been received. The following issues were raised at the time of the previous application:-
- Recommend assessment of site ecology undertaken

- No detail of biodiversity enhancements / measures should be secured
- Opportunities to improve access / quality of adjoining Sites of Importance for Nature Conservation should be sought.

(Officer comment: Officer's are satisfied that the proposed landscaping works will introduce new habitat, which is likely to lead to improved biodiversity. The submitted toolkit appraisal has shown that the scheme would not be viable if additional contributions for off-site biodiversity enhancements were required. A further ecological survey would be required by condition.)

Olympic Delivery Authority (Statutory Consultee)

No objection

7.16 LBTH Primary Care Trust

- 7.17
- At the time of the previous application a financial contribution to compensate for the additional burden on local health-care services was requested. A £783,042 revenue contribution and a £232, 125 capital contribution has been requested. No updated response has yet been received following the fall in numbers in the current scheme.

(Officer Comment: LBTH Planning only seek the capital portion of the contribution as Officers are of the opinion that without a more rigorous policy framework and detailed justification on the shortfall in local healthcare provision, it is not possible to seek revenue contributions at this time. The Capital contribution would be secured in the S106 agreement.)

Thames Water

- 7.18
- No comments have been received in relation to the current scheme. At the time of the previous application it was noted that :-
 - Developers responsibility to ensure acceptable surface water drainage
 - Public sewers cross application site
 - Water supply infrastructure inadequate. Requested a condition requiring a Water Supply Infrastructure Assessment

(Officer comment: Suitable conditions and informatives would be imposed on any permission)

8. LOCAL REPRESENTATION

8.1 A total of 1498 neighbouring properties within the area shown on the map appended to this report were notified about the applications and invited to comment. The applications were also 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:

8.2 No of individual responses: 51 Objecting: 51 Supporting: 0
 No of petitions received: 6 (All in objection)
 The following local groups/societies made representations:

8.3 The East London Baptist Church

- Objection to building on site 6.
- Proposal would block light to windows in south elevation, which serve a crèche

and rear hall. These have no other source of natural light. The use of dark brick exacerbates situation.

- Building would obscure views of large glazed windows on south elevation – an attractive feature.
- Building close to glazed window on boundary represents a fire risk
- Site 6 should be open-space not another community facility. No user has been identified for the facility.
- Objection to building on site 7. Light would be reduced to north elevation.
- Inclusion of retail units at ground floor level likely to cause traffic / pedestrian safety problems.
- Additional pressure on-street parking
- Telford Homes broken agreement not to build on site 6 (*Officer comment: This is not a planning matter.*)

8.4 *Officer comment: The planning issues raised are discussed in the main section of this report.*

8.5 Mile End Residents Association

- Objected to applications.
- Scheme hasn't adequately addressed reasons for refusal, and new concerns identified.

New concerns:-

- Inadequate fire safety / emergency exits
- Waste collection arrangements for Ennerdale House
- Crime Prevention: Design creates areas that are more unsafe than existing open areas
- Scheme aggravates existing deficit in provision of local primary school places / S106 inadequate
- Boundaries blurred between offices and proposed community centre
- Brokesley Street is physically separate from estate, and should not be included in proposals.

Previous concerns not resolved:-

- Inadequate social housing
- Loss of open-space (objection to approach taken to definitions, poor quality of childplay space, loss of green links)
- Loss of light (objection regarding survey methodology and interpretation)
- Impact on Conservation Areas (demolition of buildings without consent. Impact of sites 10 and 15, Brokesley Street should be refurbished.)
- Poor communication / lack of consultation contrary to statement of community involvement, equal opportunities and discrimination. No additional consultation since previous application. No documentation supplied in community languages used on estate.
- Car-parking should be provided for new larger family homes.
- Lack of childplay space on Brokesley Street. Proposed housing should be redesigned to reduce size of private gardens to provide additional communal playspace and car-parking.
- Poor management / practice of Eastend Homes.
- Difficulty of construction on Brokesley Street. Condition requested to require works to access site via Clements Hospital.

8.6 *Officer comment: The planning issues raised are discussed in the report.*

8.7 The following issues were raised in representations that are material to the determination of the application, and they are addressed in subsequent sections of this report:

8.8 Land use and housing

- Insufficient 4/5 bedroom houses
- Community centre not needed
- Too many social rent properties will detract from mix in area
- Loss of accommodation for elderly
- Funding for estate regeneration should not require new buildings

8.9 Design and Amenity

- Resulting estate density too high
- Loss of open-space / building should not take place on open-space
- Loss of children's play areas (particularly in relation to site 1)
- Buildings too high / too large (particularly site 10, 11 and 15)
- Loss of sunlight, daylight
- Buildings overbearing
- Loss of privacy
- Too many buildings, hemmed in feel
- Damages concept of original Architect's estate layout
- Increased noise and disturbance from children playing (particularly in relation to play area opposite Conniston House)
- New buildings likely to suffer from vandalism
- Disturbance from construction noise

8.10 Highways and parking

- General lack of parking provided / increased congestion
- Lack of parking for users of East London Tabernacle
- Cycle parking tokenistic
- Highway safety risk from increased congestion
- Risk for children making their way from proposed family dwellings on Brokesley Street to proposed play areas.
- Traffic obstruction from deliveries
- Poor access for emergency vehicles

8.11 Sustainability and Biodiversity

- Buildings should be refurbished, not demolished.
- Loss of trees should be resisted

8.12 Crime and safety

- New buildings likely to attract vandalism and additional crime. New estate layout does not follow secure by design principles.

8.13 Infrastructure Impacts

- Lack of healthcare and education resources. Insufficient capacity at local primary schools for additional children.
- Cumulative impacts with other estate regeneration projects / St Clements Hospital needs to be considered.
- Existing sewerage inadequate / Low Water Pressure

8.14 Demolition

- Existing properties have been demolished without consent. *(Officer comment: It is noted that Eastend Homes did not follow the proper prior approval procedures in relation to the demolition of existing residential buildings. However, the prior approval system only allows control over the method of*

demolition to preserve residential amenity. Officers are satisfied that the site has been left in an appropriate condition. No further action will be taken in relation to this matter).

8.15 Comments specifically in relation to Site 10

A large number of objections were received in relation to proposed building at site 10. The issues raised were

- Properties should be refurbished, not demolished
- One bed flats for elderly are required, family houses detract from mixture of available housing types
- Lack of parking provided / increased congestion / pressure for spaces
- 1950s terrace part of streetscene and history of area
- Sightlines spoilt by increased height
- Planning permission has previously been refused for a roof extension along terrace
- Poor design, plain, does not follow Victorian character, materials not traditional
- Detracts from Conservation Area
- Additional height results in loss of light / overshadowing, street is narrow, unacceptable window to window distances
- Extra social tenants unbalances existing housing mix
- Family housing should be closer to play areas
- Too high density
- Should be made green-space

8.16 A petition containing 144 signatories (not all addresses given are Borough residents) from users of the East London Tabernacle. The issues raised are:-

- Sites 6 and 7 would block light to tabernacle and neighbouring residents.
- Insufficient replacement car-parking.
- Plans do not respond to need of community

8.17 A petition containing 53 signatories from residents of Beckley House and English Street. The issues raised include:-

- Proposals do not enhance conservation area
- Buildings should be removed to improve open-space.
- Building 15 should be reduced in height, not just amendments to exterior design.
- No effective re-consultation.
- Lack of primary school places

8.18 A petition containing 32 signatories from residents of Wentworth Mews and Eric Street. The issues raised include:-

- Buildings 7, 8 and 9 block light on both sides.
- Object to loss of 15 garages.
- Increased pressure on local schools.

8.19 A petition containing 84 signatories from residents of Ennerdale House. The issues raised include:-

- Design and layout same as previous refusal.
- No effective consultation before first or second submission.

- New build will reduce open-space.

8.20 A petition containing 26 signatories from residents of Loweswater House. The issues raised include:

- Scheme does not respond to reasons for refusal.
- Design and layout still the same.
- No effective consultation.
- Lack of primary school places.
- New build will reduce open space and reduce quality of life.

8.21 A petition containing 137 signatories from residents 'covering area immediately around Ennerdale House and Derwent House (sites 1, 2a and 2B). The issues raised include:-

- Site 2a should be removed.
- Too many buildings too close together
- Area too densely populated, especially with increase in development on eastern side of Southern Grove and Clements Hospital site.
- Good quality social/rented housing required, not luxury flat
- Loss of car-parking spaces.

8.22 The following issues were raised in representations, but they are not material to the determination of the application:

- Laws prevent building on open space (*Officer comment: Planning issues associated with building on open-space are discussed under main issues. Compliance with other areas of legislation is not a planning matter.*)
- Likely increase in service charges for leaseholders (*Officer comment: This is a private matter between tenant and landlord.*)
- Scheme not viable in current market (*Officer comment: Not a planning matter*)

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

- The submitted drawings are inaccurate and do not correctly show extensions to the rear of 644 – 648 Mile End Road. (*Officer comment: The properties are not shown on the larger estatewide plans. However, they are shown on the more detailed plans for site 10. The submitted drawings are sufficient to allow a full assessment of this aspect of the proposal to be made.*)
- The submitted sunlight and daylight study is inaccurate (*Officer comment: The study has been reviewed by the Council's specialist Environment Health Officers who consider it acceptable.*)
- Inadequate consultation, Letters were not received. (*Officer comment: Records show that letters were dispatched. Site and Press Notices were also posted.*)
- Difficulty accessing internet drawings (*Officer comment: For the convenience of some residents plans are made available on the Tower Hamlets website. Hard copies of the documents are also available to view at the Council's offices.*)

- Consultation documentation not supplied in community languages. (*Officer comment: The planning section can provide translation assistance to those who need it.*)

9. MATERIAL PLANNING CONSIDERATIONS

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

1. Principle of Estate Regeneration
2. Land Use
3. Density
4. Housing
5. Design and Neighbour amenity (including impact on Conservation Areas)
6. Amenity Space
5. Parking and Highways
6. Sustainability
7. Impacts on local infrastructure / S106

Principle of Estate Regeneration

9.2 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 Plus standard. This is to ensure that the homes of all Borough residents are in a good state of repair.

9.3 The Decent Homes Standard is defined by the Department of Communities and Local Government (DCLG) as a home which is 'warm, weatherproof and has reasonably modern facilities'. The Decent Homes Plus Standard goes beyond these requirements and includes works such as improved security, lift replacement and thermal comfort works.

9.4 As part of the Tower Hamlets Housing Choice Programme the Eric and Treby Estate was transferred to Eastend Homes in 2004. In order for Eastend Homes to facilitate the regeneration of the Eric and Treby Estate and bring the existing homes up to Decent Homes Plus standard, a comprehensive redevelopment is proposed.

9.5 The application includes the provision of additional housing in new blocks across the application site, which increases the housing density of the estate. The increase in density is required in order to generate sufficient value from market housing development to support the refurbishment of the existing dwellings, and the provision of new affordable housing. This accords with the requirements of IPG policy CP23, which seeks to improve all existing housing stock to a minimum of decent homes plus standard.

9.6 The application proposes the erection of 12 buildings providing 179 new residential units to facilitate the following estate regeneration improvements:-

9.7

Works	Cost (£)
New Kitchens	1,092,859
New Bathrooms	617,347
Central heating	1,140,975
Roof repairs	529,241
Thermal insulation improvement	1,697,086

Windows	448,169
Structural Repairs	465,320
Communal Area Improvements	258,949
Repair/Renew Entrance Doors	275,745
Balcony upgrading	414,960
Improvements to electrical and water services	1,947,596
Refuse Improvements	94,730
Environmental Works including Security/Lighting, Landscaping, Car Parking, Paving, Play equipment	2,209,296
New communal stairs and entrances including access control	270,000
Door Entry Systems Works	321,029
Repair/Renew Lifts	799,333
Total	12,582,633

The development would generate £7.9M towards these upgrade works.

- 9.8 In overall terms the principles and objectives set out in regional and local policies for estate regeneration schemes are achieved through this proposal. 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.

Land Use

- 9.9 The existing land use of the site is predominantly residential. There are no specific land use designations in the adopted UDP or IPG. The application proposes additional housing, a community centre, a community use building, housing offices and two small commercial units.

Principle of additional housing

- 9.10 The application proposes 179 new units of accommodation in 12 new buildings. When taken into account with the loss of 29 existing units, this results in a net gain of 150 additional dwellings.
- 9.11 The provision of additional housing to facilitate the regeneration of the estate accords with the aims of London Plan Policy 3A.3 and IPG policies CP19 and CP20, which seek to maximise the supply of housing; and the aims of IPG policy CP23, which seeks to improve all existing housing stock to decent homes plus standard.

- 9.12 Housing issues are discussed in more detail in the Housing Section of this report.

Principle of community centre, community building and offices

- 9.13 On the ground floor of site 1, the application proposes a new community centre (310 square metres, Use Class D1) and office space (365 square metres, Use Class B1). The centre would comprise a community hall, external ball court, meeting room and kitchen. The applicant has indicated that the office space would be used by Eastend Homes Housing Management Team.
- 9.14 The application also proposes a community use building (150 square metres, Use Class D1) at site 6. This site is located adjacent to the East London Tabernacle. The building would be used in conjunction with the amenity open-space area to the rear.
- 9.15 London Plan Policy 3A.18 requires that in areas of major development and regeneration, adequate facilities should be provided for social infrastructure and community facilities. Saved policy SCF11 of the UDP encourages the provision of new meeting places, policy

SCF1 in the IPG requires that consideration is given to the need for social and community facilities within redevelopment proposals.

- 9.16 There is currently no community centre on the estate. The proposed community centre, ball court and offices are well located around the base of a prominent estate building. The community use building at site would provide a useful additional facility, and would bring beneficial public use to the amenity space behind. A clause in the S106 agreement would require the submission of a management plan, which would ensure the provision, and retention, of these facilities to ensure that they benefit local residents. The proposed facilities would significantly improve the range of community facilities available to local residents, and are acceptable in land-use terms.

Principle of commercial space

- 9.17 The application proposes the introduction of two commercial units (total 251 square metres) on the ground floor of sites 7 and 8 (Use classes A1- Retail, A2-Financial/Professional Services or B1-Office).
- 9.18 These uses would provide active frontages to the Burdett Road. They would contribute to the mix of uses in the area and are acceptable in terms of saved UDP policy DEV3 and policy CP1 of the IPG - which seek to provide a range of uses in the local environment.

Density

- 9.19 London Plan policy 3A.3 links housing density to public transport availability which is expressed in a Public Transport Accessibility Level (PTAL). The site is located in an urban area and has a PTAL of 6a/6b. The London Plan states that the appropriate density for residential use should be within a range of 200-700 habitable rooms per hectare.
- 9.20 The existing estate has a density of 325 habitable rooms per hectares. The proposal would result in a scheme with a density of 414 habitable rooms per hectare.
- 9.21 The proposed density is within the range recommended in the London Plan. The density is considered appropriate in terms of local context, design principles, amenity impacts and infrastructure impacts. It is therefore considered acceptable in terms of London Plan policy 3A.3 and IPG policies CP20 and HSG1.

Housing

- 9.22 Interim Planning Guidance policy sets out the Council's objective to ensure that all residents in Tower Hamlets have access to decent homes in decent neighbourhoods, as part of an overall commitment to tackle social exclusion.
- 9.23 The application proposes the erection of 12 new buildings at various sites around the estate providing 179 new residential units. Taking into account the demolition of 29 existing units this would result in a net gain of 150 housing units. In total the application would provide 50 new units of affordable housing.

Principle of demolition of housing units

- 9.24 The proposals involves the demolition of 27 bedsits, two x one bed flats at 1-14 Brokesley Street, 106-128 Hamlets Way and 1-7 Burdett Road. It is noted that the demolition of buildings at 106 – 128 and Hamlets Way and 1 – 7 Burdett Road has already taken place.
- 9.25 The housing units lost are replaced with an additional number of better quality units and as

such there is no conflict with the objectives of UDP policy HSG4 and IPG policy CP23, which seeks to prevent the loss of housing.

- 9.26 The redevelopment of the sites at a higher density, with modern buildings incorporating sustainable design technologies also accords with the aims of over-arching sustainability objectives and IPG policy CP1.

Affordable Housing

- 9.27 Policy 3A.9 of the London Plan states that Boroughs should seek the maximum reasonable amount of affordable housing, taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Boroughs' own affordable housing targets. Interim Planning Guidance policies CP22 and HSG3 seek to achieve 50% affordable housing provision from all sources across the Borough, and specify that individual developments should provide a minimum of 35% affordable housing.
- 9.28 IPG Policy HSG5 relates specifically to estate regeneration schemes. It states that the Council may consider varying its requirements towards additional affordable housing where it can be demonstrated that the provision of market housing on the estate is necessary in order to cross subsidise the works being undertaken.
- 9.29 In total the scheme would provide 50 affordable units. This would equate to 41% of all of the habitable rooms proposed (210/512 habitable rooms). Taking the demolition of the bedsits into account the application provides 21 entirely new affordable housing units (179/481 net gain habitable rooms). This equates to 37.2% provision of affordable housing. It should be noted that the quality of the replacement units, which includes a range of dwelling sizes, exceeds that of the lost bed-sit units.
- 9.30 The application has been accompanied by a toolkit assessment which demonstrates that it would not be viable to provide any additional affordable housing. The scheme exceeds the 35% minimum affordable housing required by policy CP22 and is therefore acceptable.
- 9.31 It is noted that in this case the Applicant has not sought to make use of the provisions of HSG5 to allow a reduction in the level of affordable housing to facilitate estate regeneration cross subsidy.

Tenure Mix

- 9.32 London Plan policy 3A.9 promotes mixed and balanced communities by seeking a 70:30 split between social rent and intermediate tenures within affordable housing. In Tower Hamlets there is an identified need for a larger percentage of social rented units which is reflected in the 80:20 split between these tenures specified in IPG policies CP22 and HSG4.
- 9.33 The application seeks to provide 100% social rented accommodation in the affordable housing, and in this respect does not comply with requirements of the above policies. The Council's Housing section support the scheme, and given the particular need for additional social rented units in the Borough, the tenure of the units is considered acceptable.

Housing mix

- 9.34 London Plan policy 3A.5 promotes housing choice including the provision of a range of dwelling sizes. Unitary Development Plan policy HSG7 requires new housing schemes to provide a mix of unit sizes including a substantial proportion of family dwellings of between 3 and 6 bedrooms. Policies CP21 and HSG2 in the IPG specify that a mix of unit sizes should be provided to reflect local need and to contribute to the creation of balanced and

sustainable communities. Policy HSG2 provides target percentages for dwelling sizes in affordable and market housing.

- 9.35 The application proposes the following mix of unit sizes for the new build. The target percentages given reflect those specified by IPG policy HSG2.

Unit Size	Total Units	Affordable: Social Rent			Market		
		Units	%	Target	Units	%	Target
Studio	19	0	0	0	19	15	25
1 bed	61	2	4	20	59	46	25
2 bed	52	13	26	35	39	30	25
3 bed	38	26	52	30	12	9	25
4 bed	0	0	0	10	0		
5 bed	9	9	18	5	0		
Totals	179	50	100	100	129		100

- 9.36 In the social rent tenure the application exceeds HSG2 targets for the provision of larger units with 70% of units having 3 or more bedrooms. In particular it is noted that the scheme includes the provision of eight 5 bedroom terraced dwelling houses, with generous gardens, which is a valued form of family accommodation that can be difficult to provide on other sites (one 5 bedroom flat is also provided).
- 9.37 In the market tenure only 9% of the units have 3 bedrooms, which is below the target of policy HSG2. However, given the high level of family provision in the social rent sector the overall housing mix responds well to local needs and is acceptable in terms of policy.
- 9.38 The range of housing types provided is considered to make good re-provision of the type of units lost through the demolition.

Standard of accommodation

- 9.39 UDP policy HSG13 requires all new development to provide adequate internal space. Supplementary planning guidance note 1: residential space sets minimum internal flat and room sizes.
- 9.40 The proposed flats are well laid out. Forty-four (44) of the 2b4p person units range in size from 65 – 69 square metres. This is slightly less than the 70 square metre minimum specified in SPGN1. However, the flats have a good layout and the overall standard of accommodation is considered acceptable. The Council’s Environmental Health Officer has raised concerns about the level of interior daylight for proposed new flats behind walkways on sites 2a and 15. To ensure these flats receive adequate light it is recommended that the size of the windows be increased to 1510mm x 1810mm. This would be secured by condition, and with this amendment the proposed flats would be acceptable.
- 9.41 The application has been accompanied by a Noise Survey which includes an assessment of whether the proposed flats would suffer from unreasonable levels of noise. This particularly relates to those flats located on Burdett Road and Southern Grove, as these roads generate greater levels of traffic noise. The study concludes that part of the development is located within Noise Exposure Contour C. In these locations planning permission should only be granted where alternative sites are not available, and where appropriate mitigation can be provided. Officers consider that there are no realistic alternative locations for additional housing and conditions can require the use of suitable
- 9.42

glazing to ensure internal noise levels are acceptable. With the imposition of conditions requiring appropriate survey work and mitigation measures the development would be acceptable.

Wheelchair and accessible accommodation

- 9.43 London Plan policy 3A.5 and Interim Planning Guidance policy HSG9 require housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible.

9.44 It total 13 wheelchair accessible units are proposed and a further 5 could easily be converted for wheelchair users. This equates to 10% of the total housing provision and is considered acceptable.

9.45 All of the units would be constructed to Lifetimes Homes standards and the details of this would be required by condition.

Design & Neighbour amenity

9.46 The main design issues for Members to consider relate to the scale and appearance of the proposed buildings, the relationship to the existing buildings, and the impact of the buildings on designated Conservation Areas.

9.47 In terms of amenity, the main issues Members must consider are the impact of the proposed buildings on the neighbouring occupiers in terms of potential loss of light, overshadowing or increased sense of enclosure.

General design principles

9.48 Good design is central to the objectives of national, regional and local planning policy. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These policies are reflected in saved policies DEV1, DEV2 and DEV3 of the UDP; and IPG policies DEV1 and DEV2.

9.49 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site and that it should not result in overdevelopment or poor space standards.

9.50 Policy CP4 of the IPG seeks to ensure new development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings.

9.51 Policy DEV4 in the IPG seeks to ensure safety and security in new development. This can be achieved by incorporating principles such as ensuring building entrances are visible, designing development to face the street with active frontages and by creating opportunities for natural surveillance of the public realm.

9.52 Some of the proposed buildings are significantly higher than neighbouring buildings. Therefore consideration has also been given to the requirements of IPG policy DEV27, which details specific criteria that are relevant to the assessment of tall buildings.

Impact on Conservation Areas

9.53 Parts of the Eric and Treby Estate fall within designated Conservation Areas. Brokesley Street is found towards the Western edge of the Tower Hamlets Cemetery Conservation Area. Proposed building 10 is located within this area. The Ropery Street Conservation is located towards the South West of the site. The boundary of this Conservation Area

extends south down the centre of Eric Street from Hamlets Way.

9.54 The application proposes the erection of a new building at site 10 and improvement works to 31 – 39 Brokesley Street, both of which are within the Tower Hamlets Cemetery Conservation Areas.

9.55 Building site 14 is located within the Ropery Street Conservation Area. Site 15 is located on the edge of the Ropery Street Conservation Area.

9.56 In assessing any development proposal in a Conservation Area, the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Planning Policy Guidance Note 15: Planning and the Historic Environment provides advice on the approach to development in Conservation Areas. This document includes the advice that new buildings need not copy their older neighbours in detail, as a variety of styles can add interest and form a harmonious group.

9.57 National guidance is carried through to the local level where IPG policy CON2, re-asserts that development in Conservation Areas should preserve or enhance the distinctive character or appearance of that area in terms of scale, form, height, materials, architectural detail and design.

9.58 UDP policy DEV28 sets criteria that must be taken into account when assessing proposal to demolish buildings in Conservation Areas.

Summary design issues

9.59 A detailed consideration of the design of each proposed building is given below. In overall terms the proposed buildings are considered to respond well to the constraints of each individual site, and provide a cohesive approach to the renewal of the estate. The landscaping works take the opportunity to improve the quality of the existing open-spaces and introduce dedicated areas of children's play-space.

9.60 In general the application has attempted to site buildings on redundant areas of surface parking and hard-standing. In some cases building does take place on existing open-space, and this issue is discussed in more detail under the amenity section of this report.

9.61 The larger buildings (sites 2, 15 and 11) would be sited along Hamlets Way. This is one of the wider roads which bisects the estate. Existing tall estate blocks including Ennerdale House and Beckely House are already located on this road and it is considered an appropriate location for larger scale buildings.

9.62 In more sensitive locations, such as those within Conservation Areas, the scale of buildings has been limited and a traditional design employed. The development of sites along Burdett Road would help to strengthen the street frontage and remove unsightly garages.

9.63 Outside of Conservation Areas the proposed buildings use common design themes and a consistent pallet of materials. This includes the use of brick, render, balcony systems and green-glazed bricks around entrance doors. The result helps to tie the estate buildings together helping to create a sense of place.

9.64 In overall terms the proposed buildings complement the existing buildings around the estate and, when combined with the landscaping works, will lead to a significant improvement in the quality of the local environment for residents.

Daylight and Sunlight

9.65 In terms of amenity, Policy DEV2 in the UDP 1998 and Policy DEV1 of the IPG seeks to ensure that development where possible, protects and enhances the amenity of existing and future residents as well as the amenity of the public realm.

9.66 In accordance with BRE Guidance, a Daylighting and Sunlighting report was submitted with the application. The report calculates the Vertical Sky Component (VSC), Average Daylight Factor (ADF) and Sunlighting for adjoining properties.

9.67 The VSC quantifies the amount of skylight falling on a vertical wall or window. For a room with non-continuous obstructions there is the potential for good daylighting provided that the VSC, at the window position 2m above ground, is not less than the value for a continuous obstruction of altitude 25 degrees. This is equal to a VSC of 27%.

9.68 The VSC calculation can be related to the ADF which, in addition to the amount of skylight falling on a vertical wall or window, considers the interior daylighting of the building. The calculation takes into account the thickness of the glazing, size of the window, reflectance and total area of room surfaces.

9.69 Sunlighting has been measured using sunlight availability indicators or sunpath indicators. The British Standard recommends that at least 25% of annual probable sunlight hours be available at the reference point, including at least 5% of annual probable sunlight hours in the winter months.

9.70 The calculations have been based on a sample of rooms in the blocks that are likely to be most affected by the proposal.

Summary sunlight and daylight issues

9.71 The report demonstrates that there are some instances where the VSC is below the levels set out in the BRE guidance. It is well recognised that BRE standards must be applied flexibly, as the legitimate expectation of light-levels in a low rise suburban town would have to differ from those in a densely built-up area. The site is located in an area where larger scale development is expected. The resulting daylight and sunlight levels to the properties affected are not untypical in an urban environment and the impact is considered acceptable.

9.72 The Council's Environmental Health Section has reviewed the Daylight and Sunlighting Report and considers that the report satisfactorily demonstrates that there will be no significant impact with regard to daylight/sunlight on existing residents.

Site specific design and amenity considerations

9.73 In total 12 new buildings are proposed. The main issues in relation to each of these buildings are considered in turn:-

Site 1

9.74 Site one is located at the junction of Southern Grove and Hamlets Way. It currently comprises grass open-space and an area of hard-standing (which used to be a playground). The site wraps around the foot of Ennerdale House – a 19 storey Tower, to the North is Derwent House – a 6 storey block.

9.75 The proposed building can be separated into two components. Firstly, a single storey component which wraps around the base of Ennerdale House. This will provide 365 square metres of office space. The applicant has indicated that this will be used by their housing management team.

9.76 The second component would be a four storey block fronting Southern Grove. The block is sited in-between Ennerdale House and Derwent House. It is linked to the single storey part of the building which provides the office space. Part of the ground floor of this building would be used to provide a community centre. The centre would comprise a 190 square metre main hall, an outside ball court and associated facilities. The housing offices, community centre and ball court would all be accessed via a shared entrance from Southern Grove.

9.77 The remainder of the ground floor of the block, and the upper floors, would provide 9 affordable housing units including one wheelchair maisonette with parking space.

9.78 In design terms the proposed building helps to create a strong frontage to Hamlets Way and Southern Grove, and encloses the areas of open-space to the rear. At a maximum of 4 storey the block relates well to the 6 storey Derwent House. In overall terms the design is considered acceptable.

9.79 In terms of amenity the main impact would be on the occupiers of flats in the South-east corner of Derwent House and the lower floors of Ennerdale House. The reductions in daylight and sunlight are considered acceptable in the urban context. Occupiers of neighbouring properties could suffer from noise and disturbance associated with the use of the external ball court. A condition would prevent the use of this facility after 9.00pm which would preserve residential amenity.

Site 2a –

9.80 Site 2 is located on the North side of Hamlets Way to the West of Ennerdale House. It currently comprises surface car-parking and hard-standing. Part of Derwent House runs North-South towards the application site. This part of Derwent House is 4 storey in height.

9.81 The application proposes a part 4, part 6 storey building. The building is arranged in an L-shape, with the longer 6 storey frontage to Hamlets Way and a shorter 4 storey return to the Derwent House spur. The building would provide 36 private flats. The building would enclose an area of public amenity space to the rear.

9.82 The building has simple rectangular form with one change in height which is comparable to existing buildings on the estate. The six storey height is considered acceptable along Hamlets Way, where larger buildings are appropriate. The building steps down to 4-storey in height to match the height of the Derwent House spur, which helps to tie the building into the existing streetscene. In design terms the building is considered acceptable.

9.83 Site 2a is sufficiently far from Derwent House (opposite to North) and Beckley House (to south) for there to be no significant impact in terms of loss of daylight or sunlight.

Site 2B

9.84 Site 2B comprises a raised pedestrian walkway linking Hamlets Way to Maplin Street. There are garages underneath the raised walkway. To the West is the 5 storey block of Windemere House. The ground floor of this block also comprises garages. The garages are accessed from Maplin Street. Currently a change in land-levels means that this access terminates in a dead-end at its southern-end. To the East is an area of open space used by residents of Derwent House, and then the 4 storey Derwent House block itself.

9.85 The application proposes the erection of 11 residential units in a block approximately following the line of the existing raised walkway. The block would be part 2 and part 4 storey. The scheme includes removing the existing dead-end to create a new 'street'

running from Hamlets Way to Maplin Street (this would be a shared pedestrian/vehicle surface. A barrier would prevent vehicles using the street as a through route).

9.86 The scale and bulk of the building is considered acceptable given the scale of the neighbouring buildings. The proposed residential units would be arranged so that they are accessed from the new street, with ground floor windows adding activity to an area that currently benefits from little natural surveillance. At first floor level the flats are arranged with habitable windows facing East, away Windemere House. This arrangement ensures that there is no loss of privacy to the occupiers of these properties.

9.87 In terms of loss of daylight and sunlight the proposed building would have some impact on the occupiers of Windemere House. However, there are no habitable rooms at ground floor level on this property, and the reductions to the first floor level are not excessive given the context of the application site.

(There is no site 3)

Site 4

9.88 Site four comprises a ground floor undercroft area beneath Coniston House. The majority of the area has no specific use, though there are some pram stores. The application proposes to infill this area to create 4 affordable units. The flats would be accessed via an entrance deck on the North side of Coniston House.

9.89 The in-fill would make more beneficial use of the available space. There has been no objection to the loss of the pram stores. The proposed façade treatment complements that used on the existing building above, and in overall terms is acceptable. This proposed building has no impacts in terms of day lighting or sunlight.

(There is no site 5)

Site 6

9.90 Site six comprises a single storey (max 4.3m) community use building. The building would comprise full-height glazing to the front and rear. The east elevation would be constructed from blue/black brick. The South elevation was amended to incorporate a white render finish. This was in response to the comments made by the East London Tabernacle. The existing sub-station on the site would remain. To the rear the site includes a patio/seating area, which helps the building to link into the public amenity-space to the rear.

9.91 The building is located to the South of the East London Tabernacle. This building has large windows in the south elevation. This windows provide light to function halls located at ground floor and basement levels. The rear part of building 6, opposite the Tabernacle windows, incorporates a sloping roof to reduce the height of the building adjacent to the boundary. The cut-away is such that impacts on the tabernacle, in terms of loss of light, are minimised.

9.92 Building 6 would reduce the visibility of the attractive glass windows in the south elevation of the Tabernacle. However, the window would still be visible, and the scheme would improve the wider Burdett Road streetscene by in-filling the current gaps. The overall impact on appearance is therefore considered acceptable.

9.93 Site 7

Site 7 is rectangular in shape and fronts Burdett Road. It is located just to the North of the East London Tabernacle and to the South of flats 1 – 30 Wentworth Mews. The site was previously occupied by three single storey bungalows – which have now been demolished.

9.94 The application proposes a four storey block. The ground floor would provide two commercial units (Use Classes A1, A2 or B1). The upper floors would provide 6 affordable flats. The flats are arranged two per floor accessed from a central stairwell.

9.95 The scale and form of the block is appropriate in relation to the adjoining buildings. The building infills the existing gap in the frontage along Burdett Road and is acceptable in design terms. The south elevation of the building was slightly amended during the course

9.96 of the application to change the brick to a lighter red colour – rather than blue/black brick.

The main amenity impact would be on the occupiers of the flats in Wentworth Mews. Wentworth Mews has garages on the ground floor. At first floor level and above habitable room windows face the application site. The proposed building is located to the south of these windows and they will therefore suffer a loss of sunlight and daylight. However, a distance of 9.5m separates the proposed building from Wentworth Mews. This is considered sufficient to ensure that the occupiers of this property do not suffer from any unreasonable loss of light or outlook and is acceptable.

9.97

Windows serving offices are located in the North flank of the Tabernacle, facing the application site. These windows will experience some loss of light, however given the non-residential use and the location to the south of the proposed development there would not be any significant detrimental impact on the occupants.

9.98 Site 8
Site 8 is rectangular in shape and is located at the junction of Burdett Road and Wentworth Mews. Flats 1-30 Wentworth Mews are located to the South of the site. Flat 1c Wentworth Mews is located on the opposite side of the Mews. The site currently comprises a surface parking court. There is a change in level of approximately 600mm between the site level and the Burdett Road pavement.

9.99 The application proposes a 4 storey block. The block would comprise a commercial unit on the ground floor (uses A1, A2 or B1) and 6 private residential units above. The residential unit and commercial units would be accessed from Burdett Road. The commercial unit would also have a service bay to the rear, which would be accessed from Wentworth

9.100 Mews.

In design terms the incorporation of a commercial unit helps to add activity to the Burdett Road / Wentworth Mews junction and complements the commercial units found on the ground floor of 1c Wentworth Mews. The block itself follows the style of block 7 and is considered to relate well to the neighbouring buildings and is acceptable.

9.101

The main impact of the proposal would be on the occupiers of the flats 1-30 Wentworth Mews, just to the South of the site. The ground floor of this building comprises garages. Upper floors are residential with windows serving habitable rooms facing the application site. These windows appear to serve kitchens and bedrooms. A distance of approximately 4m separates the proposed building from these windows.

9.102

Due to the orientation of the existing building these windows already receive little daylight or sunlight. The proposed building will cause a further reduction in available light, however with the exception of the kitchen window of 2 Wentworth Street all pass ADF targets. In an urban context the impact on amenity is acceptable. It is also noted that the occupiers of the flats will continue to enjoy light and outlook from living windows to the rear.

9.103 Site 9
Site 9 is located at the junction of Eric Street and Wentworth Mews. The site is adjacent to

9.104 the Wentworth Arms public house, a three storey Victorian building. Coopers Court, an elderly peoples home, is located on the opposite side of Eric Street. The site is currently occupied by single storey garages that are accessed from Eric Street.

9.105 The application proposes a 4 storey building adjacent to the public house. The building would provide 4 affordable flats. The building would be flush with the building line of the public house along Eric Street, and would slightly higher in height. Large balconies would be provided on the SE corner of the upper floors introducing additional activity to a poorly overlooked corner of the estate. The building does appear large in relation to the modestly proportioned Wentworth Arms. However, there are relatively few viewing angles where this is noticeable and in overall terms the design makes good use of an area of dead space and is acceptable.

9.106 The proposed building is sufficiently far from neighbouring buildings for there to be no significant impacts in terms of loss of light or overshadowing. There are no windows in the flank walls of the Wentworth Arms Public House and any potential overlooking would be at an oblique angle and as such would not result in any significant loss of amenity.

Site 10

9.107 Site 10 comprises 1 – 14 Brookesley Street. This is a two storey block of flats that are currently vacant. The site is located within the Tower Hamlets Cemetery Conservation Area. The existing one-bed flats were constructed in the late 1950s in a style characteristic of this time. On the opposite side of Brookesley Street is an attractive terrace of Victorian dwellings. The Council's Conservation Appraisal notes that residential townscapes, including Brookesley Street, contribute to the character of the Conservation Area.

9.108 The application proposes replacing the existing flats with a terrace of 8 x 5 bedroom dwelling-houses with rear gardens. The dwellings would be in the social rent tenure.

9.109 Members will note from the Recommendation section of this report that they are asked to consider two separate matters in relation to the development on this site. Firstly, because the existing flats are located in a Conservation Area, Conservation Area Consent is required for their demolition. This consent is a stand-alone application (reference PA/09/02066), and its merits are considered below. Secondly, Members must consider whether the proposed terrace, which forms part of the larger estate regeneration planning application, is acceptable in terms of planning policy.

Conservation Area Consent

9.110 The existing flats are not considered to have any historical significance and do not make any significant positive contribution to the quality of the Conservation Area. Objectors have noted that they reflect the evolution of the character of the area, however Officers do not consider that on its own this warrant their retention. It is considered that the demolition of the flats, and the erection of a suitable replacement, would accord with the requirements of saved UDP policy DEV28 and IPG policy CON2, as it would improve the character of the conservation area.

9.111 A condition would be placed on any permission to ensure that the demolition of the flats was tied to the construction of a replacement building – to prevent an undeveloped site blighting the Conservation Area.

Planning Permission for replacement terrace dwellings

9.112 The proposed terrace would be three storey in height and would have a flat roof hidden behind a corniced parapet. The terrace would be constructed from yellow London stock brick with painted timber windows and cast-iron rainwater goods.

At the time of the previous application English Heritage also raised concerns about the proportions of the building and the relative lack of detailing. It is acknowledged that the proposed terrace does not slavishly replicate the form or rich architectural detailing seen on the Victorian dwellings opposite. However, it does not necessarily follow that the design is poor. The terrace would be a modern addition to the street and would be seen as such.

The parapet line of the proposed terrace is approximately 1m higher than the parapet (not the top of the ridge) of the Victorian dwellings opposite. From ground level this difference in height would not have any significant impact on streetscape views. The scheme would not harm the appearance of the terraces along the street and is acceptable in terms of saved UDP policy DEV30, which seeks to preserve rooflines of uniform character.

The use of traditional materials helps to tie the building into the historic character of the area and ensures that the terrace is a sensitive addition to the streetscene. In overall terms Officers are satisfied that the proposed terrace will enhance the character and appearance of the Conservation Area and that it is acceptable in terms of relevant design policy.

The main amenity impacts from the proposal relate to potential loss of light, overshadowing and increased sense of enclosure. The proposal would have an impact on properties to North. This includes first floor flats at 642 – 648 Mile End Road. There are also residential flats located in a converted office/storage building located in the rear yard area of 642 – 648 Mile End Road.

These properties would suffer from a loss of daylight and available sunlight. However, on balance the impact does not significantly exceed the current situation and the impact is considered acceptable. The properties would also suffer a loss of outlook, however the impact is not considered unreasonable given the urban setting of the site.

The properties on the opposite side the road comprise 77 Brookesley – a converted warehouse and the terrace of 71 – 75 Brookesley, a terrace of dwellings. The submitted study shows that there will be little loss of daylight to these properties. There will be some loss of morning sunlight, however the effect would be transitory and on this basis is acceptable.

9.118 Site 11

Site 11 is located on the South side of the junction between Southern Grove and Hamlets Way. The site abuts Loweswater House, which is 7 storey in height. Ennerdale House is 19 storey in height and is located on the opposite side of Hamlets Way. To the West is the 11 storey Beckley House. The site currently comprises surface parking and open space. The boundary of the Tower Hamlets Cemetery Conservation Area runs along opposite side of Southern Grove to the East of the application site.

The application proposes the erection of 7 storey building. The building would have a rectangular footprint with the long edge providing a 28.6m frontage to Hamlets Way. The building would provide 27 private flats. The flats benefit from private balconies and access to a large communal roof terrace.

The main body of the building (excluding the lift core which projects above) is approximately 3.6m higher than the adjoining Loweswater House. The additional height is justified given the location on the building at the junction of two of the estate's larger roads. The longer frontage to Hamlets Way is well articulated with contrasting materials, windows and balconies helping to break up any appearance of bulk. The scale and design of the building sits well with the neighbouring Loweswater House, would preserve the setting of the Tower Hamlets Cemetery Area and is acceptable.

In terms of amenity impacts, it is noted that Loweswater House is located to the South of the development and as such would not suffer any loss of sunlight. West facing windows, at 90 degrees to the proposed building would lose some daylight. However, the losses do not result in ADF levels below BRE guidelines and the impact is therefore acceptable in an urban environment. The relatively oblique angle between proposed habitable room windows / balconies and Loweswater House ensures that there would be no significant loss of privacy for existing occupiers.

A distance of 20m separates Ennerdale House from the proposed building which is sufficient to ensure that there is no significant loss of light or loss of privacy implications.

9.123 Site 12

Site 12 is a rectangular plot of land fronting English Street. It is currently used to provide surface car-parking. The site is located adjacent to the south-east corner of Beckley House, and directly to the south is 2 – 36 English Street, a 4 storey block of flats. An electricity sub-station is located in the corner and this would be unaffected by the proposal.

The application proposes the erection of a 4 storey block providing 4 affordable flats. The dual aspect units would be arranged one per floor. The ground floor unit is a wheelchair unit and would have an associated car-port. The proposed building would be separated from the English Street block by the single storey substation.

In design terms the proposed building sits slightly forward of, and is slightly higher than, the existing English Street block. This adds a degree of visual variation along the length of street and helps the block to act as a terminating point to the streetscene. In overall terms the design is acceptable.

The main amenity impacts would be on the occupiers of the flats to the north-west of the development in Beckley House. Habitable room windows would suffer a loss of daylight however the resultant ADF values exceed BRE guide lines and are therefore considered acceptable. There would be some loss of sunlight to the private garden at the base of Beckley House and to balconies higher up. However, any impact would be limited to the morning hours and as such the overall impact on the amenity of the occupiers is considered acceptable. The rear windows of the proposed building have been angled to prevent overlooking back towards windows in the south wall of Beckley House preventing any significant loss of privacy.

9.127 Site 13

Site 13 is located towards the northern end of English Street. It currently comprises single storey garages and hard-standing. To the North is the 4 storey block of 2 – 36 English Street, to the west the flank wall of 1 – 27 Treby Street and to the South the 3 storey 38 – 48 English Street. The application proposes a 4 storey block comprising 4 flats. The ground floor flat is a wheelchair unit with associated parking bay. The flats are arranged one per floor and have a single aspect over English Street.

In design terms the proposed block follows the building line and general scale of development along English Street which results in an acceptable appearance. When viewed in conjunction with site 12 the development will provide complementing 'bookends' to 2 – 36 English Street resulting in a consistent streetscene.

In terms of amenity the main impact will be on habitable room windows to the West. There would be a reduction in daylight however the resulting light-levels would not be untypical in an urban environment. There would be some loss of morning sunlight to the rear of 1 – 27 Treby Street, however, the impact is transitory and is therefore acceptable. The single

aspect over English Street prevents any loss of privacy to these occupiers.

9.130

Site 14

Site 14 comprises a vacant plot located at the corner of Ropery Street and Eric Street. Ropery Street comprises 2 storey Victorian terraces. The dwellings abutting the site on

9.131 Eric Street were constructed circa 1970s and are 3 storey in height.

The site is located within the designated Ropery Street Conservation Area. The Conservation Area largely comprises terraced dwellings. The Council's Conservation Area Appraisal describes how the uniformity of these terraces contributes to the special

9.132 character of the area.

The application proposes a part 2, part 3 storey block providing 4 social rent residential units. The design of the proposed corner building seeks to provide a link between the two styles of development that abut the site. Along Ropery Street the building would be 2 storey and would follow the style of the adjoining Victorian terrace. As the building nears the corner it rises to three storey to tie in with the established storey height along Eric

9.133 Street.

The building follows the scale of the adjoining properties, incorporates traditional design features and utilises appropriate materials. As such it is considered a sensitive addition to the terraced street-scene that enhances the character of the Ropery Street Conservation

9.134 Area and is acceptable.

The impact on neighbouring amenity in terms of potential loss light and overshadowing is considered acceptable given the urban context of the application site. A condition would ensure that the bathroom window in the East elevation is obscure glazed to prevent overlooking into the bedroom window of 1 Ropery Street and with this safeguard the potential impacts on privacy are acceptable.

9.135

Site 15

Site 15 is the area of land located at the junction of Eric Street and Hamlets Way. It was previously occupied by a two storey residential building with a large area of open-space in front. An objector has noted that the plot was also previously occupied by two attractive mature trees. The building has been demolished.

9.136

To the South of the site are two parallel 4 storey residential blocks, one of which fronts Eric Street and the other Treby Street. The area in-between these blocks are private gardens. Further to the North, on the opposite side of Hamlets Way, is another 4 storey residential block.

9.137

To the West, on the opposite side of Eric Street, is a two storey terrace of Victorian Dwellings. These dwellings are located in the Ropery Street Conservation Area, the boundary of which runs along the centre of Eric Street.

9.138

The application proposes a stepped building rising to a maximum of 6 storey along Hamlets Way. The building would provide 56 private residential units. The building would have an approximate U shape, with the higher and longer component fronting Hamlets Way and two arms returning to the South to meet the existing blocks on Eric and Treby Streets.

9.139

The building would be 4 storey in height adjacent to the existing 4 storey block fronting Eric Street. This portion of the development has a façade without any balconies and would be finished in a buff coloured brick. In terms of scale the proposal relates well to the existing development. The uncluttered design and materials ensure that the building is considered

to preserve the setting of the Ropery Street Conservation Area.

9.140

The height of the building steps up to a maximum of 6 storey along Hamlets Way. This is considered acceptable along Hamlets Way as this wider road can accommodate buildings of a larger scale. The frontage along Hamlets Way is well articulated which helps to reduce any impression of excessive bulk. The materials used will tie in well with the other new buildings further to the East. The final part of the building is the 5 storey arm returning to link the building to the existing 4 storey development on Treby Street. The centre of the U-shape is used to provide a communal garden area. In overall terms the design of the building is considered acceptable.

9.141

The main impact of the development would be potential loss of sunlight and daylight to properties on the opposite side of Hamlets Way, and properties on the opposite side of Eric Street. The submitted daylight study notes that while the levels of loss may be noticeable the resultant levels do not exceed BRE ADF guidelines, and in an urban context the impact

9.142

is acceptable.

The distance and 'across the road' relationship ensures that neighbouring residents would not suffer from any unreasonable loss of privacy from windows on the building's frontages. To the rear overlooking would only be possible from relatively oblique angles, which would ensure that there was no direct overlooking into the rear rooms of 36 – 66 Eric Street or 2 – 32 Treby Street.

9.143 Other improvement works

The other estate-wide improvement works including new entrances, landscaping, installation of street furniture, street-lighting and cladding would all help to improve the appearance of the estate and are acceptable in design terms.

9.144

The introduction of new entrance to 31 – 39 Brokesley Street would help to announce the building on the street and would preserve the character of the Tower Hamlets Cemetery Conservation Area.

9.145

Design and amenity conclusion

Overall, the proposed buildings are considered acceptable in terms of design and amenity. 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 UDP and policies DEV1, DEV2 and DEV27 of the IPG which seek to ensure buildings are of a high quality design and suitably located. The proposed buildings sensitively designed and are considered to enhance the character and appearance of the Ropery Street and Tower

9.146

Hamlets Cemetery Conservation Areas.

The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the compliance with relevant BRE Guidance and the urban context of the development. As such, the scheme accords with policy DEV2 of the UDP and policy DEV1 of Council's IPG. Given the acceptable design and amenity impacts, the application is not considered an overdevelopment.

Amenity space

9.147

The application seeks to improve the quality and usability of the existing open-spaces across the estate. This includes the provision of a new ball court and the provision of 6 dedicated child-play areas. Existing grassed areas would be landscaped with the addition of planting and seating.

The existing the estate has no dedicated areas of child-play space. The current areas of open grassland are ill defined and there is no demarcation to provide areas for the use of children of different ages, or for the exercise of dogs.

In terms of play provision the scheme would create:-

- An external ball court
- A community hall (which could be used for indoor sports)
- 5 areas of 'younger' child play-spaces.

The younger children play spaces would comprise safety surfacing and play equipment. They would be enclosed by railings and located in areas that are well overlooked from nearby dwellings.

The remaining open-areas would be contoured and re-landscaped. Mature trees would be retained and supplemented by additional shrub beds and wild-grass planting. Areas of path, pavement and benches would also be introduced to encourage residents of all ages to make use of the amenity space.

Estate-wide

9.148 In terms of defining open space, the Mayor's Best Practice Guidance on Preparing Open Space Strategies provides a clear definition for both Public and Private forms of opens space. Public Open Space is defined as

"public parks, commons, heaths and woodlands and other open spaces with established and unrestricted public access and capable of being classified according to the open space hierarchy, which meets recreational and non-recreational needs".

9.149 Private open space is defined as

"open space to which public access is restricted or not formally established but which contributes to local amenity or wildlife habitat or meets or is capable of meeting recreational or non-recreational needs, including school and private playing fields".

9.150 The guidance also states that private residential gardens or incidental areas such as road verges or streets (unless these form part of a link in the open space network) should not be included.

9.151 Saved UDP policy OS7 states that planning permission will not normally be given for any development that results in the loss of public or private open-space having significant amenity value.

9.152 Policy OSN2 in the IPG states that given the existing deficiency of open-space the Council will not permit any further loss of the Borough's open space resource. London Plan policy 3D.8 states that the Mayor will work with strategic partners to protect, promote and improve access to London's network of open-spaces. The policy also notes that poor quality is not in itself a reason to justify the loss of open-space.

9.153 Policy HSG16 in the UDP requires that all new housing developments include an adequate provision of amenity space. IPG policy CP25 states that all new housing developments should provide high quality private and communal amenity space for all residents and policy HSG7 provides specific minimum standards for new residential developments.

9.154 Public Open Space

Quality, quantity and access to open space are key components to the delivery of sustainable communities. At the time of the previous application the estate was considered to have in the region of 10, 744 square metres of existing publicly accessible open-space.

9.155 The categorisation of some pieces of land as open-space, or otherwise, includes a degree of subjectivity. To be included as open-space the land should have some form of amenity value. Following observations made at the previous committee a small area (130 square metres) of grass to the South Ennerdale House has also been categorised as open-space.

9.156 Objectors have questioned why the rest of the paved area at the base of Ennerdale House is not included in the existing open-space figures. Officer's have not included this area as it is considered it functions more as circulation space, rather than amenity space.

9.157 The revised scheme makes the following alterations to public amenity space provision on the estate:-

9.158	sqm
Deficit in open space at time of previous application	- 844
Area of open-space to south side of Ennerdale House (additional area of open-space not identified at time of previous application)	- 130
Area of existing open-space adjacent to Windermere House reduced by relocation of parking spaces moved from former hardstanding area behind East London Tabernacle Church.	- 198
Net loss to overcome	- 1172
Area of open-space gained adjacent to Windermere House by replacing hardstanding area with strengthened grass surface over fire access strip	+ 172
Area of proposed green space to rear of East London tabernacle	+ 1120
Total	+ 1295
Net Gain	(1295 – 1172) = 120 square metres
OVERALL ESTATE TOTAL	11,192 square metres.

9.159 The main difference in open-space provision between the previous and current scheme is the space behind the East London Tabernacle. This space is currently hardstanding, it suffers from a lack of natural surveillance and attracts anti-social behaviour. The previous application proposed that this space would be converted into a communal garden. The garden would have been gated-off for the exclusive use of residents of the adjoining blocks.

9.160 The current application would instead make this space (which would also be slightly

enlarged) a public garden. The garden would be managed in association with the new community use building at site 6. The garden would be open from dawn to dusk and would be accessible to members of the public. It is therefore considered that this space can be regarded as public open space.

- 9.161 Other changes to open-space provision are also proposed to the existing grass areas to the West of Windemere House, which are detailed in the table above. The application proposes the reconfiguration and upgrade of the open space throughout the estate. The definitions, and calculations, of the exact square meterage of open-space lost or gained from the development, can be disputed. Officers consider that the main issue is that the scheme will lead to a significant increase in the quality and usability of the open-space throughout the estate. The total area of open-space across the estate is approximately 11,192 square metres. This will be upgraded as part of the proposals, and will offer an acceptable level of overall provision for residents.

Child Play Space

- 9.162 London Plan Policy 3D.13 requires residential development to make provision for play and informal recreation, based on the expected child population. The Mayors Supplementary Planning Guidance: Providing for Children and Young People's Play and Informal Recreation SPG sets a benchmark of 10sq.m of useable child play space to be provided per child. The guidance also notes that under 5 child play space should be provided on site. The Council's Interim Planning Guidance sets a standard of 3 square metres per child.
- 9.163 The Mayors SPG also states that child-play space should be calculated in addition to requirements for other forms of amenity space. In this case, given the restrictions in providing new open-space in a dense urban environment, the proposed childplay space has been provided as part of the quantum of communal / public open-spaces.
- 9.164 The existing estate currently has no dedicated areas of child play space. The application includes provision of playspace for the expected child yield for both the existing and proposed units of accommodation.
- 9.165 If the amount of play-space required is calculated using Tower Hamlets child-yield data, and the 3sqm standard, a total of 941 square metres of childplay space should be provided. If the GLA childyield data, and the GLA 10sqm per child standard is used a total of 5496 square metres should be provided. It should be noted that in policy terms it is only possible to insist on the provision of child-play space for the new components of the development.
- 9.166 The application proposes to create 2080 square metres of dedicated child-play space. This is an increase in the 960 square metres previously proposed. The spaces include a ball court and five play areas targeted for younger children. The increase in play-space has been created by defining more of the communal space as 'play-able' landscape, rather than formal areas of play equipment. The details of the playspace would be required as part of the landscaping condition.
- 9.167 The proposed playspace will provide dedicated facilities for children of a variety of ages and is considered acceptable.

Private amenity space

- 9.168 Policy HSG16 of the UDP requires the provision of adequate amenity space in new housing development. Interim Planning Guidance policy HSG7 sets specific minimum standards for housing developments based on the size of the proposed dwelling.
- 9.169 The application provides private amenity space in the form of balconies and terraces.

Almost all of the flats benefit from access to private amenity space. The only exceptions are the flats on the upper floors of site 14, which is because balconies would be out of character with the Ropery Street Conservation Area.

- 9.170 In some cases the proposed terraces are smaller than policy would require however in other places the standards are exceeded. For the most part this is a reflection of the trade-offs made when designing the building layouts. The private amenity space provided is considered acceptable.

Green Corridors:

- 9.171 The Council's Core Strategy: Development Plan document seeks to create green-links between existing open-spaces at Mile End Park and Tower Hamlets Cemetery. Objectors have noted that the proposed development would remove green spaces along Hamlets Way (which is one of the key East-West linkages between Mile End Park and Tower Hamlets Cemetery). Officers consider that the provision of estate-wide landscaping works, and the new area of public open space to the rear of the Tabernacle, will help to achieve more attractive East-West links, and there is no fundamental conflict with this policy objective.

Parking and Highways

- 9.172 Saved policy T16 of the UDP states that new development proposals will be assessed in relation to the ability of the existing and proposed transport system to accommodate the additional traffic that is likely to be generated. Saved policy T18 states that priority will be given to the safety and convenience of pedestrians in the management of roads and the design of footways.

- 9.173 Policies CP41 and DEV19 of the IPG seek to ensure the integration of new development with transport, recognising that this is fundamental to achieving more sustainable patterns of travel in Tower Hamlets. Maximum car parking, and minimum cycle parking standards are detailed in IPG Planning Standard 3.

Car Parking

- 9.174 There are currently 126 car-parking spaces and 150 garages located around the estate. The application proposes to retain 61 of the existing car-parking spaces, and to provide 34 additional spaces, giving a total of 95 spaces. Sixty-two of the garages would be retained, with 11 others converted to storage.

- 9.175 Of the 34 new spaces, 13 are covered spaces associated with the wheelchair accessible housing. This meets the 10% wheelchair standard space required by IPG policy DEV19. In response to the concerns about the level of disabled parking given as a reason for refusal of the previous application, a further 14 publicly accessible wheelchair spaces are also proposed.

- 9.176 The new residential units would be 'car-free' and occupiers would not be eligible to apply for Council issued car-parking permits.

- 9.177 The site is located in an area with a high PTAL level and the overall reduction in the amount of car-parking accords with sustainability objectives and as such is acceptable.

- 9.178 The submission of a complete Travel Plan would be secured in a S106 Agreement to ensure compliance with IPG policy DEV18.

Cycle Parking

- 9.179 London Plan policy 3C.22 and Interim Planning Guidance Policy DEV16 require the provision of adequate cycle parking for new residential development. The application

makes provision of cycle parking for all new residential blocks at a ratio of one stand per dwelling. The stands are located in communal stores, private sheds or stands in front of the property. Ideally all cycle stores should be located within buildings, however on some sites this has not proved possible due to site constraints. In overall terms the amount of cycle parking meets policy minimums and is considered acceptable.

- 9.180 Highways and TfL have requested additional detail of cycle storage for some sites, and for commercial uses. The detail of this would be secured by condition, and with this safeguard the development would accord with the above policies.
- 9.181 A clause in the travel plan would require the developer to monitor demand, and provide where feasible, cycle parking for existing estate residents.

Access, Servicing and Highway Safety

- 9.182 The application includes details of proposed refuse stores and servicing arrangements for new and existing dwellings. On the basis of the information submitted Highways officers have some concerns about the proposed servicing arrangements. There are particular concerns about the decision to service some of the sites from the road, rather than from the site itself. There are also concerns about the use of underground refuse storage silos. This is because these silos are emptied by a larger than usual lorry, which has an additional impact on highway.
- 9.183 Because of these difficulties it may be necessary to revert to traditional wheeled refuse containers – which would be stored in the buildings, and wheeled to the roadside as part of a managed process. If this approach is taken, the design of proposed buildings may need to be amended to accommodate larger refuse stores. If the development is to be serviced from the highway, rather than on-site, it may be necessary to make alterations/reductions to on-street parking arrangements.
- 9.184 It is considered that issues relating to servicing the development site can be adequately resolved by condition. The Council's Waste and Parking Sections would be consulted on any application to discharge the Waste/Servicing Strategy. As objections have been received in relation to the proposed refuse arrangements, the Council would also consult the public prior to making any amendments to these arrangements.
- 9.185 With the imposition of suitable conditions the impact on highway and pedestrian safety is considered to be acceptable in terms of saved policies T16, T18 and DEV55.

Sustainability

- 9.186 Policies 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan sets out that the Mayor will and the boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy generated from renewable sources. The latter London-wide policies are reflected in policies CP3, DEV5 and DEV6 of the IPG. In particular, policy DEV6 which requires that:
- 9.187 All planning applications include an assessment which demonstrates how the development minimises energy demand and carbon dioxide emissions; Major developments incorporate renewable energy production to provide at least 20% of the predicted energy requirements on site.
- 9.188 The application has been accompanied with a detailed Energy Strategy. This strategy details how insulation improvements to the existing dwellings can deliver a substantial carbon saving. The study also considers the feasibility of introducing a district heating system and on-site renewable energy technologies.
- 9.189

The study states that on-site renewable energy would be provided in the form of a 45kW PV array on un-shaded roofs. This would provide 4.7% savings on the new build carbon emissions.

9.190 The following feasibility reasons for not providing a district heating system have been provided by the applicant:

- Residents will remain in their homes whilst improvement works are carried out. The change from the current provision of individual boilers to a district heating system would be very disruptive.
- Some units have been purchased under the right to buy scheme and as such it would not be possible to require leaseholders to connect to the district heating scheme.
- The buildings are spread across the estate which would make the provision of a single district heating system difficult and costly to implement.

9.191 As a result of these constraints, the proposal seeks to make energy savings across the estate as a whole. The existing estate buildings are old and significant improvements to energy consumption can be made, for instance by introducing cavity insulation and installing new condensing boilers.

9.192 Overall, the refurbished scheme will achieve a total reduction in carbon emissions for the existing stock of 46.31%, a total reduction of 20% in the new build and a total reduction from the baseline (existing and new build) of 42%. There will be a reduction in carbon emissions from the estate in its present condition of 32%, despite the increase in number of housing units.

9.193 Officers consider that it is more cost effective investing in refurbishment to deliver a carbon reduction by upgrading the existing stock rather than installing additional amounts of costly renewable technologies. The alternative is that money spent on achieving Decent Homes Plus standard would instead be spent on renewable technology for the new build. There are larger carbon savings per pound for the refurbishment works than there are for the renewable elements.

9.194 The comments made in the GLA Stage One response have been noted. It is accepted that the proposal does not fully meet the Energy criteria set out in the London Plan. However, the scheme does include at least some renewable provision. The level of renewable provision is justified because in this case greater weight has been placed on policy objectives to provide affordable housing and to upgrade housing to Decent Homes Plus standards, and given the financial constraints of the scheme the proposal is acceptable.

Biodiversity and Trees

9.195 London Plan policy 3D.14 states that the planning of new development and regeneration should have regard to nature conservation and biodiversity, and opportunities should be taken to achieve positive gains for conservation through the form and design of development. Saved UPD policy DEV57 states that the Council will not permit developments that cause unjustifiable harm to designated sites of Nature Conservation Importance or Green Chains. Saved UDP policy DEV12 requires the provision of landscaping and policy DEV15 seeks the retention or replacement of mature trees.

9.196 Policy CP31 of the IPG states that the Council will seek to ensure the protection, conservation, enhancement, and effective management of the Borough's biodiversity.

9.197 Tower Hamlets Cemetery is designated as a Site of Metropolitan Importance for Nature Conservation. Mile End Park is a Site of Borough Importance. The scale of the development is such that the proposal would not have any significant adverse impacts on these designated areas.

9.198 The proposed landscaping works would improve the range of habitats around the estate which would promote biodiversity. At the time of the previous application Natural England commented on the scheme regarding the need for further ecological assessment, enhanced mitigation and financial contributions to improve the SINC have been considered. However, the submitted toolkit assessment has shown that additional contributions would be at the expense of other estate improvement works. It is considered that the proposed landscaping works provide sufficient biodiversity improvements and in this respect the proposal is acceptable.

9.199 The application has been accompanied with an Arboricultural Assessment. The assessment notes that there are 44 trees and one small group of False Acacias on the estate. The study notes that the scheme would involve the loss of 8 trees that would not otherwise be recommended to be felled. Two of these trees are considered to have moderate amenity value (category B), and the remainder are of low value (category C).

9.200 The scheme would include replacement landscaping. A condition would be imposed to ensure that the landscaping is of adequate quality, and that replacement tree planting is secured, to ensure compliance with the above policies.

Air Quality

9.201 London Plan policy 4A.19 and IPG policy DEV11 require the potential impact of a development on air quality to be considered. IPG policy DEV12 requires that air and dust management is considered during demolition and construction work.

9.202 The application has been accompanied by an air quality assessment. This considers the likely impact of the construction phases of development. It is concluded that a Construction Management Plan could mitigate for any potential adverse impacts, for instance by ensuring that dust suppression measures are implemented. This would be secured by condition.

9.203 Once completed the development would be 'car-free' which would ensure that the scheme does not have any adverse impacts on air quality. The development is therefore considered to comply with relevant air quality policies.

Flood Risk

Interim Planning Guidance DEV21 seeks to ensure developments do not lead to increased risk from flooding. The site is located in Flood Risk Zone 1 (lowest risk) a Flood Risk Assessment has been submitted because the development site exceeds 1 hectare in size.

9.205 The submitted Flood Risk Assessment has been reviewed by the Environment Agency, who have raised no objection subject to the imposition of a condition relating to surface water drainage. A condition would be imposed on any permission and as such the development would be acceptable.

Site Contamination

In accordance with the requirements of PPS23, saved UDP policy DEV51 and IPG policy DEV22 the application has been accompanied by a Phase 1 Desk Based Assessment of Ground Conditions to assess whether the site is likely to be contaminated.

9.207 The study has been reviewed by the Council's Environmental Health Officer who has

concluded that there is a potential threat of contamination. The study identifies the need for further intrusive investigations and this, and any necessary mitigation, would be required by condition.

Archaeology:

- 9.208 The application was accompanied by a desk-top assessment that considered the potential of the site to house archaeological remains. An amended study was later submitted that enlarged the area covered to include Brokesley Street. English Heritage have commented that the potential for archaeological remains is low, and no further work is required. On this basis the Authority is satisfied that the development accords with saved UDP policies DEV42, DEV43 and DEV44, which seek to ensure that development proposals do not have an adverse impact on archaeological remains.

Impacts on local infrastructure and cumulative impacts

- 9.209 A toolkit has been submitted with the application. It compares the potential revenue from the site with the potential costs of the development. The figures input into the toolkit appear low in terms of market value. However, the developer costs are substantially lower than the standard toolkit values. Other costs are generally at the standard level or below and no exceptional developer's costs have been input into the toolkit.
- 9.210 The toolkit demonstrates the financial constraints of the scheme and shows that the scheme would generate 7.9M in cross-subsidy for the upgrade of the existing properties on the estate to Decent Homes Plus standard.
- 9.211 Any additional requirements such as increased s.106 contributions or the incorporation of additional renewable energy would have a direct negative impact on the funding available for the upgrade of the estate.
- 9.212 Overall, the scheme provides 37.2% affordable housing in accordance with Council policy and provides a comprehensive refurbishment of the existing estate to bring the existing homes up to Decent Homes Plus standard.

Education Infrastructure

- 9.213 The Council's Education Section have requested a contribution of £320, 892 towards the provision of additional primary school places, and this has been agreed with the Developer.
- 9.214 Objectors have made detailed comments about the availability of school places in the local area, and have questioned whether the additional children associated with the development can satisfactorily be accommodated.
- 9.215 These comments have been noted, however officers consider that the proposed contribution will mitigate for the impact of the development.

Healthcare Infrastructure

- 9.216 At the time of the previous application the local PCT requested a contribution of £224, 122 to mitigate for the pressure of the additional population on local healthcare resources. This has been agreed with developer. The contribution would adequately mitigate for the additional pressure of the development.

Cumulative impacts

- 9.217 Mitigation for other developments in the vicinity of the site is considered on a case by case basis and it is not considered that the cumulative impacts of these developments would result in any significant adverse impacts.

10 Conclusions

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