

Committee: Strategic Development	Date: 7 th March 2011	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director of Development and Renewal	Title: Town Planning Application
Case Officer: Jane Jin	Ref No: PA/10/1734
	Ward: Bromley by Bow

1. APPLICATION DETAILS

Location: Bow Enterprise Park, Cranwell Close, London

Existing Use:

Proposal: Demolition of existing buildings and erection of new buildings between 3 to 20 storeys plus basement and comprising of Use Class B1 (up to 6220sq.m), flexible Use Class A1/A2/A3/A5 (up to 490sq.m), 557 residential units (Use Class C3) (up to 46,844sq.m) comprising 217x1bed, 234x2bed, 93x3bed, 6x4bed, 7x6bed with associated landscaping, highways and infrastructure works.

This application is accompanied by an Environmental Impact Assessment under the provisions of the Town & Country Planning (Environmental Impact Statement) Regulations 1999.

Drawing Nos/Documents: Drawings:
1587 PL 001REV E; 1587 PL 002 REV I; 1587 PL 003 REV G; 1587 PL 004 REV M; 1587 PL 005 REV H; 1587 PL 006 REV H; 1587 PL 007 REV K; 1587 PL 008 REV H; 1587 PL 009 REV H; 1587 PL 10 REV E; 1587 PL 011 REV E; 1587 PL 012 REV E; 1587 PL 013 REV E; 1587 PL 014 REV E; 1587 PL 015 REV F; 1587 PL 016 REV F; 1587 PL 017 REV E; 1587 PL 018 REV E; 1587 PL 019 REV E; 1587 PL 020 REV D; 1587 PL 21 REV D; 1587 PL 022 REV B; 1587 PL 023 REV C; 1587 PL 024 REV C; 1587 PL 025 REV C; 1587 PL 026 REV C; 1587 PL 027 REV D; 1587 PL 028 REV H; 1587 PL 029 REV E; 1587 PL 030 REV E; 1587 PL 031 REV E; 1587 PL 032 REV E; 1587 PL 033 REV E; 1587 PL 034 REV G; 1587 PL 036 REV F; 1587 PL 037 REV F; 1587 PL 038 REV B; 1587 PL 039 REV F.

Documents:
Volume 1: Environment Statement – Non Technical Summary by Entec dated July 2010;
Volume 2: Environmental Statement by Entec dated July 2010;
Volume 3: Environmental Statement Appendixes by Entec dated July 2010;

Response to the Initial Review of the Environmental Statement by Entec dated October 2010;
 Planning Statement by GeraldEve dated July 2010;
 Design and Access Statement by ORMS dated July 2010;
 Design and Access Statement Addendum by ORMS dated November 2010;
 Design and Access Statement Landscape and Public Realm Proposals by Townshend Landscape Architects dated July 2010;
 Waste Management Briefing Note by Hoare Lea dated July 2010;
 Energy Strategy by Hoare Lea dated July 2010;
 Sustainability Statement by Hoare Lea dated July 2010;
 Sustainability Appraisal by Entec July 2010;
 Addendum Transport Assessment & Travel Plan by Savell Bird & Axon dated July 2010;
 Statement of Community Involvement by PPS Group dated July 2010; and
 Employment & Training Statement by Leaside Regeneration Ltd dated July 2010

Applicant: Workspace Group plc
Ownership: Workspace 12 Ltd & Thames Water
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS FULL PLANNING PERMISSION

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Council's Interim Planning Guidance (2007), Adopted Core Strategy (2010), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

2.2 The scheme will provide an employment-led mixed used residential scheme which safeguards the employment uses on-site and would also facilitate locally-based employment, training and local labour opportunities for the local community together with the identified public realm improvements.

The scheme therefore accords with policies 3B.1 and 3B.3 of the London Plan, saved policies DEV3 and EMP1 of the Council's Unitary Development Plan (1998), and policies SP01 and SP06 of the Core Strategy 2010, which seek to support the growth of existing and future businesses in accessible and appropriate locations.

2.3 The building height, scale, bulk and design is acceptable and in line with regional and local criteria for tall buildings. As such, the scheme accords with policies 4B.8, 4B.9 and 4B.10 of the London Plan 2008, saved policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1, DEV2, DEV3 DEV27 and IOD16 of the Council's Interim Planning Guidance (October 2007) and policies SP10 and SP12 of the Core Strategy Development Plan Document 2010 which seek to ensure buildings and places are of a high quality of design and suitably located.

- 2.4 The proposal provides an acceptable amount of affordable housing and mix of units. As such, the proposal is in line with policies 3A.5, 3A.8, 3A.9 and 3A.10 of the London Plan (Consolidated with Alterations since 2004), saved policy HSG7 of the Council's Unitary Development Plan 1998, policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document 2010 which seek to ensure that new developments offer a range of housing choices.
- 2.5 The scheme provides acceptable space standards and layout. As such, the scheme is in line with policy 3A.3 of the London Plan (Consolidated with Alterations since 2004) and policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document 2010 which seek to provide an acceptable standard of accommodation.
- 2.6 The proposed amount of amenity space is acceptable and in line with saved policy HSG16 of the Council's Unitary Development Plan 1998, policies HSG7 of the Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document 2010, which seek to improve amenity and liveability for residents.
- 2.7 The development would form a positive addition to London's skyline, without causing detriment to local or long distant views, in accordance policies 4B.1, 4B.8, 4B.9 and 4B.10 of the London Plan (2008) and policy SP10 of the Core Strategy Development Plan Document 2010 which seek to ensure tall buildings are appropriately located and of a high standard of design whilst also seeking to protect and enhance regional and locally important views.
- 2.8 It is not considered that the proposal would give rise to any undue impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding residents. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998), policy DEV1 of the Interim Planning Guidance (2007) and policy SP10 of the of the Core Strategy Development Plan Document 2010 which seek to protect residential amenity.
- 2.9 Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policies 3C.1 and 3C.23 of the London Plan, saved policies T16 and T19 of the Council's Unitary Development Plan 1998, policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) and policy SP08 and SP09 of the Core Strategy Development Plan Document 2010 which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.10 Sustainability matters, including energy and climate change adaptability are acceptable and in line with policies 4A.4, 4A.6, 4A.7, 4A.14 and 4B.2 of the London Plan, policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007) and policies SP04, SP05 and SP11 of the of the Core Strategy Development Plan Document 2010, which seek to promote sustainable development practices.
- 2.11 Contributions have been secured towards the provision of affordable housing; education improvements; public realm improvements and open space provision; transport infrastructure improvements; social and community facilities; employment & training; health care provision and access to employment for local people in line with Regulation 122 of Community Infrastructure Levy; Government Circular 05/05; saved policy DEV4 of the Council's Unitary Development Plan 1998; policy IMP1 of the Council's Interim Planning Guidance (October 2007); and policy SP02 of the Core Strategy Development Plan Document 2010, which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

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) £358,791 towards Leisure; Libraries; and/or Community facilities;
 - b) £1,540,525 towards Education;
 - c) £527,684 towards Health Care;
 - d) £149,588 towards Public Realm;
 - e) £343,854 towards Open Space;
 - f) £130,000 towards cycle route and infrastructure provision;
 - g) £3,000 towards monitoring Travel Plan
 - h) £440,000 towards public transport infrastructure provision (TfL);
- Total: **£3,000,000**

Non-financial Contributions

- i) 35% affordable housing, measured in habitable rooms;
- j) Commitment to implement a Green Travel Plan;
- k) Commitment to use local labour in construction;
- l) Car-free agreement;
- m) Code of Construction Practice;
- n) Provision of two dedicated car club spaces and entering into an agreement with Carplus accredited operator;
- o) Provision of 40% electric car charging points;
- p) Public access to public open space;
- q) Provision of cycle stands by Devons Road DLR;
- r) Public access through 'Building C' during hours 08:30 to 18:00 Mondays to Fridays.
- s) 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 authority to issue the planning permission and impose conditions and informatives to secure the following matters:

3.6 **Full Planning Permission Conditions**

- 1) Time Limit (3 years)
- 2) Building constructed in accordance with approved plans
- 3) External materials
- 4) Details of Ground Floor elevations – shop fronts; residential entrances; commercial entrances
- 5) 56 wheelchair/wheelchair adaptable units to be implemented
- 6) Disabled parking spaces to be implemented
- 7) Details of CCTV; security lighting and general lighting to be submitted
- 8) External roof top plant/ lift over-run and any enclosures
- 9) No A1/A2/A3 units to be amalgamated
- 10) Hours of operation for A3
- 11) Delivery and servicing plan

- 12) 560 Cycle spaces in the basement level
- 13) Refuse and recycling enclosures
- 14) BREEAM and Code for Sustainable Homes
- 15) Flue and extraction details for A3
- 16) Construction logistics plan
- 17) Boundary treatment
- 18) Hard and soft landscaping including; layout of public square details
- 19) Contamination
- 20) Water supply infrastructure (Thames Water)
- 21) Detail design of public square
- 22) Sustainable Surface water drainage scheme (EA)
- 23) Piling, Ground Source Heat Pumps or any other foundation design details (EA)
- 24) Ecological mitigation and management plan
- 25) Details of carnage/scaffolding
- 26) Noise levels for fixed plant.
- 27) Hours of construction
- 28) Any other conditions(s) considered necessary by the Corporate Director Development & Renewal

3.7 Full Planning Permission Informatives

- 1) Definition of Superstructure and practical completion
- 2) S106
- 3) Contact Thames Water
- 4) Roller Shutters
- 5) Contact National Grid
- 6) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

- 3.8 That, if within 3 months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated the power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal seeks planning permission for the demolition of existing buildings and erection of new buildings between 3 to 20 storeys plus basement. The uses comprise:

- Up to 6220sq.m of Use Class B1;
- Up to 490sq.m of flexible use class A1/A2/A3/A5; and
- 557 residential units (11 studios, 206x1bed, 234x2bed, 93x3bed, 6x5bed, 7x6bed).

The proposal also includes hard and soft landscaping, highways and infrastructure works, engineering works, plant and equipment and all associated works.

- 4.2 The proposal also includes a total of 134 car parking spaces (62 spaces have been designed for wheelchair access) and 560 cycle parking spaces within the basement.

Site and Surroundings

- 4.3 The site is known as Bow Enterprise Park and is located in the Ward of Bromley by Bow. The site is currently used for light industrial activity. The site is bounded by Devon's Road to the north, Violet Road to the west and the Docklands Light Railway (DLR) to the east. At the

northern end of the site is an operational public house which is a Grade II* Listed Building, known as The Widow's Son. Devons Road DLR station is immediately adjacent to the site, and the site area is approximately 1.6ha.

- 4.4 The buildings on the application site currently runs along the edge of the site's boundary and turns it's back to the public highway and poorly relates to the Devons Road and Violet Road streetscapes. This also affects the setting of the Grade II* Listed Building and isolates its presence on the street. The existing railings along the edge of the public footpath separates the pedestrian access with the highway and this only dominate vehicular activities and creates poor pedestrian environment, leading to Devons Road DLR.
- 4.5 Immediately to the South, a consented scheme for Caspian Works is under construction which is a residential-led mixed use scheme. Along Violet Road, a mixture of 3 to 6 storey blocks of residential flatted building of post-war and recent construction prevail. The northern end of Violet Road and area around Campbell Road is comparatively open compared to Violet Road and is typified with 3-4 storey residential flatted buildings.

Relevant Planning History

- 4.6 The following planning history is relevant to the application:
- 4.7 PA/08/2712 Demolition of existing buildings and erection of new buildings between 3 to 20 storeys plus basement and comprising of use Class B1 (up to 6220 sq.m), Flexible Use Class A1/A2/A3/A5 (up to 490 sq.m), Residential Use Class (up to 46,844 sq.m, 559 units comprising of 35 x studios, 184 x 1 bed, 232 x 2 bed, 95 x 3 bed, 6 x 4 bed, 7 x 5/6 bed), hard and soft landscaping, highway and infrastructure works, engineering works, plant and equipment and all associated works.

This application was withdrawn due to concerns raised by officers in relation to the impact of the proposal on sunlight and daylight to residents in Violet Road.

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 Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG4	Industrial, Commercial Development and Small Firms
PPS5	Planning for Historic Environment
PPS9	Biodiversity and Conservation
PPG10	Planning and Waste Management
PPG13	Transport
PPG17	Sports and Recreation
PPS22	Renewable Energy
PPG24	Noise
PPS25	Development and Flood Risk

- 5.3 **Spatial Development Strategy for Greater London (London Plan) Consolidated with alterations since 2004.**

2A.1	Optimising of sites
3A.1	Increasing London's supply of housing
3A.2	Borough's Housing Targets
3A.3	Maximising the potential sites
3A.5	Housing Choice
3A.6	Quality of new housing provision
3A.7	Large residential developments
3A.9	Affordable housing targets
3A.10	Negotiating affordable housing in individual private residential and mixed use schemes
3A.11	Affordable housing thresholds
3A.17	Addressing the needs of London's diverse population
3A.18	Protection and enhancement of social infrastructure and community facilities
3B.1	Developing London's economy
3B.2	Office demand and supply
3B.3	Mixed use development
3C.1	Integrating transport and development
3C.2	Matching development to transport capacity
3C.3	Sustainable transport in London
3D.12	Open Space Strategy
3D.13	Children and young people's play and informal recreation strategies
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.11	Living Roofs and Walls
4A.12	Flooding
4A.13	Flood risk management
4A.14	Sustainable drainage
4A.16	Water supply and resources
4A.18	Water and sewerage infrastructure
4A.20	Reducing noise and enhancing soundscapes
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture and design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.8	Respect local context and communities
4B.9	Tall buildings - location
4B.10	Large-scale buildings – design & impact
4B.12	Heritage conservation
4B.15	Archaeology
4B.16	London view management framework
4B.17	View management plans

5.4 Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use development

DEV4	Planning Obligations
DEV8	Protection of local views
DEV12	Provision of Landscaping in Development
DEV50	Noise
DEV51	Contaminated Land
HSG7	Dwelling mix & type
HSG13	Impact of Traffic
HSG16	Housing amenity space
EMP1	Promoting Employment Growth
EMP7	Work Environment
T16	Traffic Priorities for new development
T18	Pedestrian Safety and Convenience
T21	Existing Pedestrians Routes
U2	Consultation Within Areas at Risk of Flooding
U3	Flood Defences

5.5 Interim Planning Guidance for the purposes of Development Control

Policies:	IMP1	Planning obligations
	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Sustainable Drainage
	DEV10	Disturbance from Noise Pollution
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and tree preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV25	Social Impact Assessment
	DEV27	Tall Buildings
	EE2	Redevelopment /Change of Use of Employment Sites
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable housing provisions in individual private residential and Mixed –use schemes
	HSG4	Varying the Ratio of social rented to intermediate housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and adaptable homes
	CON4	Archaeology and Ancient Monuments
	CON5	Protection and Management of Important Views

5.6 Adopted Core Strategy Development Plan Document (September 2010)

SP02	Urban living for everyone
SP03	Creating healthy and liveable neighbourhoods
SP04	Creating a green and blue grid
SP06	Delivering successful employment hubs

SP08	Making connected places
SP09	Creating attractive and safe streets and spaces
SP10	Creating distinct and durable places
SP11	Working towards a zero-carbon borough
SP12	Delivering placemaking
SP13	Planning Obligation
LAP5 & 6	Bow Common

5.7 Supplementary Planning Guidance/Documents

SPG	Designing Out Crime
SPG	Residential Standards

5.8 Community Plan

The following Community Plan objectives relate to the application:

- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

6. CONSULTATION RESPONSE

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

6.1 The following were consulted regarding the application:

Greater London Authority – Stage I response

- 6.2
- § The land use approach is broadly consistent with the land use aspirations for the site as identified within the Lower Lea Valley Framework and is consistent with the objectives of the London Plan to deliver housing as part of mixed use development.
 - § The quantum of affordable housing proposed will be 35%, split as 80% social rent and 20% intermediate. The proposed offer will need to be supported by evidence to meet the policy test set out in 3A.10 regarding the maximum reasonable amount.
 - § With regards to the split 80:20, whilst the approach does not reflect the emerging strategic approach to affordable housing split, the approach is consistent with current policy in terms of meeting identified need within the borough and contributing to the London wide need for larger family units within the social rented sector.
 - § The proposal provides a density of 993 habitable room per hectare. The site is in an urban location and has a public transport accessibility level of 4. The London Plan guides a density range in this type of location between 450 and 700 habitable room per hectare. A higher density may be considered acceptable in cases where there are other strategic benefits associated with the application. In this case there is a significant contribution to family accommodation, private and public amenity space and high quality design. Having regard to particular circumstances of this case, the density is broadly acceptable in this instance.
 - § The housing mix caters for a range of family accommodation.
 - § The overall design principles of site layout, massing and urban design are supported for this scheme. It appears to successfully respond to a range of complex site constraints including the listed pub building, incorporating light industrial and commercial with residential activities, and providing a range of unit types and residential settings within the site.
 - § The proximity of the building at its closest to the DLR station and bus interchange. The height scale and massing is supported as making a positive contribution to the skyline. There is no impact on strategic views.

- § The architecture is high quality and is set in the context of other similar scale buildings in the vicinity of the development.
- § The landscape and open strategy remains fairly robust as previously submitted and allocates play space for each age groups as identified within the SPG.
- § All flats have been designed to meet the Lifetime Home Standards and 10% of flats will be wheelchair accessible or adaptable.
- § The following needs further discussion:
 - § 1. Affordable housing – further discussion and testing is required regarding the affordable housing quantum.
 - § *[Officer's comment: The applicant has submitted Viability Assessment and its findings support 35% affordable housing]*
 - § 2. Urban design – further discussion is required regarding the use of public square, the design rationale and delivery mechanism for public art at the entrance to the DLR and an assessment against the Mayor's Housing SPG and Housing design guide.
 - § *[Officer's Comment: Public Art is no longer a part of the development proposal and there is insufficient funding as relates to the viability assessment to secure this. Officers consider that the space would be better utilised for cycle docking station which is secured as part of the S106]*
 - § 3. Transport – TfL require further discussion regarding a financial contribution towards buses; the design of the Devons Road/Violet Road junction; further details of the layout and accessibility of new bus stops; full details of the design of the station entrance
 - § *[Officer's comment: The financial contributions are discussed under S106 contributions and the junction improvements are no longer pursued by the Council].*

Metropolitan Police Authority

- 6.3 Initially requested a provision of policing floorspace within the development however since withdrawn their representation.

English Heritage

- 6.4 EH recommended that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice. EH also consider that the omission of the piers, a feature of the proposed block in the earlier version, make the proposed structure more visually intrusive in relation to the Grade II* listed public house.

[Officer's Comment: The Council's Design Conservation Officer has taken into account these comments and on balance does not consider the omission of the pillars to significantly impact the Listed Pub. The overall scheme significantly enhances the setting of the listed building and therefore is supported.]

6.5 Environment Agency

EA have no objection to the proposal subject to the two suggested planning conditions in relation to surface water discharge and piling details.

English Heritage (Archaeology)

- 6.6 The present proposals are not considered to have an affect on any significant archaeological remains. The map regression exercise has shown that the site has been subject to considerable truncation in the past, including railway cuttings and sidings. The general archaeological potential for the area is also considered to be low, as there are few known finds or spots of archaeological interest.

London City Airport

- 6.7 The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly, London City Airport has no safeguarding objection to the proposal subject to a planning condition.

Natural England

- 6.8 No objections subject to a condition which requires the developer to produce an Ecological Mitigation and Management Plan.

London Fire and Emergency Authority

- 6.9 The Brigade is satisfied with the proposals.

National Air Traffic Services Safeguarding

- 6.10 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS Limited has no safeguarding objections to this proposal.

British Waterways

- 6.11 After due consideration of the application details, British Waterways has no objections to the proposed development but make the following comment:

'...the proposed development would bring more people to the area who would benefit from the waterside location, its surroundings, and the convenient links provided by the towpath. However this puts additional pressure on local open spaces, such as the Limehouse Cut and its towpath, and it is therefore considered that the proposed development presents an opportunity to contribute to environment improvements of the local canal environment. We would therefore request a financial contribution from the development to help improve the Limehouse Cut environment...'

[Officer's comments: Financial contributions are discussed later in this report under the heading S106 Contributions]

Olympic Delivery Authority

- 6.12 Olympic Delivery Authority Planning Decisions Team has no comment to make in respect of the proposals set out in the application.

NHS Tower Hamlets

- 6.13 Impact on Healthcare: This development is not the only proposed scheme taking place in this locality; it along with others will cumulatively contribute towards demands on health including GP services. The development will therefore have a significant impact on healthcare in the locality in which it is sited. The planning contribution required to mitigate this impact has been calculated using Health Urban Development Unit Model version 2.

- 6.14 Provision of A5 use Class: The contention is that an over-concentration of fast food outlets does 'detract from the ability to adopt healthy lifestyles. Within Bow Common there are already a number of hot food takeaways. Close to the development within 200m there are at least 3 hot food take-aways. We feel that the provision of this level of A5 uses is an over-concentration and in line with Policy SP03 of the core strategy and as such no A5 uses should be approved on the development. *[Officer's comment: A5 uses have now been*

omitted from the proposal.]

Thames Water

- 6.15 Thames Water have no objections subject to the attachment of two conditions requiring the details of drainage and water supply be provided.

National Grid Policy

- 6.16 Due to the nature of the planning application and the presence of National Grid apparatus within the above mentioned site, the contractor should contact National Grid before any physical works are carried out to ensure that the apparatus is not affected by the works.
[Officer's comment: An informative will be included for the applicant to contact National Grid]

LBTH Education Development Team

- 6.17 The proposed dwelling mix has been assessed for the impact on the provision of school places. The mix is assessed as requiring a contribution of £1,749,940.

LBTH Waste Policy and Development

- 6.18 The consideration of alternatives and options has been reviewed and the quantity of containers per block/bin storey checked; which has displayed a quality approach. This will ensure that enough capacity for residential waste is provided for and will increase the likelihood of residents participating in our recycling service.

LBTH Ecology Officer

- 6.19 To date no comments have been received.

LBTH Transport and Highways Team

- 6.20 Parking:

The site has a PTAL rating of 3 and 4 which demonstrates that an average level of public transport service is available within the immediate vicinity of the site. The applicant has advised that they are willing to enter into a permit free agreement. A total of 141 car parking spaces are proposed at the basement level of which 136 are associated with the 557 residential units, representing a provision of 0.24 which is in line with parking provision as set out in Planning Standard 3 of the IPG. The remaining 5 car parking spaces are for the use of non-residential land uses, this also is in line with policy which states that the maximum parking for B1/light industrial is 1 space per 1250sq.m.

[Officer's comment: It should be noted that the parking levels have been reduced to 134 spaces in total]

Cycle Parking:

A total of 620 cycle spaces are to be provided for the residential units (560 for residents and 60 for visitors to the residential units). In addition a further 28 cycle spaces are to be provided for the staff and visitors to the non-residential uses. The applicant has confirmed that all cycle parking is to be provided in the form of Sheffield stands. In addition S106 monies are sought to improve cycling route and infrastructure. The Highways team raise no objection to this provision.

Servicing arrangements:

The applicant has indicated that all servicing will take place from an on-site location and has submitted swept path analysis drawings which demonstrate that a service vehicle can enter and exit the site in a forward gear. The Highways team raise no objection to this provision.

Refuse Arrangement:

On-street refuse collection is acceptable from this site, however as with all the highway works, the alteration that are required to facilitate refuse collection will be done under s278 Agreement at the applicant's expense.

Travel Plan:

A Framework Travel Plan has been submitted in support of this application. The requirement for Travel Plans should be included as part of a Section 106 Agreement.

LBTH Energy Efficiency Unit

- 6.21 Considers that the proposed development should target a Code Level 4 rating for all residential units and BREEAM Excellent for all non-residential elements. Full justification, including an evidence base, should be provided where the Code for Sustainable Homes Level 4 and BREEAM Excellent ratings cannot be met.

[Officer's comment: The applicant has confirmed that Code for Sustainable Homes Level 4 rating in all residential units will be achieved and a BREEAM excellent rating for commercial elements]

LBTH Environmental Health (Contaminated Land)

- 6.22 Considers that the desk based works which form the Phase 1 Land Quality Assessment and the additional intrusive site investigation undertaken is satisfactory. They consider that a qualitative and quantitative assessment of the data in order to quantify the potential risks to site receptors will be required and this has been conditioned.

LBTH Policy

- 6.23 The proposal addresses issues such as sustainability with design, permeability and accessibility, inclusivity and good urban design. And provides for a sustainable mix of uses within an identifiable local area. This approach strongly complies with the Council's Core Strategy policies and vision for places.
- 6.24 The issue of the loss of a proportion of employment floorspace is one that the Council would rather resist where this is possible, particularly as the borough's SIL areas are set to be delineated with development pressured on Fish Island. The AMR has shown a notable drop in employment floorspace over the monitoring period and this is a trend that the Council would prefer to limit. However, the additional benefits that the scheme will deliver – including high-quality employment units, significant delivery of residential enhancements to the neighbourhood centre with accompanying environmental improvements – outweigh the limited loss of floorspace in this case and there are no policy objections to the scheme as proposed.

LBTH Strategic Transport

- 6.25 We are seeking to improve public realm of the surroundings at Devons Road and Southern Grove Road. Financial contributions should be sought to improve public realm and

landscaping of Southern Grove.

LBTH Sustainability

- 6.26 S106 funding should be secured to improve cycle route and other cycling infrastructure within the vicinity of this development.

LBTH Housing Strategy

- 6.27 The development would produce 35% affordable housing by habitable room, this is acceptable. The proposed tenure split between social rent and intermediate accommodation is 80:20 (by habitable rooms) in favour of social rent.
- 6.28 The proposal provides an under provision of two beds for social rent, but we find this acceptable in this instance. This is due to the over provision of family accommodation for social rent. There is no provision of 3 bed accommodation in the intermediate element and we would normally prefer provision of 3 beds in this tenure. Again, in this instance we find this acceptable as there will already be a high child density on the development due to the large provision of family housing or social rent. In addition, this is the type of housing in most need in this borough.
- 6.29 All units, across the tenures should comply with the Lifetime Homes standards. The proposal will also deliver a policy compliant 10% provision of wheelchair units. The applicant proposed to provide the majority of the wheelchair units on the ground level, which is supported and enable these units to fully comply with our accessibility criteria.

LBTH Access Officer

- 6.30 Not all wheelchair housing units show a wheelchair charging points at the entrance.
[Officer's comment: The plans have been amended to show charging area near the entrances].

The gradient 1:40 from the development to the DLR is the desired level change which is consistent with best practice contained within 'Inclusive Mobility' by the DFT. *[Officer's Comment: The gradient achieved is 1:21 which is compliant with the British Standards]*

7. LOCAL REPRESENTATION

- 7.1 A total of 781 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No. of individual responses:	4	Objecting:	4	Supporting:	0
No. of petitions received:	0				

- 7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:
- 7.3
1. Proposed building up to 20 storeys is too tall for the area
 2. loss of early morning sunlight from the proposal on the western side of Violet Road
 3. Poor outlook and being overlooked
 4. Uncertainty as to whether the employment space and retail space will be delivered, and whether these spaces will be turned into residential units as evident from other recent

developments

5. Nuisance from construction and proposed highway works
6. Insufficient onsite parking
7. views and light levels reduced
- 8 Overcrowding

Officer's Comment: Residents objections are dealt with in section 8 of this report.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use & Employment
2. Housing
3. Design
4. Amenity
5. Transport
6. Sustainability
7. Section 106 Agreement

Land Use and Employment

8.2 The application site does not fall within any designation within the adopted Unitary Development Plan, 1998, (UDP). However, it is adjacent to Industrial Employment Areas and the site is in an employment use at present.

8.3 Within the adopted Core Strategy 2010 (CS) the site is identified in LAP 5 and LAP6 (Bow Common) as a vision for creating a new centre in and around Devons Road DLR integrating the transport node with mixed use development. There is no other formal designation within the CS. The proposal is in line with the vision as identified and the proposed uses (A1/A2/A3 and B1 uses) would create a new centre around Devons Road DLR.

8.4 The site is currently occupied by Bow Enterprise Park, an industrial estate with some 30 small single storey units and 2 larger units within B1 and B8 uses. The estate has a total of 7,432sq.m of employment floorspace.

8.5 The proposal will provide up to 6,220sq.m of B1 Use Classes. The B1(a) is proposed to be located to the northern end of the site along with the proposed retail spaces, which would provide activate the frontage and pedestrian route along and to the DLR station. The B1(c) uses (light industrial) are proposed to be contained within the rear of the site alongside the DLR tracks with servicing and vehicular access.

8.6 The proposed B1(a) will provide for a gross floor area of 4,302sq.m and will be located over five floors within the northern end of the site. The spaces are proposed as open plan which will allow for flexible layout for future users. The proposed B1(c) provides 1,903sq.m located on the eastern side of the site, along the DLR tracks. The proposed workspaces are also open plan, which allows for flexible layout for future users and in particular for Small Medium Enterprises (SME). The applicant have indicated that the combined employment spaces have the potential to provide a range of unit sizes, and being subdivided to create over 50 new units.

8.7 Policy SP06 sets out that the Council promotes 'the creation of a sustainable diversified and balanced economy by ensuring a sufficient range, mix and quality of employment

uses and spaces, with a particular focus on the small and medium enterprise sector.' Supporting text to the policy indicates that industrial and warehousing related employment activities, such as some of those existing on-site have been in decline for some time. Therefore, the proposed redevelopment of the site to provide SME units offers the potential to address modern employment floorspace needs as part of an integrated development.

8.8

The proposal will provide intensified employment offer on site. The applicant indicates that currently out of 32 units, 10 units within the site are vacant which represents 30% of the total lettable floorspace. This is mainly due to the existing units being design for industrial uses which is in decline in East London area. It is indicated that there would be an increase of net employment from 100 existing jobs to 300 new jobs on completion of the proposed development.

8.9

The proposed development is considered to improve the employment offer than that currently exists on-site. Whilst the proposal would result in a loss of a proportion of employment floorspace, the benefits of the proposed scheme, one of which is the higher quality employment floorspace, and the likely higher job densities outweigh the limited loss of floorspace. The proposal would retain majority of employment floor space in a modernised and more employment generating format. This will deliver benefits to the local environment and local economy as set out in the Core Strategy; and promote employment growth and small businesses as set out in policies EMP1 and EMP8 of Unitary Development Plan 1998.

Housing

Density

8.10 Policy HSG1 of the IPG specifies that the highest development densities, consistent with other Plan policies, will be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and type of housing proposed. Consideration is also given to standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.

8.11 The site has a public transport accessibility level (PTAL) of 3 and 4. For urban sites with a PTAL range of 4, the IPG and London Plan seeks to provide a density of between 450-700 habitable rooms per hectare on the site. The proposed residential density would be 884 habitable rooms per hectare. In numerical terms, the proposed density would exceed the density range, however, the intent of the London Plan and Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity.

8.12 It should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:

- Access to sunlight and daylight;
- Lack of open space and amenity space;
- Increased sense of enclosure;
- Loss of outlook;
- Increased traffic generation; and
- Impacts on social and physical infrastructure.

8.13 Although the density is higher than the range of the London Plan and IPG, it is considered acceptable for the following reasons which are analysed in depth later in the report:

- There are no material impacts identified for neighbours, for example, overshadowing, microclimate, loss of outlook, loss of privacy that on balance would warrant of refusal of permission.
- There are no material impacts identified for future residents including noise and air quality as discussed later in section 8 under 'Amenity for future occupiers';
- There are insufficient symptoms of overdevelopment for example, poor design (see 'Design'), insufficient floorspace for residential accommodation, inappropriate housing mix (See 'Housing');
- The proposal provide an excess of the required amenity spaces (see 'Housing');
- The scheme is considered to be of high architectural quality (See 'Design');
- The scheme has acceptable access to public transport (See 'Transport');
- The GLA stated within their Stage 1 response that such a density is acceptable having regard to the scheme's provision of significant contribution to family accommodation, private and public amenity space and high quality design and suitable access to sustainable nodes of transport.

8.14 In light of the above, the density is considered acceptable given that the proposal poses no material adverse impacts and is appropriate to the area and context.

Affordable Housing

8.15 Adopted UDP Policy HSG3 seeks an affordable housing provision on sites capable of providing 15 or more units in accordance with the Plan's strategic target of 25%. 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 as well as the borough's own affordable housing targets. Policy SP02 of the CS states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target until 2025, with requirement of 35% - 50% of affordable housing provision on site providing 10 new residential units or more (subject to viability).

8.16 A total of 171 of 557 residential units within the proposal will be affordable, which represents a total provision of 35% based on habitable rooms. The scheme therefore satisfies the Council's CS and Housing Needs Survey targets.

8.17 The applicant has also carried out a viability assessment to ensure that 35% of affordable housing can be delivered in the current economic climate and also without any Grant Funding from Housing and Communities Agency (HCA). The viability toolkit was been tested by an independent consultant, appointed by the Council, and it has been confirmed that the proposal can only deliver 35% affordable housing and a reduced S106 contribution and no more. The CS accepts that the level of affordable housing is subject to the viability of a scheme. In any event, even without granting funding the scheme can deliver 35% and is therefore acceptable. In relation to S106 contribution, this is discussed at Chapter 8.101 of this report.

Housing Mix

8.18 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”.

- 8.19 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.”
- 8.20 Pursuant to Policy HSG7 of the UDP 1998, new housing development should provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms. On developments of 30 dwellings or more, family dwellings should normally be in the form of family houses with private gardens. The proposal provides sufficient family housing accommodation and on the ground floors which have access to their private gardens. The total amount of family units (i.e. 3 bed units or more) equate to 19% of the total units proposed. The proposal also includes 5 and 6 bedroom family sized units which is welcomed as they are in much demand in this borough. The following Table 1 below shows the breakdown of the residential mix.

Table 1 Residential Mix

Unit Size	Total Units in the scheme	Affordable Housing						Market Housing		
		Social Rented			Intermediate			Private Sale		
		Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	11	0		0	0		0	11	3	0
1 bed	206	27	21	20	22	49	37.5	157	41	37.5
2 bed	234	34	27	35	23	51	37.5	177	46	37.5
3 bed	93	52	41	30	0	0	25	41	11	25
4 bed	0	0	0	10	0	0		0	0	
5 bed	6	6	11	5	0	0	0	0	0	0
6 bed	7	7			0	0	0	0	0	0
Total	557	126			45			386		

- 8.21 Policy SP02 of the CS seeks to create mixed use communities. A mix of tenures and unit sizes assists in achieving these aims.
- 8.22 According to policy HSG2 of the IPG, the family housing provision in Social rented, Intermediate and Private sale components should be 45%, 25% and 25%, respectively. The proposal provides 52%, 0% and 11% family housing in Social Rented, Intermediate and private sale units, respectively. Whilst there are no family sized units within the Intermediate, the Council’s Housing Officer is satisfied with the dwelling mix as there is an over provision of family sized units within the social rent where there is high demand and in need throughout the borough, and therefore the proposed mix is satisfactory. In addition, the proposed 6 bedroom accommodations are houses, integrated with the development, fronting Violet Road with its own private front and rear gardens and therefore this is most welcomed.

Social Rented/Intermediate Shared Ownership and Housing Mix

- 8.23 The following Table 2 summaries the affordable housing social rented/intermediate split proposed against the London Plan and IPG.

Table 2.Social Rent/Intermediate Split

Tenure	The Proposal	IPG 2007	London Plan 2008	CS 2010	Draft London
Social Rent	80%	80%	70%	70%	60%
Shared Ownership	20%	20%	30%	30%	40%
Total	100%	100%	100%	100%	100%

- 8.24 As it can be seen from the table above, there is a change in the nature of the tenure split over time. The proposed tenure split is reflective of the IPG targets. This is considered to be acceptable given that the proposal would provide the much needed social housing in the borough and the large proportion of the social housing are family units. The Council's Housing Officer is also satisfied with the proposed tenure mix.

Wheelchair Housing and Lifetime Homes

- 8.25 Policy HSG9: Accessible and Adaptable Homes of the IPG and Policy SP02 require housing to be designed to Lifetime Homes Standards including 10% of all housing to be designed to a wheelchair accessible or 'easily adaptable' standards. A total of 56 units (10%) are provided, in compliance with this policy. The wheelchair units are also vary in size and there are family sized accommodation which have been designed to a wheelchair accessible or 'easily adaptable' standards.

Floorspace Standards

- 8.26 Saved policy HSG13 'Conversions and Internal Space Standards for Residential Space' of the adopted UDP 1998 and Supplementary Planning Guidance 'Residential Space' (adopted 1998) set the minimum space standards for residential developments.
- 8.27 The proposed flats have total floor areas and individual room areas comply and some flats and houses provide over and above the minimum standards.

Amenity Space

- 8.28 Pursuant to PPS3, paragraph 16 states that, the matters to consider, when assessing design quality in housing developments, include the extent to which the proposed development "*provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies*". Further still, paragraph 17 of PPS3 states that "*where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space*".
- 8.29 Saved policy HSG 16 'Housing Amenity Space' of the adopted UDP 1998 requires schemes to incorporate adequate provision of amenity space. The Residential Space SPG 1998 sets the minimum space criteria. Similarly, Policy HSG7 'Housing Amenity Space' of the IPG sets minimum criteria for private as well as communal and children's

playspace.

The proposal provides an on site provision involving the creation of a linear public open space within the central part of the development site). A linear open space is proposed to connect up with the linear stretch of open space with the neighbouring Caspian Wharf development to the South, linking the open spaces down to the Limehouse Cut Canal as shown in Figure 1 below. The amenity space standards of the UDP and IPG are summarised in Table's 3 and below.

Figure 1 Open Space Provision



Table 3 Amenity Space and 1998 SPG standards

Tenure	Proposed	SPG Requirement	Total (m²)
Family Units	106	50sqm of private space per family unit	5,300
Non-family units	451	50sqm plus an additional 5sqm per 5 non-family units;	500
Child Bed spaces	144	3sq.m per child bed space	432
Total			6,232

8.30 The Table 4 below indicates the amenity space required in accordance with Policy HSG7 of the IPG:

Table 4 Interim Planning Guidance

Units	Total	Minimum Standard (sqm)	Required Provision (sqm)
Studio	11	6	66
1 Bed	206	6	1,236
2 Bed	234	10	2,340
3 Bed	93	10	930
4 Bed	0	10	0
5 Bed	6	10	60
6 Bed	7	10	70
TOTAL	557		4,702
Communal amenity		50sqm for the first 10 units, plus a further 5sqm for every additional 5 units	595
Child bed spaces		144	432
Total Housing Amenity Space Requirement			5,729sq.m.

8.31 The redevelopment proposes to provide amenity space for all residents on the form of balconies, roof top terraces and private gardens. The total private amenity space provision equates to approximately 11sq.m. per dwelling. The communal amenity space and child play space will be provided as a flexible space in the centrally located public accessible open space.

8.32 As detailed below within Table 5, the application proposes a total of 6079sq.m of private amenity space, which exceeds the IPG requirement of 4,702sq.m and the Adopted UDP requirement of 5,800sq.m. Policy HSG7 of the IPG also requires 595sq.m of communal open space and 432sq.m of child play space for this development. The London Plan

requires a child play space quantum of 1,918sq.m based on approximately 144 children living within the proposed development with a requirement of 10sq.m per child. As detailed above, the application proposes a flexible communal and play space area, which totals 4,455sq.m in area. This space is over and above the minimum required for child play space and communal open space. It is therefore considered that the proposal satisfies the requirements of both the Interim Planning Guidance and the London Plan.

- 8.33 It should also be noted that part of the open space in a form of public square at the northern end of the site, creating improved entrance to the DLR and active frontage around the Grade II* Listed pub. This area equates to 1,005sq.m as part of proposed centrally located publicly accessible open space.

Table 5 Proposed Amenity Space (sq.m)

	LBTH Policy Requirement		London Plan Policy Req't	Proposed within scheme
	UDP	IPG		
Private Amenity Space	5800	4702.	N/A	6,079
Communal and Publicly Accessible Open Space		595	N/A	4,455 flexible communal and child play space and publicly accessible open space including public square
Child Play Space	432	432	1,918	
Total	6232	5729	1,918	10,534

- 8.34 The proposal is considered to be an exemplar development which provides beyond the minimum requirement in quantity but also creating a quality usable space for both the future residents of the development and the public in general. The open space which is located centrally also benefits from natural surveillance from the proposed units. This is ideal for child play spaces, for all age groups.

Design

Introduction

- 8.35 PPS1 promotes high quality and inclusive design, creating well-mixed and integrated developments, avoiding segregation, with well planned public spaces. The PPS recognises that good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development.
- 8.36 Policy 4B.1 of the London Plan 'Design Principles for a Compact City' requires schemes, inter alia, to create/enhance the public realm, respect local context/character and be attractive to look at.
- 8.37 Good design is central to all the objectives of the London Plan. 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 high quality design, which incorporate the principles of good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.

- 8.38 Policies DEV1 and DEV2 of the UDP and policy CP4 of the IPG October 2007 state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV3 of the IPG seeks to ensure inclusive design principles are incorporated into new development. Policy SP10 of the Core Strategy Development Plan Document (2010) reinforces this.

Tall Buildings

- 8.39 Policy 4B.8 of the London Plan states that tall buildings will be promoted where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.9 of the London Plan (February 2008) provides detailed guidance on the design and impact of such large scale buildings, and requires that these be of the highest quality of design. Policy 4B.10 'Large-Scale Buildings – Design and Impact' provides further guidance on design considerations, including context, attractiveness and quality.
- 8.40 Policy DEV6 of the UDP specifies that high buildings may be acceptable subject to considerations of design, siting, the character of the locality and their effect on views. Considerations include, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference.
- 8.41 Policy DEV27 of the IPG October 2007 states that the Council will, in principle, support the development of tall buildings, subject to the proposed development satisfying a wide range of criteria.

Analysis

- 8.42 The application proposes the erection of buildings at various heights from 3 storeys to 20 in height. The tallest building is at 20 storeys adjacent to the DLR tracks and is articulated as 3 elements using north-south axis of the site. The three parts of the tall building creates slenderness and is broken down into part 20, part 18 and part 14 storey building. The rationale for the taller building in this location is also considered to be appropriate in the context of providing a transition from the three towers at the Crossways to the recently approved and currently under construction of Caspian Wharf to the south of the site.
- 8.43 The proposed tall building element of the development is considered to be well thought out in the context of the overall site layout and massing distribution of the proposed development. The tall building marks the new public square as proposed in front of the DLR station as a 'Place' and is considered to contribute to the enhancing the existing streetscapes. The Place also identifies the DLR as a destination whereas currently, the entrance to the DLR station is not clearly defined within the streetscape. The public square around the Grade II* Listed Pub and the location of the tall building to the south of the Pub also respects and enhance the current setting of the Pub. The architectural quality is also considered to be of high standard which would improve the streetscene and the locality in general.

Buildings of similar height have been approved on the St Andrews Hospital site to the North East of the proposal where two towers of 18 and 27 storeys in height are proposed

- 8.44 The proposal also is inline with the Bow Common Vision as part of delivering placemaking as identified in the Core Strategy. The proposal would deliver the priorities in delivering a neighbourhood centre around the Devons Road DLR through identifying and marking the

centre with a public square and tall building and active street frontages.

- 8.45 GLA have also stated in their Stage I response that:
'The proximity of the building is at its closest to the DLR station and bus Interchange. The height scale and massing is supported as making a positive contribution to the skyline. There is no impact on strategic views. The building will be visible from certain local views, but this will contribute to identifying Devons Road DLR station and improve legibility within the area. The architecture is high quality and is set in the context of other similar scale buildings in the vicinity of the development.'
- 8.46 Policy DEV27 of the IPG (2007) provides a number of criteria against which the proposal has been assessed including design, impact, sustainability, strategic views and mix of uses. On balance, it is considered that the proposal complies with this policy.

Massing, scale and design

- 8.47 The proposed massing is well distributed across the site. The low and mid-rise buildings are proposed to the southern end of the site with greater massing to the eastern boundary (adjacent to DLR railway tracks). It is considered that buildings of this scale are can sit more comfortably against the DLR track. As it can be seen from Figure 2, the taller building rationalises with the massing of the buildings to the eastern boundary. To the Violet Road frontage the heights of the building are lower than the buildings along eastern boundary, and rises from three storey terraced family dwelling houses integrated with the development to 4, 5 and 6 storey at the highest. This reflects the existing scale of buildings on Violet Road. The difference in massing along Violet Road and treatment of the facades helps to break up the long elevation and articulate the scheme by presenting distinct residential blocks.

The applicant has sought to introduce interest and artistic interpretation by including an overhang over stairs from the public square leading directly to Devons Road DLR. The overhang serves two functions as it allows light to the stairway through a "square void" whilst introducing a visual cue at street level.

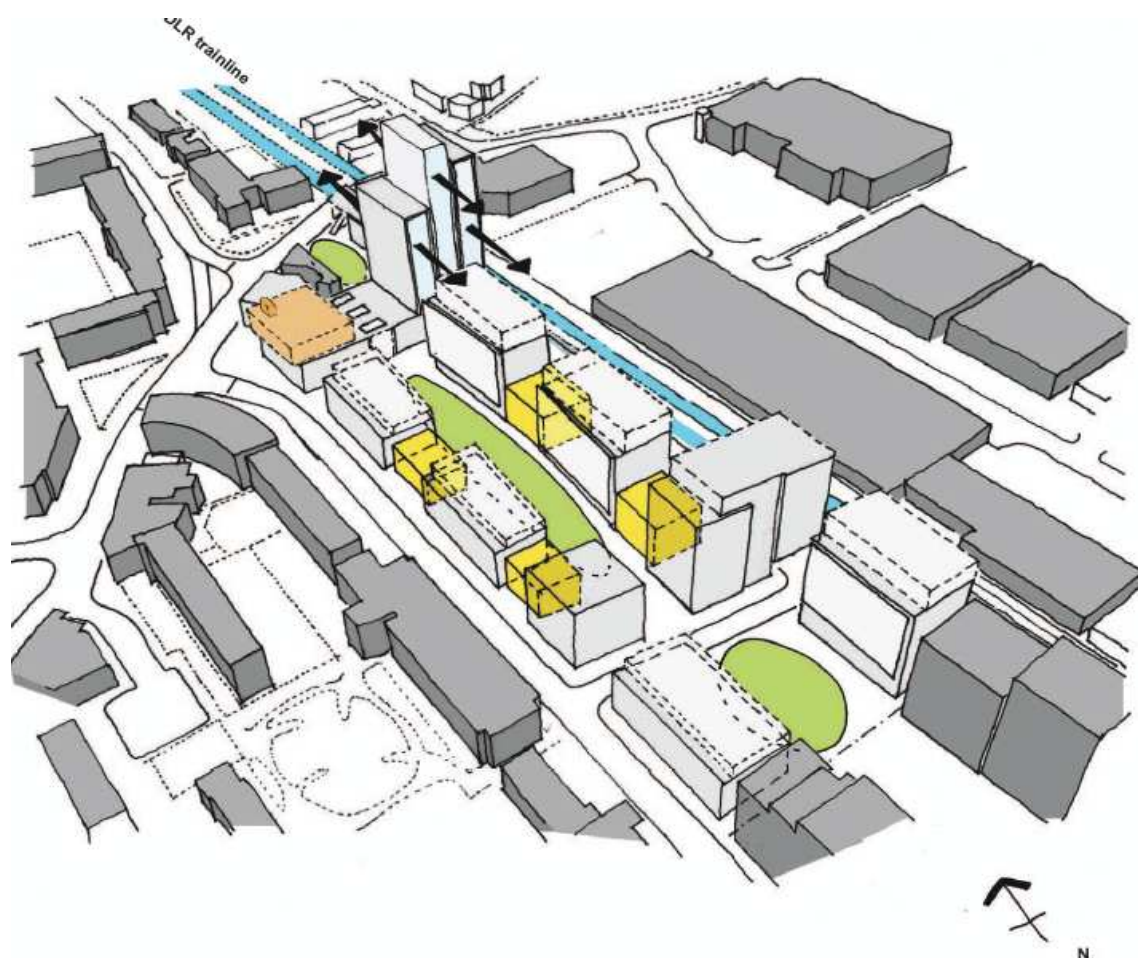


Fig 2 Massing Diagram

Heritage Issues

- 8.48 PPS5 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a listed building to have special regard to the preservation of the setting of the listed building as the setting is often an important part of the building's character.
- 8.49 Policy 4B.11 of the London Plan (2008) seeks to protect and enhance London's historic environment. Furthermore, Policy 4B.12 states that Boroughs should ensure the protection and enhancement of historic assets based on an understanding of their special character.
- 8.50 Policy CON1 of the IPG (2007) states that planning permission will not be granted for development which would have an adverse impact upon the setting of a listed building.
- 8.51 As explained earlier, the proposal improves the setting of the Grade II* Listed Building due to creation of a new public square around the Building which opens up the space around it. Currently, the existing buildings on the application site turn their backs on the streets resulting in the listed building being an isolated feature on the street. The new active frontages and public square will activate the listed building and better integrate it to the proposed development and the general activities surrounding it.
- 8.52 Therefore, in accordance with the aforementioned policies, the proposal will enhance the setting of the listed building.

Connectivity

- 8.53 The proposal vastly improves public realm in the area and connectivity within and around the development. The incorporation of the public square and publicly accessible open space positively redefines the DLR station public access around it. The proposal also includes pedestrian access through the centre of the site enabling people to use the central courtyard garden. The access to the site is via B1 Employment space and will be provided during working hours 8am to 6pm, which will be secured through S106. This will provide direct public access to the open space during the day. Outside the working hours, public access will still be achieved via Violet Road.
- 8.54 Apart from the servicing area for the employment spaces along the eastern boundary, abutting the DLR railway tracks, the site is not gated and will be open to the public. This is considered to have significant benefits to the local community in enhancing the provision of usable open space.

Safety and Security

- 8.55 In accordance with DEV1 of the UDP (1998) and DEV4 of the IPG (2007), all development is required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments. The development of the scheme was also done through discussions with the Metropolitan Police Crime Prevention Officer prior to submission to ensure that the scheme was developed with safety and security in mind. The main reason for the public access through the B1 Employment space rather than an open alley access was purely to allow direct access to the open space but also to avoid any potential anti-social behaviour. Given that the proposed centrally located open space can be accessed via Violet Road at hours outside working hours, the controlled access through the building is considered appropriate and is supported by the Crime Prevention Officer. In addition, to ensure the safety and security of the scheme it is recommended a condition to secure a CCTV and lighting scheme is submitted for approval.

Amenity

Daylight and Sunlight

- 8.56 DEV2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.57 Policy DEV1 of the IPG states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. This policy is supported by policy SP10 of the Core Strategy 2010.
- 8.58 Policy 4B.10 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.
- 8.59 The submitted Environmental Statement details that residential flats are to be considered 'sensitive receptors', which contain habitable rooms*. These are:
- 2-6 Violet Road;

- 10-40 Violet Road;
- 42-44 Violet Road;
- 46-62 Violet Road;
- 75 Devons Road (Widows Son Pub);
- 100-136 Devons Road;
- 140-156 Devons Road;
- 204-228 Campbell Road;
- 205-235 Campbell Road;
- 237 Campbell Road; and
- Caspian Wharf Consented Development

* The UDP (1998) advises that habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sq.m.).

- 8.60 Daylight is normally calculated by two methods – the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the room's use.
- 8.61 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:
- 2% for kitchens;
 - 1.5% for living rooms; and
 - 1% for bedrooms.
- 8.62 The report identifies that there are some reductions in the VSC and ADF levels to the surrounding residential properties. In some instances, the baseline conditions of VSC and ADF levels to the existing residential habitable rooms do not meet the BRE guidelines and this is typical in an urban environment. Nonetheless, the report identifies that of the rooms which already comply with the BRE guidelines, 90% of those habitable rooms will remain to meet the BRE guidelines for VSC levels and that 85% of the habitable rooms will meet BRE guidelines for ADF values.
- 8.63 For those rooms that were already beneath the BRE guidelines in the existing situation, there will be a further reduction of ADF levels for some of these rooms. These rooms are located on the lower floors of these properties where potential for daylight is lowered due to the presence of balconies above windows or the windows being set back within the building. For these rooms which were below the BRE Guidelines in the existing situation, may experience reductions of between 0.01-0.25 ADF which is considered a small absolute loss and unlikely to be noticeable.
- 8.64 Rooms that do experience greater daylight reductions are located on the ground floor level on flats on Violet Road opposite the site. The applicant has further tested and demonstrated that even with a reduction in storey height of the proposed development this makes little difference to the rooms. This is mainly due to existing low levels already experienced which is inhibited by the existing design of the building and that any development of this site of any height will be not have any positive impact to the habitable rooms which already experience low levels.
- 8.65 In relation to Sunlight the residual availability of sunlight to the existing neighbouring dwellings will, on the whole, remain adequate and that there will be no material impact arising from the proposal.
- 8.66 It is necessary to have regard to the particular circumstances of the location in question

and the assessment should be made in the context of the site. Whilst the proposal would evidently result in reduction of availability of daylight into habitable rooms of some neighbouring dwellings, the regenerative benefits that the proposal would bring to the area and the Borough as a whole in terms of affordable housing and numerous financial contributions, on balance, it is considered that a refusal on the grounds of a loss of daylight to some dwellings could not be substantiated in this instance.

Overshadowing

- 8.68 The submitted Environmental Statement includes an overshadowing assessment it demonstrates that the extent of permanent overshadowing that will arise from the proposed development will not result in any material detrimental impact on existing neighbouring amenity or result in unacceptable levels of overshadowing of the proposed new amenity space.

Air Quality

- 8.69 The submitted Environmental Statement demonstrates that exposure to poor air quality is extremely small and exposure to dust from the demolition and construction to the existing residents is also small. Nonetheless a condition will be attached requiring the submission and approval of a Construction Management Plan, which should detail measures to reduce dust escape from the site during demolition and construction. Such matters are also covered by separate Environmental Health legislation.

Noise and Vibration

- 8.70 The submitted Environmental Statement demonstrates that noise impact has been given comprehensive consideration to the satisfaction of the Council's Environmental Health Team. Appropriate and reasonable mitigation measures have been identified to safeguard internal living areas from unacceptable levels of noise, also agreed by the Environmental Health Team. Therefore, the scheme complies with PPG24 and other relevant guidance and standards which seek to minimise the adverse effects of noise.
- 8.71 In terms of noise emitted by the proposed development and its impact upon nearby residents, conditions have been attached to ensure any plant and machinery to be installed incorporates adequate noise attenuation measures. In addition, opening hours to any A3/A4/A5 uses will also be restricted through a planning condition.
- 8.72 In terms of noise and vibration during demolition and construction, conditions have been attached which restrict construction hours and noise emissions, and a condition has been attached requiring the submission and approval of a Construction Management Plan which will further assist in ensuring noise reductions. The applicant is also required to submit details of any plant and machinery proposed prior to commencement of development. Such matters are also covered by separate Environmental Health legislation.

Loss of Outlook and overlooking

- 8.73 In terms of loss of outlook, this impact cannot be readily assessed in terms of a percentage or measurable loss of quality of outlook. Rather, it is about how an individual feels about a space. It is consequently difficult to quantify and is somewhat subjective. Nevertheless, in the opinion of officers, given the separation distances and roads separating the proposed development and the existing residential developments along Violet Road and Devons Road; and similarities in the heights of the buildings, it is considered that the development would not create an unacceptable sense of enclosure or

loss of outlook to habitable rooms near the site.

- 8.74 An objection was received on the grounds of overlooking from the proposed development. The existing residential blocks on Violet Road are located opposite side of the Road to the proposed development which on average has 20m separation distance. This is considered to be acceptable and is a typical urban environment where habitable rooms would overlook a road to another habitable room on the opposite side and therefore it is not considered that the proposal will cause undue overlooking and subsequent loss of amenity.

Micro-Climate

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

“Development is required to protect, and where possible seek to improve, the amenity of surrounding and existing and future residents and building occupants as well as the amenity of the surrounding public realm. To ensure the protection of amenity, development should: ...not adversely affect the surrounding microclimate.”

- 8.76 Within the submitted Environmental Statement, the applicant has assessed the likely impact of the proposed development on the wind climate with no landscaping, by placing an accurate model of the proposed building in a wind tunnel. The assessment has focused on the suitability of the site for desired pedestrian use (i.e. leisure walking at worst, with standing conditions at entrances and in retail areas, and sitting/standing conditions in public realm areas during summer) and the impact relative to that use.
- 8.77 The measured wind conditions for the completed development is classified to be suitable for pedestrian usage and suitable for standing/entrance use. One area of centrally located open space at the southern end of the site was windier than desired however mitigation measure is suggested by a way of planting trees. This is considered acceptable, given that planting of trees is proposed within the open space in any event and would be secured via a planning condition. As such no significant effects are predicted.
- 8.78 It is therefore considered that the proposed development would be acceptable in terms of the impact on microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 (Large-scale buildings – design and impact), policy DEV1 (Amenity) of the IPG and policy SP10 (Creating distinct and durable places) of the Core Strategy DPD (2009).

Transport & Highways

- 8.79 In consideration of national policy, PPG13 ‘Transport’ seeks to integrate planning and transport from the national to local level. Its objectives include: promoting more sustainable transport choices; promoting accessibility using public transport, walking and cycling; and reducing the need for travel, especially by car. Both PPS1 ‘Delivering Sustainable Development’ and PPS3 ‘Housing’ seek to create sustainable developments.

- 8.80 Pursuant to regional policy, The London Plan (Consolidated 2008), 2A.1 'Sustainability Criteria', 3A.7 'Large Residential Developments', state that developments should be located in areas of high public transport accessibility. In addition to this criteria Policy 3C.1 'Integrating Transport and Development' also seeks to promote patterns and forms of development that reduce the need for travel by car. Policy 3C.2 advises that, in addition to considering proposals for development having regard to existing transport capacity, boroughs should "...take a strategic lead in exploiting opportunities for development in areas where appropriate transport accessibility and capacity exists or is being introduced". Policy 3C.19 'Local Transport and Public Realm Enhancements' indicates that boroughs (as well as TFL) should make better use of streets and secure transport, environmental and regeneration benefits, through a comprehensive approach of tackling adverse transport impacts in an area. In respect of Policy 3C.20 'Improving Conditions for Buses', the Mayor, TFL and boroughs will work together to improve the quality of bus services, including consideration of the walkways *en route* to bus stops from homes and workplaces, to ensure they are direct, secure, pleasant and safe.
- 8.81 In respect of local policy, the Core Strategy 2010, Policies SP08 and SP09 of the Core Strategy DPD (2009) broadly seek to deliver an accessible, efficient and sustainable transport network. UDP 1998 Policy T16 states that the consideration of planning applications will take into account the requirements of the proposed use and any impact posed. Policy T18 indicates that priority will be given to pedestrians in the management of roads and the design and layout of footways. Improvements to the pedestrian environment will be introduced and supported in accordance with Policy T19, including the retention and improvement of existing routes and where necessary, their replacement in new management schemes in accordance with Policy T21.
- 8.82 Having regard for the IPG, DEV17 'Transport Assessment' states that all developments, except minor schemes, should be supported by a transport assessment. This should identify potential impacts, detail the schemes features, justify parking provision and identify measures to promote sustainable transport options. DEV18 'Travel Plans' requires a travel plan for all major development. DEV19 'Parking for Motor Vehicles' sets maximum parking levels pursuant to Planning Standard 3.
- 8.83 The PTAL rating for the site is good (Level 4), with the Devons Road DLR station adjacent to the site and a number of local bus services. Bromley By Bow Underground station, which is served by the District and Hammersmith & City lines are situated within an approximate 8 minute walk from the site.
- 8.84 The proposal includes a total of 134 car parking spaces (which has been reduced from 141 initially proposed) in the basement level, 62 of which will be for disabled parking use which represents one space per wheelchair accessible unit and one additional space per accessible core. A total of 620 cycle spaces are to be provided for the residential units (560 for residents and 60 for visitors to the residential units). In addition a further 28 cycle spaces are to be provided for the staff and visitors to the non-residential uses. The applicant has confirmed that all cycle parking is to be provided in the form of Sheffield stands. All vehicular access for parking and servicing is on-site via the access road off Violet Road.
- 8.85 In addition, a total financial contribution of £440,000 towards public transportation infrastructure and improvements to cycle route and its infrastructure has been included within the s106 agreement.

Vehicular Parking

- 8.86 The scheme proposes to provide 134 car parking spaces, 62 of which are for disabled

use. This provision is to be located in the basement and will be accessible via a vehicular ramp. The parking provision is the equivalent of approximately 0.24 spaces per residential unit, and is within the maximum standards of policy DEV19 (Parking for Motor Vehicles) of the IPG and London Plan 2008 policies 3C.17 (Tackling congestion and Reducing Traffic) and 3C.23 (Parking Strategy).

- 8.87 It is therefore considered that the vehicle parking provisions would be in accordance with policies 3C.17 (Tackling congestion and Reducing Traffic) and 3C.23 (Parking Strategy) of London Plan 2008. A S106 legal agreement should be entered into in order that the Traffic Management Order can be amended to exempt occupiers of this site from obtaining parking permits. This will ensure no overflow parking on the public highway.
- 8.88 The proposed development would also provide two car club spaces which are located on-site. One is proposed to be located within the basement level which can be accessed by the residents of the development and one is located on the access road off Violet Road for residents of the area. These spaces together with the requirement of the applicant to enter into an agreement with Carplus accredited operator will be secured through s106 agreement.

Cycle Parking

- 8.89 The application proposes 560 secure cycle parking spaces at basement level and additional 60 spaces at street level for visitors. A further 28 cycle spaces are to be provided for the staff and visitors to the non-residential uses at street level. This represents a provision in excess of 1 space per residential unit, and is therefore in excess and in accordance with Planning Standard 3: Parking and policy DEV16 of the IPG.
- 8.90 The applicant has also considered a location for any future Cycle Docking Station for the Cycle Hire Scheme within the proposed public square which promotes sustainable travel. Given that this location is adjacent to a DLR station, this would be an ideal opportunity and location for the cycle docking station to be in this locality. However, given that the required specific details of the Cycle Docking Station currently unknown for this location and TfL are the party who need to enter into an agreement with the applicant in the future, a condition is imposed for details of the cycle docking station to be submitted to the Council in consultation with TfL.

Servicing and Refuse Collection

- 8.91 Plant, delivery and servicing spaces within the proposed development are located at ground floor level along the eastern boundary of the site, adjacent to the DLR tracks. Residential refuse collection would be carried out from Violet Road with direct access to bin stores, matching the existing arrangements with existing residential dwellings on Violet Road. The refuse collection of the non-residential uses will be carried out on site from servicing areas. This is acceptable to the Council's Highways department.

Delivery service plan and construction logistics plan

- 8.92 TfL have requested the submission of a delivery service plan and a construction logistics plan. Conditions securing the submission of a Construction Management Plan and a Delivery and Service Plan have been recommended.

S106 contributions

- 8.93 Given the large amount of additional residents and employment the development would bring to the area, the Council and TfL have determined that contributions for transport

infrastructure and public realm improvements are required via the s106 agreement to ensure that the development can be accommodated within the existing transport network. This is discussed further within the Section 106 Agreement section of this report, below.

Energy Efficiency and Sustainability

- 8.94 The London Plan 2008 has a number of policies aimed at tackling the increasingly threatening issue of climate change. London is particularly vulnerable to matters of climate change due to its location, population, former development patterns and access to resources. IPG and the policies of the UDP also seek to reduce the impact of development on the environment, promoting sustainable development objectives.
- 8.95 Policy 4A.1 (Tackling Climate Change) of The London Plan 2008 outlines the energy hierarchy will be used to assess applications:
- Using less energy, in particular by adopting sustainable design and construction measures;
 - Supply energy efficiently, in particular by prioritising decentralised energy generation; and
 - Using renewable energy
- 8.96 Policy 4A.3 (Sustainable Design and Construction) states that boroughs should ensure future developments meet the highest standards of sustainable design and construction, seeking measures that will among other matters will:
- Reduce the carbon dioxide and other omissions that contribute to climate change;
 - Minimise energy use by including passive solar design, natural ventilation and vegetation on buildings;
 - Supply energy efficiently and incorporate decentralised energy systems and renewable energy; and
 - Promote sustainable waste behaviour in new and existing developments, including support for local integrated recycling schemes, CHP and CCHP schemes and other treatment options.
- 8.97 Policies 4A.4 (Energy Assessment), 4A.5 (Provision of heating and cooling networks) and 4A.6 (Decentralised Energy: Heating, Cooling and Power) of the London Plan 2008 further the requirements for sustainable design and construction, setting out the requirement for an Energy Strategy with principles of using less energy, supplying energy efficiently and using renewable energy; providing for the maximising of opportunities for decentralised energy networks; and requiring applications to demonstrate that the heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Policy 4A.7 (Renewable Energy) of the London Plan goes further on this theme, setting a target for carbon dioxide emissions as a result of onsite renewable energy generation at 20%. Policy 4A.9 promotes effective adaptation to climate change.
- 8.98 The applicant has followed the energy hierarchy set out in policy 4A.1 of the consolidated London Plan and the proposals aim to reduce total site carbon emissions by 30%.
- Be Lean – The scheme has been designed in accordance with Policy 4A.3 in seeking to minimise energy use through passive design measures. The overall CO₂ emission reductions from 2006 building regulations including unregulated energy from energy efficiency are 10%. For the various elements of the scheme the following reductions are predicted through energy efficiency alone compared to a 2006 building regulations baseline:
- Residential – 20%
 - Office – 16%

- retail – 5%
- Light Industrial – 4%

Be Clean – Decentralised energy is proposed through the provision of a community heating system. It is anticipated that the system will be fed by a 200kWe CHP Engine and result in a 20% reduction in total CO2 emissions. The energy centre is proposed to be located in the basement.

Be Green – Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that meeting 20% of the buildings energy demand through renewable technologies is not feasible. The proposals include the installation of Photovoltaic array (250m²) producing 25kWe peak to reduce proposed emissions by 1.4%.

Principally the Sustainable Energy Strategy is considered appropriate for the development. The London Plan energy hierarchy has been followed appropriately.

- 8.99 London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating and all non-residential development to achieve a BREEAM excellent rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policies 4A.3 of the London Plan Spatial Development Strategy for Greater London (Consolidated with Alterations since 2004) dated February 2008 and DEV 5 of the London Borough of Tower Hamlets Interim Planning Guidance which seek the highest standards of sustainable design and construction principles to be integrated into all future developments.
- 8.100 The proposals initially stated that the applicant seeks to achieve a Code for Sustainable Homes Level 3 rating for the Market Units and Level 4 rating for the affordable units. However, this has now been agreed and committed to delivering all residential to Code Level 4. It was also confirmed that the offices, retail and industrial elements will target a BREEAM excellent rating.

Section 106 Agreement

- 8.101 Regulation 122 of the Community Infrastructure Levy Regulations 2010, brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:
- (a) The obligation is necessary to make the development acceptable in planning terms;
 - (b) The obligation is directly related to the development; and
 - (c) The obligation is fairly and reasonably related in scale and kind to the development.
- 8.102 Circular 05/2005 explains (paragraph B3) that planning obligations (s106 agreements or unilateral undertakings) are “*intended to make acceptable development which would otherwise be unacceptable in planning terms.*” Obligations may be used to prescribe the nature of the development, or to secure a contribution from a developer to compensate for loss or damage caused by a development or to mitigate a development’s impact. The outcome of these uses of planning obligations should be that the proposed is made to accord with published local, regional, or national planning policies.

A planning obligation must be:

- (i) Relevant to planning;
- (ii) Necessary to make the proposed development acceptable in planning terms;

- (iii) Directly related to the proposed development
- (iv) Fairly and reasonably related in scale and kind to the proposed development and
- (v) Reasonable in all other respects.

8.103 The Council's Saved Policy DEV4 of the adopted UDP; Policy IMP1 of the Tower Hamlets Core Strategy and Development Control Plan September 2007; and Policy SP13 of the adopted Core Strategy say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.104 The applicant has submitted a viability toolkit as part of the application submission and the Council appointed DVS consultants who have independently reviewed the toolkit. Given that deliverability of the affordable housing is the key and is identified as a priority in the Council's Core Strategy, it was found that the scheme could not support any additional s106 payment above £3 million pounds. This equates to £5,385 per residential units.

8.105 The financial contribution is still considered to be an acceptable offer in the current economic climate and will still meet the test of the CIL regulations and the Circular. The amounts have been apportioned appropriately and heads of terms are as follows:

Leisure and/or Community Facilities.

8.106 A contribution of £358,791 will be secured towards Leisure and/or Community Facilities, which includes libraries. The proposed development will increase demand on libraries, leisure facilities and our emerging leisure centre strategy identifies the need to develop further leisure opportunities to align with population growth. Sport England as the Department for Culture, Media and Sport (DCMS) agency tasked with implementing sports policy have developed a sports facility calculator for s106 purposes. This calculates (based on population figures and research based demand data) the amount of water space and sports hall required by new developments. It then uses building cost index figures to calculate the cost associated. The figure has been derived from the model but also taking the viability into account a total leisure/Community facilities/Libraries contribution of £358,791 is sought.

Highways and Transport Contribution

8.107 A total financial contribution of £686,406 is sought towards transport infrastructure and improvements. This includes:

- £440,000 towards bus capacity improvements. This includes £20,000 towards the installation of DAISY screens in the communal area. In this instance, the DAISY screen could be installed within the proposed public square leading to the DLR.
- TfL have identified that the development is likely to generate additional bus trips to the capacity of an extra peak hour bus when the existing bus network has capacity constraints. Therefore financial contribution is sought to mitigate the impact of the development. The amount would contribute towards the total cost of providing an additional bus over three years and would ensure consistency with London Plan Policy 'Match development to transport capacity'.
- £130,000 towards cycle route and infrastructure as identified within Tower Hamlets Cycle Strategy: Cycle connections.
- £3,000 towards Travel Plan monitoring and implementation

Education

8.108 The Council's Education department have requested contribution towards education

within the Borough. Taking into viability and child yield into consideration, a contribution towards £1,540,525 education school places is sought.

Health

- 8.109 Financial contribution of £527,684 has been identified having considered the viability which can contribute towards the development of health and wellbeing centres within the Local Area Partnership 5 and 6.

Public Realm and Open Space

- 8.110 A contribution is sought towards provision of open space to mitigate on existing open space from the uplift of the population. Given that the proposal would provide a publicly accessible open space and taking viability into consideration, a contribution of £343,854 is sought towards improving nearby local open spaces.

There is also the need to improve the public realm in the area. Whilst the proposed development would help to improve the public realm around the DLR station, as part of the LIP2 programme, public realm improvements to Devons Road and Southern Grove has been identified. A contribution of £149,588 is sought to contribute towards the public realm improvements.

Affordable housing

- 8.111 Through the toolkit, it has been identified that the developer can provide 35% affordable housing in the absence of any grant funding. Provision within the S106 legal agreement should be made to ensure the provision of 35% affordable housing is secured.

Other Planning Issues

Biodiversity

- 8.112 The site and surroundings are not designated for nature conservation, and neither the Environment Agency nor British Waterways raised any objections to the proposal on such grounds. The application proposes mitigation measures such as the provision of new habitats for wild birds within and around the proposed building. As such, it is considered that the proposed development would not have a direct adverse impact on the biodiversity of the area. Through the implementation of the proposed mitigation measures, the proposal is considered acceptable and in accordance with policy guidance.

Environmental Statement

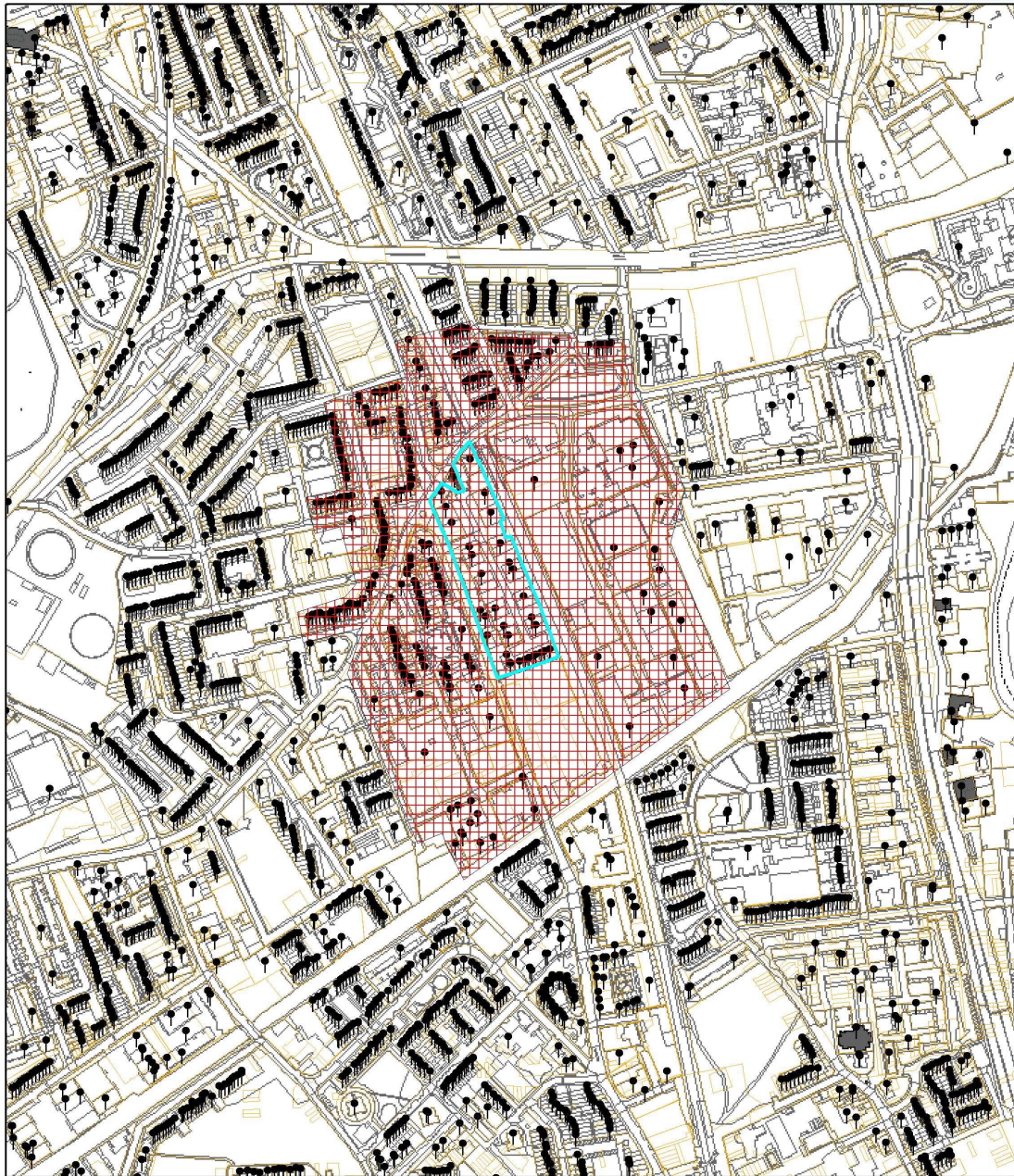
- 8.113 The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Land Use Consultants and Council Officers. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.

Conclusions

- 8.114 All other relevant policies and considerations have been taken into account. The proposed development is considered to bring positive regenerative benefits to the local community; with improvements to public realm; delivery of open space, public square; affordable and family housing; high quality design and financial contributions towards infrastructure and services. Planning permission should be granted for the reasons set out in the SUMMARY

OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



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



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