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|--------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------|-----------------------------------|
| Committee: Development Committee | Date: 31 st March 2010 | Classification: Unrestricted | Agenda Item No: 7.x |
| Report of: Corporate Director of Development and Renewal | | Title: Planning Application for Decision | |
| Case Officer: Shay Bugler | | Ref No: PA/10/119 Ward(s): Mile End East | |

1. APPLICATION DETAILS

- 1 **Location:** Whatman House, Wallwood Street, London, E14
- 1.2 **Existing Use:** 8 studio flats, open space and car parking
- 1.3 **Proposal:** Demolition of existing two storey building and construction of two new blocks; one of 4 storeys and one part 4 and part 6 storeys in height to provide 38 residential units (comprising 11 x 1 bed, 17 x 2 bed, 7 x 3 bed and 3 x 4 bed), associated open space improvements, car parking layout revisions and infrastructure works.
- 1.4 **Drawing Nos:** A5220B10-2-0-000; A5220B10-2-0-001 Rev B; A5220B10-2-0-002 Rev B; A5220B10-2-0-003 Rev B; A5220B10-2-0-004 Rev A; A5220B10-2-0-005; A5220B10-2-0-006; A5220B10/2-0-007 Rev A;
A5220B10-2-3-000 Rev A; A5220B10-2-3-002; A5220B10-2-3-003; A5220B10-2-3-004; A5220B10-2-3-005; A5220B10-2-3-006; A5220B10-2-3-007; A5220B10-2-3-008 Rev A;
A5220B10-2-3-009; A5220B10-2-3-010 Rev A; A5220B10-2-3-011; 0A5220B10-2-3-012; A5220B10-2-3-013; A5220B10-2-3-020; A5220B10-2-3-021; A5SS0B10-2-3-022; A5220B10-2-3-023; A5220B10-2-3-024; A5220B10-2-3-025; A5220B10-2-3-026; A5220B10-2-3-027; A5220B10-2-3-028; A5220B10-2-3-029; A5220B10-2-3-030; A5220B10-2-3-031; A5220B10-2-3-032; A5220B10-2-3-033; A5220B10-2-3-034; A5220B10-2-3-035; A5220B10-2-3-036; A5220B10-2-3-037; A5220B10-2-3-038; A5220B10-2-3-039; A5220B10-2-3-040; A5220B10-2-3-041; A5220B10-2-3-042; A5220B10-2-3-043; A5220B10-2-3-044; A5220B10-2-3-045; A5220B10-2-3-046; A5220B10-2-3-047; A5220B10-2-3-048;
- 1.5 **Supporting documentation**
- Town Planning Statement prepared by Savills dated 11/01/2010
 - Impact Statement prepared by Savills dated 11/01/2010
 - Design and Access Statement prepared by PRP Architects dated 11/01/2010
 - Air Quality Assessment by WSP Environmental UK dated September 2009

- Tree Survey prepared by Haydens dated 11/01/2010
- Landscaping Strategy prepared by Outerspace dated 11/01/2010
- Energy & Sustainability Statement prepared by Daedalus Environmental dated 11/01/2010
- Document entitled "Response to LBTH Energy and Sustainability comments" prepared by Richard Hodgkinson Consultancy dated 11/01/2010
- Transport Statement prepared by Intermodal Transport dated 11/01/2010
- Environmental Site Investigation Report by Resource & Environmental Consultants Ltd dated February 2008
- Daylight & Sunlight Assessment prepared by Delva Patman dated 11/01/2010

- 1.6 **Applicant:** Urban Living (Poplar Harca and Bellway Homes Thames Gateway)
- 1.7 **Owner:** Poplar Harca
- 1.8 **Historic Building:** The site does not contain a historic building.
- 1.9 **Conservation Area:** The site is not located within a Conservation Area.

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (Oct. 2007), associated supplementary planning guidance, the London Plan Consolidated (2008) and Government Planning Policy Guidance and has found that:
- 2.2 The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and HSG1 of the Council's Interim Planning Guidance (2007) and SP02 of the Core Strategy submission document (December 2009) which seeks to ensure this.
- 2.3 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.5, 3A.9 and 3A.10 of the London Plan (Consolidated with Alterations since 2004), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) & SP02 of the Core Strategy submission document (Dec 2009) which seek to ensure that new developments offer a range of housing choices.
- 2.4 The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004), policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) & SP02, SP09, SP10, SP12, SP03 & SP04 of the Core Strategy Development Plan Document (Submission version dated December 2009), which

seek to provide an acceptable standard of accommodation.

- 2.5 The development would enhance the streetscape and public realm through the provision of a public realm, public open space and improved pedestrian linkages. Furthermore, the quantity and quality of housing amenity space and the communal/child play space strategy is also considered to be acceptable. As such, the amenity space proposed is acceptable and in line with PPS3, policies 3A.18 and 4B.1 of the London Plan (Consolidated with Alterations since 2004), policies ST37, DEV1, DEV12, HSG16, T18 and OS9 of the Council's Unitary Development Plan 1998 and policies CP30, DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) & SP04 of the Core Strategy Development Plan (submission version dated December 2009) which seek to improve amenity and liveability for residents whilst creating a more attractive environment for those who live and work here.
- 2.6 The building height, scale, bulk and design is acceptable and in line with policies 4B.1, 4B.2, 4B.3 and 4B.5 of the London Plan (Consolidated with Alterations since 2004), policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998; policies DEV1, DEV2, DEV3, DEV4 & DEV 27 of the Council's Interim Planning Guidance (2007) & policies SP02, SP10 & SP12 of the Core Strategy Development Plan document (submission version) Dec 2009 which seek to ensure buildings are of a high quality design and suitably located.
- 2.7 Transport matters, including parking, access and servicing, are acceptable and in line with policy 3C.23 of the London Plan (Consolidated with Alterations since 2004), policies T16, T18 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) & policy SP09 of the Core Strategy Development Plan Document (submission version dated December 2009), which seek to ensure there are no detrimental highways impacts created by the development.
- 2.8 Sustainability matters, including energy, are acceptable and in line with policies 4A.3 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5 to DEV 9 of the Council's Interim Planning Guidance (2007) & SP11 of the Core Strategy Development Plan Document (submission document dated Dec 2009) which seek to promote sustainable development practices.
- 2.9 Contributions have been secured towards the provision of affordable housing, health & education in line with Government Circular 05/05, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), SP13 of the Core Strategy Development Plan Document 2005 (submission version Doc '09) which seek to secure contributions toward infrastructure and services required to mitigate the impact of the proposed development.

3.0 **RECOMMENDATION**

That the Committee resolve to GRANT planning permission subject to:

- 3.1 B. The prior completion of a legal agreement, to the satisfaction of the Chief Legal Officer, to secure the following:
 1.
 - Affordable housing provision of 51% of the proposed habitable rooms with a 87/13 split between rented/ shared ownership to be provided on

site.

2.
 - A contribution of £46, 584 to mitigate the demand of the additional population on health care facilities.
3.
 - A contribution of £74, 052 to mitigate the demand of the additional population on education facilities.

Non financial

4.
 - Local labour in construction
 5.
 - Travel Plan
 6.
 - 'Car free' agreement
- 3.2 That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above.
- 3.3 That the Head of Development Decisions is delegated power to impose conditions on the planning permission to secure the following:

Conditions

- 3.3 That the Committee resolve to GRANT planning permission planning permission
1. Time limit
 2. Submission of samples/details/full particulars of materials
 3. Details of landscaping strategy
 4. Hours of Construction (8.00am to 6.00pm Monday to Friday 8.00am to 5.00pm on Saturdays and not at all on Sunday or Bank holidays)
 5. Power/hammer driven piling/breaking (10am – 4pm Monday – Friday)
 6. Secure all residential units should meet a code level 3 for Sustainable Homes by design statement
 7. Car parking management strategy
 8. Detail of electric vehicle charging points
 9. Motor cycle stands to be provided
 10. Travel Plan
 11. Construction Management Plan
 12. Contaminated land: desk study, site investigation, risk assessment and mitigation
 13. Secure by design statement
 14. Details of refuse & recycling facilities for each use
 15. Extract ventilation details for internal kitchens, bathrooms and toilets in the proposed plans.
 16. Heat and domestic hot water details
 17. Code level 3 for Sustainable Homes
 18. Schedule of highways works condition
 19. Noise survey
 20. Any other condition(s) considered necessary by the Head of Development Decisions
- 3.4 Informative
1. Section 106 agreement required (car free & affordable housing)

2. Section 278 (Highways) agreement required.
 3. Site notice specifying the details of the contractor required.
 4. Construction Environmental Management Plan Advice.
 5. Environmental Health Department Advice.
 8. Metropolitan Police Advice.
 9. Environmental Agency advice.
- 3.5 That, if by 31st June 2010 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

- 4.1 The application proposal involves the demolition of the two storey residential building and construction of two new residential buildings consisting of 38 new dwellings. The larger, main block is located in the southeast corner of the site, fronting Wallwood Street and Thomas Road, and extending between 4 and 6 storeys. The smaller, second block is 4 storeys in height and fronts the northern boundary of the site.
- 4.2 The current proposal has been submitted following the withdrawal of the previous application (Ref no: PA/09/1956) on 7th January 2010. The previous application was withdrawn due to an administrative error pertaining land ownership on site. It transpires that Poplar Harca were not the sole landowners of the application site. Part of the previous site was owned by the Council.
- 4.3 The application proposed is in the main identical to the withdrawn scheme. The only amendment to the previous scheme was the re-siting of the main block by approximately 1.6 metres to the north of its previous position. The smaller block to the northern boundary is unchanged. The application site is now in the sole ownership of Poplar Harca.

Site and Surroundings

- 4.4 The application site covers an area of approximately 0.599 ha. The site borders Wallwood Street to the east, Thomas Road to the South, Butler House and Argyle Point to the west. It is currently occupied by a 2 storey residential building (Whatman House) consisting of 8 studio flats, open space and car parking bays used by the adjacent residential buildings, Butler House and Argyle Point.
- 4.5 The site is located immediately to the west of the Brickfield Gardens Conservation Area, though no part of the development is within a Conservation Area. The site is located in a Major Projects Consultation Zone of the Olympic Delivery Authority, the Burdett Road Major Road Consultation area, and an area requiring Wind Turbine Development City Airport Consultancy. The site does not include any listed or locally listed buildings and is not located in an Area of Archaeological Importance.

Relevant Planning History

- 4.6 Ref no: PA/09/1956: Demolition of existing two storey building and construction of two new blocks; one of 4 storeys and one part 4 and part 6 storeys in height to provide 38 new residential homes and associated open space improvements, car parking layout revisions and infrastructure works. This application was withdrawn by the applicant on the 07/01/20010.

- 4.7 Ref no: PA/98/862: Refurbishment of existing dwellings including new pitched roofs, overcladding, windows, balconies, staircase and lift enclosures, revised refuse provisions, external works including new garages, new parking arrangements and landscaping. This was approved on 06/11/1998

5. POLICY FRAMEWORK

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

5.2 **Spatial Development Strategy for Greater London** (consolidated with alterations since 2004)

| | |
|-------|----------------------------------------------------------------------------------------|
| 2A.1 | Sustainability Criteria |
| 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 in individual private residential and mixed-use schemes |
| 3A.17 | Addressing the needs of London's diverse population |
| 3B.1 | Developing London's Economy |
| 3B.10 | Environmental Improvements |
| 3C.17 | Tackling congestion and reducing traffic |
| 3C.19 | Local transport and public realm enhancements |
| 3C.21 | Improving conditions for walking |
| 3C.23 | Parking Strategy |
| 4B.5 | Creating an inclusive environment |
| 4B.6 | Safety, security and fire prevention and protection |
| 4B.8 | Respect and local character and communities |
| 4A.1 | Tackling climate change |
| 4A.4 | Energy Assessment |
| 4A.5 | Provision of heating and cooling |
| 4A.6 | Decentralised energy: Heating, cooling and power |
| 4A.7 | Renewable energy |
| 4A.14 | Sustainable drainage |
| 4A.19 | Improving air quality |

5.3 **Unitary Development Plan 1998 (as saved September 2007)**

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|------------|----------|---------------------------------------------------------------------|
| Proposals: | Proposal | Opportunity Site (Mixed uses, including predominately residential). |
| Policy | DEV1 | Design Requirements |
| | DEV2 | Environmental Requirements |
| | DEV4 | Planning Obligations |
| | DEV50 | Noise |
| | DEV51 | Contaminated Land |
| | DEV55 | Development and Waste Disposal |

| | |
|-------|-----------------------------------|
| HSG7 | Dwelling Mix |
| HSG15 | Residential Amenity |
| HSG16 | Amenity Space |
| T16 | Impact of Traffic |
| T18 | Pedestrian Safety and Convenience |
| T21 | Existing Pedestrians Routes |
| OS7 | Loss of Open Space |
| OS9 | Child Play Space |
| S7 | Special Uses |
| ST37 | Enhancing Open Space |

5.4 Core Strategy Development Plan Document (Submission Version December 2009)

| | | |
|-----------|------|------------------------------------------------------------------------|
| Policies: | S01 | Refocusing on our town centres |
| | SP02 | Urban living for everyone |
| | SP03 | Creating healthy and liveable neighbourhoods |
| | SP04 | Creating green and blue grid |
| | SP05 | Dealing with waste |
| | SP09 | Making connected places |
| | SP10 | Creating distinct and durable places |
| | SP11 | Working towards a zero-carbon borough |
| | SP12 | Delivering placemaking – Vision, priorities and principles for Stepney |

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

Proposals Development site including Residential C3 and Public open space

Core Strategies:

| | |
|------|------------------------------------------------------|
| CP1 | Creating Sustainable Communities |
| CP2 | Equal Opportunity |
| CP3 | Sustainable Environment |
| CP4 | Good Design |
| CP5 | Supporting Infrastructure |
| CP19 | New Housing Provision |
| CP20 | Sustainable Residential Density |
| CP21 | Dwelling Mix |
| CP22 | Affordable Housing |
| CP25 | Housing Amenity Space |
| CP30 | Improving the Quality and Quantity of Open Space |
| CP38 | Energy Efficiency and Production of Renewable Energy |
| CP39 | Sustainable Waste Management |
| CP41 | Integrating Development with Transport |
| CP43 | Better Public Transport |
| CP46 | Accessible and Inclusive Environments |
| CP47 | Community Safety |

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|-----------|------|--------------------|
| Policies: | DEV1 | Amenity |
| | DEV2 | Character & Design |

| | |
|--------|---------------------------------------------|
| DEV3 | Accessibility & Inclusive Design |
| DEV4 | Safety & Security |
| DEV5 | Sustainable Design |
| DEV6 | Energy Efficiency & Renewable Energy |
| DEV10 | Disturbance from Noise Pollution |
| DEV11 | Air Pollution and Air Quality |
| DEV12 | Management of Demolition and Construction |
| DEV13 | Landscaping |
| DEV15 | Waste and Recyclables Storage |
| DEV 16 | Walking and Cycling Routes and Facilities |
| DEV17 | Transport Assessments |
| DEV18 | Travel Plans |
| DEV19 | Parking for Motor Vehicles |
| DEV20 | Capacity of Utility Infrastructure |
| DEV22 | Contaminated Land |
| DEV24 | Accessible Amenities and Services |
| DEV25 | Social Impact Assessment |
| HSG1 | Determining Residential Density |
| HSG2 | Housing Mix |
| HSG3 | Affordable Housing |
| HSG4 | Social and Intermediate Housing ratio |
| HSG7 | Housing Amenity Space |
| HSG9 | Accessible and Adaptable Homes |
| HSG10 | Calculating Provision of Affordable Housing |
| OSN2 | Open Space |

5.6 Government Planning Policy Guidance/Statements

| | |
|--------|------------------------------------|
| PPG1 | General Policy and Principles |
| PPS3 | Housing |
| PPG13 | Transport |
| PPS1 | Delivering Sustainable Development |
| PPS22 | Renewable Energy |
| PPSG24 | Planning & Noise |

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

A better place for excellent public services

5.8 Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements

6. CONSULTATION RESPONSE

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

LBTH Highways

Parking

- 6.2 A condition should be attached to the planning consent which requires a “car free” agreement to prevent residents from applying for car parking permits on the estate.

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

- 6.3 A Car Parking Management Strategy (CPMS) containing enforcement measures should be conditioned to ensure that future residents of the new build development do not occupy available spaces of existing residents.

(Officers comment: The applicant will be required to submit a Car Parking Management Strategy. The CPMS must be approved in writing prior to the occupation of the first residential unit. This will be secured by condition)

- 6.4 The scheme should make provision for electric vehicle charging facilities (20% of total car parking provision).

(Officers comment: The applicant will be required to submit details of the electric vehicle charging facilities. This will be secured by way of condition).

- 6.5 Details of cycle parking facilities, location, maintenance and its retention should be conditioned.

(Officers comment: Details of cycle parking facilities have been identified in the submitted plans and are considered acceptable. As such, it not considered necessary to submit details of cycle parking facilities).

- 6.6 Of the proposed 24 car parking spaces, it is considered that some should be allocated as disabled spaces in accordance with policy (10% minimum).

(Officers comment: The proposal makes provision for 27 car parking spaces of which 3 will be disabled parking spaces. As such, the proposal achieves a minimum of 10% policy requirement in accordance with the IPG).

- 6.7 The Transport Statement mentions that the displaced off-street car parking spaces would be relocated to on-street car parking on Wallwood Street. This could result in an unacceptable increase in demand on existing permit bays.

(Officers comment: The applicant has confirmed that any residents seeking to park in the on-street bays on Wallwood Street would have to apply for permits through the Council, who control the provision).

- 6.8 The applicant is required to submit a Travel Plan.

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

- 6.9 A Construction Management Plan shall be submitted and approved in writing prior to the commencement of works on site.

(Officers comment: The applicant will be required to submit a Construction Management Plan. This will be secured by way of condition).

Transport for London

6.11 Transport for London has not provided comments on this application. However, in the previous , almost identical application (ref no: PA/09/1956), the following comments were made and should be considered:

6.12 The use of CCTV would be recommended as an additional security measure.

(Officers comment: The applicant will be required to submit a Secure by Design Statement which shall include CCTV details. This will be secured by way of condition).

6.13 TfL supports the proposed reduction of car parking by 16 spaces and provision of 3 disabled spaces.

6.14 Similar to LBTH Highways team, TfL recommend that future occupiers of the site be excluded eligibility for local parking permit. TfL also recommends that a Travel Plan and Construction Management Plan be submitted to the Council for assessment.

(Officers comment: A Travel Plan will be secured in the Section 106 Agreement and the Construction Management Plan will be secured by condition.)

LBTH Environmental Health

LBTH Daylight & Sunlight

6.15 LBTH Daylight & Sunlight officer has confirmed that the submitted Daylight & Sunlight report is satisfactory.

LBTH noise

6.16 The hours of building works shall be confined to 08.00 hours to 18.00 hours (Mon to Fri)
and 08.00hrs to 13.00 hrs (Sat only) with no Sunday or Bank Holiday working or at any other time.

(Officers comment: Hours of construction shall be conditioned).

6.17 An acousticians background noise survey report should be submitted setting out details of the prevailing background noise levels together with details of the proposed glazing configuration for prior approval to ensure compliance with PPG24.

(Officers comment: A noise survey shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of works on site. This shall be secured by condition).

6.18 LBTH contamination officer

A condition shall be attached to the planning application which requires the applicant to submit a contamination report which includes the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

(Officers comment: The applicant will be required to submit a land contamination assessment. This will be secured by way of condition).

LBTH Energy Efficiency Unit

6.19 The Energy and Sustainability Strategy is acceptable subject to the following conditions:

- all residential units of the development shall have heat and domestic hot water supplied by high efficiency individual gas boilers
- all residential units should meet a code level 3 for Sustainable Homes

(Officers comment: The above will be secured by way of condition)

7. LOCAL REPRESENTATION

7.1 A total of 699 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The applicants also held a public consultation

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|------------------------------|---|------------|---|-------------|---|
| No. of individual responses: | 3 | Objecting: | 1 | Supporting: | 2 |
| No of petitions | 1 | | | Supporting: | 1 |

7.2 The following issues were raised in representations received by the general public:

Objections

Land Use

7.3 The proposal will result in overdevelopment of the site.

(Officers comment: The proposal does not present any symptoms of over development of the site. This is discussed further in section 8.3-8.9 of the report).

7.4 The proposal is out of scale with other developments in the area.

(Officers comment: The site is bound on the eastern side by Wallwood Street, and a 4 storey residential block. To the south of the site is Thomas Road is a 3 storey light industrial /trade units. In addition, there is a 7 storey mixed use Limehouse development on the corner to Burdett Road, currently under construction. Immediately to the west of the site is Butler House, an 11 storey building. As such, the proposal is not considered to be out of scale with the prevailing form and scale of development in the area).

7.5 The proposal reduces the existing open space to a minimum.

(Officers comment: The proposal provides sufficient amount of communal open space and accords with Council policy. This will be discussed further in section 8.30-8.34 of the report).

- 7.6 There is insufficient provision of social rented housing provided on site.

(Officers comment: The proposal makes provision for 51% affordable housing by habitable rooms which exceeds the Councils target requirement of 35% of the GLA's requirement of 50%. The proposal provides an additional 8 social rented units which is supported by officers).

Supports

- 7.6 The scheme will provide additional needed residential dwellings and would also improve the amenity/open space and facilities for local people and children.
- 7.7 There is a need for larger and better built family homes on the Borough.
- 7.8 The scheme will provide more family homes of a high standard in an area where many residents of various social landlords live in over crowded conditions.
- 7.9 The new scheme makes the immediate area a safer and more attractive place to live.

1 petition of support was received with 296 signatures

- 7.10 This scheme will help meet the increasing housing needs of over 23,000 people registered in the London Borough of Tower Hamlets, including the many overcrowded families with children whose personal development is suffering.

8. MATERIAL PLANNING CONSIDERATIONS

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

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

Land Use

- 8.2 The proposal is solely for residential (C3 use) development. Given the existing use on site, the demolition of existing residential development and the construction of 38 new dwellings is acceptable in land use terms.

Density

- 8.3 Policies 3A.1, 3A.2 and 3A.3 of the London Plan encourage Boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG & SP02 of

the Core Submission Document (Dec 2009) seek to maximise residential densities on individual sites; taking into consideration the local context and character; residential amenity, site accessibility; housing mix and type; achieving high quality, well designed homes; maximising resource efficiency; minimising adverse environmental impacts; the capacity of social and physical infrastructure and open spaces; and to ensure the most efficient use of land within the Borough.

- 8.4 Policy 3A.3 of the London Plan Consolidated (2008) including table 3A.2 sets the density matrix for a site with PTAL rating of 4 of between 450 to 700 habitable rooms and dwellings per hectare.
- 8.5 Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Loss of privacy and outlook;
 - Small unit sizes
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure;
- 8.6 The proposed development would have a density of 543 habitable rooms per hectare. The combined density of the site including the proposed scheme (38 units/122 habitable rooms), Butler House (67 units/183 habitable rooms) and Argyll Point (30 units/90 habitable rooms) has been calculated as 659 hrph. This is based upon 135 units and 395 habitable rooms divided by the overall site area (including Argyll Point) of 0.599 hectares.
- 8.7 The proposal does not exhibit any of the above symptoms of overdevelopment.

Design

Bulk and Massing

- 8.8 Good design is central to all the objectives of the London Plan (Feb 2008). 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 principles are also reflected in policies DEV1 and 2 of the UDP. DEV 1 and 2 of the IPG and policy SP03, SP04, SP09, SP10 of the Core Strategy Submission document (Dec 2009).
- 8.9 Policy CP4 of the IPG (Oct 2007) will ensure 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. Policy DEV2 of the IPG reiterates DEV1 of the UDP and SP10 of the Core Strategy DPD (2009) states that developments are required to be of the highest quality design, incorporating the principles of good design.
- 8.10 The proposal comprises of two separate blocks. The main block is positioned parallel to Wallwood Street and turns into the corner onto Thomas Road. It extends to part four and part six storeys in height. The proposal also includes a separate four storey building adjacent to the northern boundary of the site. The proposed scale and massing of the building has been designed to provide a transition in scale and massing between Butler House (10 storeys) and Fitzroy House (4 storeys) which is considered appropriate in

design terms.

- 8.11 The main building is orientated in a north to south direction, which reflects the siting of neighbouring buildings. The scale and massing of the proposed development is consistent with the prevailing scale of existing and proposed development in the surrounding area. The proposed contemporary design is of high quality and will enhance the character and appearance of the area.
- 8.12 Details of proposed materials will be secured by way of condition.
- 8.13 Overall, the height, scale, bulk & design is acceptable and in line with planning policy policies 4B.1, 4B.2, 4B.3 & 4B.5 of the London Plan (Consolidated with alterations since 2004); policies DEV 1& DEV 2, DEV 3, DEV 4 of the Council’s IPG (Oct 2007) & SP02, SP10 & SP12 of the Core Strategy Submission Document which seeks to ensure buildings are of a high quality and suitably located.

Housing

Housing Mix

- 8.14 The scheme is proposing a total of 38 residential units. The dwelling and tenure mix is set out below:

| | | affordable housing | | | | | | market housing | | |
|--------------|-----------------------|--------------------|------------|------------|--------------|------------|------------|----------------|------------|------------|
| | | social rented | | | intermediate | | | private sale | | |
| Unit size | Total units in scheme | units | % | LDF % | units | % | LDF % | units | % | LDF % |
| Studio | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1 bed | 11 | 3 | 21.4 | 20 | 1 | 33 | 37.5 | 7 | 33 | 37.5 |
| 2 bed | 17 | 5 | 35.7 | 35 | 2 | 66 | 37.5 | 10 | 47.6 | 37.5 |
| 3 bed | 7 | 3 | 21.4 | 30 | | | 25 | 4 | 19 | 25 |
| 4 bed | 3 | 3 | 21.4 | 10 | | | | 0 | | |
| 5 Bed | | | | 5 | | | | | | |
| TOTAL | 38 | 14 | 100 | 100 | 3 | 100 | 100 | 21 | 100 | 100 |

- 8.15 Paragraph 20 of Planning Policy Statement 3 states that

“key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people”.

- 8.16 Pursuant to policy 3A.5 of the London Plan the development should:

“offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families

with children and people willing to share accommodation”.

- 8.17 “Saved” policy HSG7 of the Unitary Development Plan (1998) states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings between 3 and 6 bedrooms. The UDP does not provide prescribed targets.
- 8.18 Policy CP21, CP22 & HSG2 of the IPG and policy SP02 of the Core Strategy Development Plan Document (2009) seek to create mixed communities. A mix of tenures and unit sizes assist in achieving these aims.

Family housing

| 8.19 | <i>Tenure</i> | <i>% Policy requirements</i> | <i>% as proposed</i> | <i>% annual monitoring report 2009</i> |
|------|----------------------------|------------------------------|----------------------|----------------------------------------|
| | <i>Social rented</i> | 45 | 43 | 35 |
| | <i>Intermediate</i> | 25 | 0 | 7 |
| | <i>Market</i> | 25 | 19 | 3 |
| | <i>Total within scheme</i> | 30 | 26 | 11 |
| | | | | |

- 8.20 The table above illustrates that the scheme exceeds the average provision for family housing across all tenures in the Borough.
- 8.21 With specific reference to family housing, policy HSG2 of the IPG, family housing is characterised by 3 or more rooms. The family housing in the social rented, intermediate and private sale components should be 45%, 25% and 25% respectively. In addition, HSG2 stipulates that 30% of all units should be family sized.
- 8.22 The proposal provides approximately 43% family accommodation by unit numbers within the social rented tenure which is in general conformity with Council policy. The proposal makes provision for 19% family units in the market tenure. The Housing Department finds the level of family accommodation in the market housing mix (approximately 19%) to be acceptable. The proposal does not make any provision for family units within the intermediate tenure. However, the scheme makes provision for 26% family sized accommodation which is broadly policy compliant. The deficiency of family units against policy HSG2 is offset by the provision of 51% affordable housing which is a key housing priority as identified in LBTH Housing Strategy (2009-12).

Affordable housing

- 8.23 Policy 3A.9 of the London Plan Consolidated (2008) sets out a strategic target that 50% of the new housing provision in the borough should be affordable.
- 8.24 The proposal is compliant with Core Policy CP22 “Affordable Housing” of the LBTH Interim Planning Guidance (Oct. 2007) which states the Council will seek a minimum of 35% affordable housing provision on developments proposing 10 new residential dwellings or more with a social rented to intermediate housing ratio of 80:20.
- 8.25 The proposal makes provision for an uplift of 51% affordable housing by habitable rooms. At present, there are 6 unoccupied affordable studio units on site. This amounts to 6 habitable rooms. Therefore, the overall provision for affordable housing is 46% by habitable rooms. This comprises an overall tenure split of an approximate 85:15% split of social rented to shared ownership units respectively. The tenure split calculations are

also based on habitable rooms. The mix is supported by officers given the increasing demand of social rented units in the borough.

- 8.26 On balance, the scheme provides a suitable range of housing choices and complies with housing policy set out in the London Plan consolidated (2008), Unitary Development Plan (1998) and the LBTH Interim Planning Guidance (Oct. 2007) in creating a mixed and balanced community.

Amenity

Daylight/ Sunlight

- 8.27 The applicant has submitted a Sunlight/ Daylight Study that demonstrates acceptable compliance with BRE guidelines and is in accordance with UDP "saved" policy DEV2 as the design would preserve acceptable daylight/ sunlight levels to the surrounding residential properties. The overall daylight/sunlight values achieved for all of the properties around the site are acceptable and the only matter where there is not full compliance with the BRE Guidelines is in terms of some minor losses to sunlight hours. However, even where there are losses to sunlight, the overall annual sunlight to those particular windows remains satisfactory.

Amenity Space Provision

- 8.28 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds.
- 8.29 Following is an assessment against the residential amenity space requirements under policy HSG7 of the Interim Planning Guidance (2007)

- 8.30 Private & Communal Amenity Space Provision Requirement for Whatman House:space

| Units | Total | Minimum Standard (sq.m) | Required Provision (sq.m) |
|-----------------------------------------------------|--------------|--------------------------------------------------------------------------------|-------------------------------------|
| 1 Bed | 10 | 6 | 60 |
| 2 or greater Beds | 20 | 10 | 200 |
| TOTAL | 30 | | 260 |
| Ground Floor Units | | | |
| 3 or greater Beds | 4 | 50 | 200 |
| 3 less than 3 beds | 4 | 25 | 100 |
| Total | 8 | | 300 |
| Grand Total | 38 | | 560 |
| Communal Amenity Space Provision Requirement | | 50sqm for the first 10 units, plus a further 5sqm for every additional 5 units | 78sq.m (50sq.m plus 28sq.m). |
| Total Housing Amenity Space Requirement | | | 638sq.m |

- 8.31 The existing area of communal amenity space within the site boundary around Butler House and Argyll Point is approximately 1, 986m². The proposal will result in an additional 389 of shared amenity space provided on site. This shared amenity space comprises communal space and child playspace. The policy requirement for communal amenity space is 78sqm. As such, the quantum of communal amenity space complies with policy requirement and supported by officers.
- 8.32 Currently there is no children's playspace on the site to serve residents living in Butler House or Argyle Point. Applying the Councils policy 3m per child bed space generates a requirement of 43m² of child playspace. GLA policy of 10m per child bed space generates a requirement of 247m² of child space. The proposed scheme will provide a minimum of 311sqm of child playspace. The proposal therefore complies with both the GLA and IPG requirements for child playspace.
- 8.33 The proposal makes provision for 491m² of private amenity space. Council policy seeks 560 sqm of private amenity space. The shortfall of private amenity space by 67sqm is offset by a surplus of 64m² of communal amenity space and is considered acceptable. Furthermore, the scheme makes provision for 'private communal' roof terrace amenity space in the main building at Whatman House which provides 300m² of amenity space for residents of this building. The private communal amenity space can only be accessed by residents who occupy the main building at Whatman House. Furthermore, the quantum of private amenity space is offset by the over provision of high quality communal and child playspace.
- 8.34 On balance, the quantum and quality of amenity space is in compliance with the intent of HSG16 of the UDP and HSG2 of the Interim Planning Guidance.

Highways and Transport

- 8.35 The London Plan, UDP & IPG contain a number of policies which encourage the creation of a sustainable transport network which minimises the need for car travel and supports movements by walking, cycling and public transport. This is further supported by policy SP09 in the Core Strategy (Submission Version 2009)
- 8.36 Both the Unitary Development Plan (1998) and the LBTH Interim Planning Guidance (Oct. 2007) contain a number of policies which encourage the creation of a sustainable transport network which minimises the need for car travel, lorries and supports movements by walking, cycling and public transport. This is further supported by policy SP09 of the Core Strategy DPD. In accordance with core policy CP41 in the LBTH Interim Planning Guidance (Oct 2007), the Council seeks to focus high density development in areas of high public transport accessibility.
- 8.37 The site has a high PTAL rating of 4. Increased residential development is appropriate on this site due to its good public transport accessibility.

Access and Servicing

- 8.38 Vehicular access to the site is proposed from Wallwood Street through the provision of a single access/egress point in a similar position to the existing northern access into Wallwood Street. Access would be controlled through an automatic bollard system operated by a key/fob system. This is acceptable on highway grounds.
- 8.39 The proposed servicing strategy comprises the management company moving the bins from the refuse stores in the new development and from outside Butler House to a holding area. This holding area is located at the northern end of the main building to allow collections from Wallwood Street. This is considered acceptable.

Car Parking

- 8.40 According to policy 3C.23 of the consolidated London Plan (1998), on-site car parking provision for new developments should be the minimum necessary to ensure there is no overprovision that could undermine the use of more sustainable non-car modes. This in part, is to be controlled by the parking standard in Annex 4 of the London Plan and UDP policies.
- 8.41 The retention of 27 car parking spaces is considered to be acceptable in policy terms.
- 8.42 Parking standards for residential is 0.5 spaces per dwelling (no parking allowance for visitors) as set out in the Councils Interim Planning Guidance. The proposal does not increase car parking spaces on site which is in accordance with the Interim Planning Guidance (2007) and the London Plan (2008). Furthermore, the proposed car free development should alleviate concerns associated with traffic generation, congestion. And additional on street parking.
- 8.43 Provision of 3 disabled car parking spaces out of 27 car parking spaces is in accordance with the required 10% disabled parking set out in Planning Standard 3 of the LBTH Interim Planning Guidance (Oct 2007). The details of the car parking provisions will be secured by condition.

Cycle Parking

- 8.44 The London Plan does not designate cycle parking standards. Annex 4 of the London Plan

states that developments should provide sufficient secure cycle parking and supporting facilities in accordance with PPG13. It also acknowledges that TFL has indicative guidance on cycle parking standards.

- 8.45 PPG13 does not adopt a minimum figure for cycle spaces, rather requires that convenient and secure cycle parking is provided in developments at least at levels consistent with the cycle strategy in the local transport plan.

Planning Standard

- 8.46 Planning Standard 3 of the Interim Planning Guidance (Oct 2007) stipulates that 1 cycle space should be provided for each new residential unit. The number of cycle spaces proposed is 40 which therefore exceed the policy requirement for cycle parking spaces. The details of the cycle spaces will be secured by condition.

Sustainability

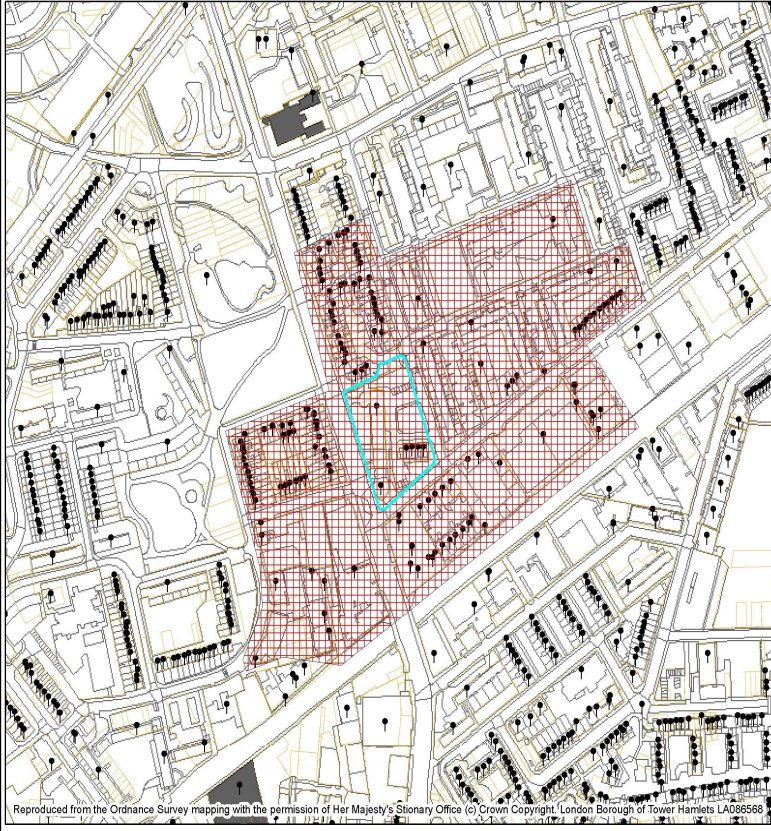
- 8.47 The consolidated London Plan (2008) energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible.
- 8.48 Policy 4A.1 seeks developments to reduce the carbon emissions of carbon dioxide by 20%. This policy advocates that developments should increase the proportion of energy generated from renewable sources and demonstrate the expected energy savings from the energy efficiency and renewable energy measures incorporated in the development, including the feasibility of CHP/CCHP and community heating. Policy 4A.6 requires all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Policy 4A.7 adopts a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.
- 8.49 Combined Heat Power (CHP) and community heating have been discounted on a cost basis with the high capital cost and increased running costs cited as unviable. It is noted that space heating and hot water will be provided by individual high efficiency gas boilers. The inclusion of PV panels & a high efficiency gas boiler are proposed to reduce CO2 emission by 20% (14, 606 kg/yr).
- 8.50 A draft Code for Sustainable Homes assessment has been provided demonstrating that the design currently achieves a Code Level 3 rating (score 60:15). As the proposed development is of relatively small scale it is acknowledged that achieving the required credits for ENE 1 for Code Level 4 (44% reduction) is not considered feasible. It is therefore considered that in this instance a Code Level 3 standard is appropriate.
- 8.51 Subject to conditions relating to heat, domestic hotwater and sustainable homes, it is considered that sustainability matters, including energy, are acceptable and in line with policies 4A.3 to 4A.7 of the London Plan (Consolidated with Alterations since 2004) and policies DEV 5 to DEV 9 of the Council's Interim Planning Guidance (2007) & SP11 of the Core Strategy Development Plan Document (submission document dated Dec 2009) which seek to promote sustainable development practices.

9 Conclusions

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

permission should not be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Validating Officer's Site Map



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Validating Officer's Checklist:

1. Validate the site boundary.
By checking: It is in the right plocaion.
It is the same shape as the Site Plan.
It is based on OS lines (where applicable).
2. Does the Planning Application affect the setting of any Statutory Listed Buildings. If YES mark which Listed Building(s) on the map.
(Refer to note below).
 Yes
 No
3. Define the appropriate consultation area on the map for the Planning Application.
4. Write any missing addresses on the map marking which property they refer to.

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

Please Note: Where a building is shown as listed it is to be noted that everything within the curtilage of the listed building (either attached or unattached) is also listed (except unattached structures built after 1948). This should be carefully borne in mind when assessing the extent of listing. The shaded boundaries may therefore not show all that is listed.

