

<b>Committee:</b> Development Committee	<b>Date:</b> 6 <sup>th</sup> April 2011	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.3
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Shay Bugler		<b>Ref No:</b> PA/10/2501	
		<b>Ward(s):</b> East India and Lansbury	

## 1. APPLICATION DETAILS

**Location:** Site L11, Chrisp Street, E14

**Existing Use:** Residential

**Proposal:** Demolition of existing garages and erection of four residential buildings ranging from 2-9 storeys in height providing 75 residential units (comprising 25 x 1 bed; 34 x 2 bed; 12 x 3 bed; 4 x 4 bed) and associated child playspace; public and private amenity space

**Drawing Nos:** PL 001 Rev A; (PL) 009 Rev C; (PL) 010 Rev H; (PL) 011 Rev E; (PL) 012 Rev E; (PL) 013 Rev E; (PL) 014 Rev E; (PL) 015 Rev E; (PL) 016 Rev E; (PL) 017 Rev E; (PL) 018 Rev E; (PL) 019 Rev E; (PL) 020 Rev B; (PL) 021 Rev B; sk013

**Documents:**

- Design and Access Statement By Stock Woolstencroft dated October 2010
- Daylight- Sunlight Assessment by Savills dated October 2010
- Environmental Site Investigation Report by Resource and Environmental Consultants Limited dated April 2008
- Panning Statement by Savills dated October 2010
- Tree Survey by Haydens dated October 2010
- Noise Assessment by Mayer Brown dated October 2010
- Flood Risk Assessment by WSP Group dated October 2010
- Air Quality Assessment by Mayer Brown dated October 2010
- Transport Statement by Mayer Brown dated October 2010

- Daylight and Sunlight Assessment by Savills dated October 2010
- Energy Statement by Richard Hodgkinson dated October 2010
- Sustainability Statement by Richard Hodgkinson dated October 2010
- Economic viability appraisal report by Jones Lang LaSalle dated March 2011

**Applicant:** Urban Living (joint venture of POPLAR HARCA and Bellway Homes)

**Ownership:** Urban Living

**Historic Building:** No

**Conservation Area:** No

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010); Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan (2008) and Government Planning Policy Guidance and has considers that:

- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 3A.3 of the London Plan (2008); SP02 of the Core Strategy (2010) and HSG1 of the Council's Interim Planning Guidance (2007) and which seeks to ensure this.
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.1, 3A.2, 3A.5, 3A.9 and 3A.10 of the London Plan (2008); SP02 of the Core Strategy (2010); policy HSG7 of the Council's Unitary Development Plan (1998); policies HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) which seek to ensure that new developments offer a range of housing choices.
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan (2008), SP02, SP03 & SP10 of the Core Strategy (2010), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998); policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) & policies which seek to provide an acceptable standard of accommodation.
- The proposed amount of private and communal amenity space and provision of child play space is considered to be acceptable and in line policies 3D.13 of the London Plan (2008), SP02 of the Core Strategy (2010); policies ST37, HSG16 and OS9 of the Council's Unitary Development Plan (1998) and HSG7 of the Council's Interim Planning Guidance (2007) which seek to ensure that adequate amenity space is provided.

- The building height, scale, bulk and design is acceptable and in line with Policies 4B.1, 4B.2, 4B.3, 4B.5, 4B.8, 4B.9 & 4B.10 of the London Plan (2008), policies SP02 & SP10 of the adopted Core Strategy (2010); policies DEV1 of the Council's Unitary Development Plan (1998) & policy DEV2 of the Council's Interim Planning Guidance (2007) which seeks to ensure buildings are of a high quality design and suitably located.
- It is not considered that the proposal would give rise to any undue impacts in terms of privacy, overlooking, loss of sunlight and daylight upon surrounding properties. As such, the proposal is in line with SP10 of the Core Strategy (2010); DEV 2 of the Unitary Development Plan (1998) and DEV 1 of the Interim Planning Guidance (Oct 2007) which seek to protect the amenity of surrounding occupiers.
- Transport matters, including vehicular and cycle parking, pedestrian access and servicing arrangements are acceptable and accord with policies 3C.1, 3C.16 & 3C.22 of the London Plan (2008); policy SP09 of the adopted Core Strategy (2010); T16 of the Unitary Development Plan (1998), policies DEV16, DEV17, DEV18 and DEV19 of the Interim Planning Guidance (2007) and national advice PPS13 which seek to ensure there are no detrimental highway impacts created by the development.
- Subject to conditions, energy and sustainability matters are in line with policies 4A.1 to 4A.7 of the London Plan (2008) ; SP11 of the adopted Core Strategy (2010), policies DEV 5, DEV 6 & DEV9 of the Council's Interim Planning Guidance (2007) which seek to promote sustainable development practices.
- Contributions have been secured towards affordable housing; open space, library store facilities, leisure and recreational facilities, education facilities, health care facilities and highway improvement works. This is in line with Regulation 122 of the Community Infrastructure Levy Regulations 2010, policies 6A.4 & 6A.5 of the London Plan (2008); SP13 of the adopted Core Strategy (2010); policy DEV4 of the Tower Hamlets Unitary Development Plan (1998) and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure planning obligations that are necessary to make development acceptable in planning terms.

### 3. RECOMMENDATION

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

3.2 The prior completion of a **legal agreement** to secure the following planning obligations:

#### Affordable housing and financial contributions

- Affordable housing provision of 35% of the proposed habitable rooms with a 70/30 split between social rent and shared ownership to be provided on site (free of grant funding)
- £30,846 towards open space
- £25,000 towards leisure and recreation
- £10,000 towards leisure and creation facilities

- £177,960 towards education
- £20,000 towards highway works
- £100,694 towards health
- £3, 000 towards the monitoring of the Travel Plan

Overall financial contribution= £367,500

#### Non financial

- Commitment to initiatives to maximise employment and training during construction and after construction
- Commitment to implement a Green Travel Plan
- Code of construction practice
- Commitment to entering into a car club agreement with a carplus accredited operator
- 'Car free' agreement

3.3 That the Corporate Director of Development and Renewal is delegated authority to negotiate the legal agreement indicated above.

3.4 That the Corporate Director of Development & Renewal Head is delegated power to impose conditions on the planning permission to secure the following:

#### 3.5 **Conditions**

- 1) Time Limit
- 2) Building constructed in accordance with approved plans

#### Details of the following to be submitted and approved prior to commencement:-

- 3) Sample of all external facing materials / sample board
- 4) Landscaping details
- 5) Secure by design/CCTV/lighting
- 6) Contaminated Land Survey
- 7) Construction Management Plan
- 8) Delivery and service management plan
- 9) A heat network to be installed
- 10) A minimum of 12m<sup>2</sup> of photovoltaic panels shall be installed to the single house on Chrisp Street
- 11) Noise survey
- 12) 10% wheelchair accessible
- 13) Lifetime Homes

#### Compliance

- 14) Highway improvement works
- 15) Hours of construction
- 16) Control of noise levels during construction works
- 17) Hammer/piling works
- 18) Restrict noise emissions during construction
- 19) Green roof to be provided in accordance with the approved plans
- 20) Any other condition(s) considered necessary by the Head of Development Decision

### 3.6 Informatives

- 1) Contact LBTH Energy & Sustainability team
- 2) Contact LBTH Building Control
- 3) Contact LBTH Highways
- 4) Contact Environmental Agency (EA).
- 5) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

3.5 That, if by 6<sup>th</sup> July 2011 the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

## 4. PROPOSAL AND LOCATION DETAILS

### Context

4.1 The site measures approximately 0.32 hectares in area and previously was occupied by 12 bedsit units. These comprised of 2 storey residential single occupancy units arranged in a linear bar to the east of the site fronting on to Chrisp Street. The 12 bedsits units were demolished in March 2010. The applicant has advised that 8 of the 12 units were occupied by Polar HARCA residents prior to demolition. These residents were re housed to other Polar HARCA developments in the area. The applicant also notes that 4 of the units were unoccupied for a period of time but hasn't specified the exact time period.



**Fig 1:** View of previous units (now demolished) on Chrisp Street

4.2 At present, the site contains 32 garage sheds which are rented out to Poplar HARCA residents in the area. These garages are arranged in two parallel blocks running east- west. Vehicular access to these garages from Bowen Street and Chrisp Street. They are used for ancillary residential storage and some car parking.



**Fig 2:** The existing residential garages to the north of the site

## Proposal

- 4.3 As noted in section 1 of this report, the proposal involves the demolition of existing garages and erection of three residential blocks known as blocks A, B and C. The proposal also includes the erection of a single 2 storey house fronting onto Carmen street to the western part of the site. This house would comprise of a 4 bed social rented unit. In total, the proposal provides for 75 units comprising of 25 x 1 bed; 34 x 2 bed; 12 x 3 bed; 4 x 4 bed.
- 4.5 Proposed blocks A, B & C are characterised as follows:
- Blocks A is located in the east of the site fronting Chrisp Street and ranges from 6 to 9 storeys in height. The block is set back on the Chrisp Street elevation at sixth floor level. Block A would incorporate 51 market units and 9 shared ownership units.
  - Block B is also located to the east of the site and fronts onto Chrisp Street. It extends to 4 storeys in height and comprises 5 market units and a 4 bed maisonette in the social rented tenure.
  - Block C would extend to four storeys in height and aligns with the northern boundary of the site. It comprises two 3 bed maisonettes; two 4 bed maisonettes and four 2 bed flats all of which would be social rented, accommodation.
  - The proposed 4 bedroom 2 storey family units fronting onto Carmen Street would provide for social rented accommodation.
- 4.6 The proposal provides private, communal amenity space and child playspace. There are 72 cycle parking spaces; one accessible car parking space and one other car parking space proposed.
- 4.7 The site is fully accessible by a numerous pedestrian access routes proposed off Chrisp Street and Carmen Street.

## Site and surroundings

- 4.8 The site lies at the North- West corner of the junction of Chrisp Street and Carmen Street in Poplar. The boundary of the site adjoins existing properties which are orientated east to west and face onto Chrisp Street and Carmen Street. Vehicular access is currently provided to the garages from Bowen Lane which adjoins Carmen Street in the west. A public house is located to the south of this access point and existing 2 storey dwellings are located along the remainder of the western boundary of the site which front Carmen Street.
- 4.9 The area surrounding the immediate site is characterised primarily by residential uses varying in scale, with two storey dwellings to the north and 4 and 11 storey blocks to the west of the site. The wider Chrisp Street area is of a mixed character including residential, retail and commercial units located in the vicinity of the site along Chrisp Street. Chrisp Street Market, which includes a mix of retail uses, services and food and drink outlets set around a market square is located a short distance to the south. A number of taller buildings are evident within the immediate locality of the site. For example, to the south east of the site, there is a 15 storey building located outside the entrance to Langdon Park DLR station. Furthermore, to the south west of the site, there is an 11 storey building (Maidstone House) located directly to the south west of the site. There are also a number of consented schemes approved the L9 site

which extends to 9 storeys in height, located to the south of the subject site.

- 4.10 The site has a PTAL rating of 3 to the western part of the site and a PTAL rating of 4 to the eastern part of the site which means it has good access to public transport. Langdon Park is situated approximately 200 metres to the east of the site on the opposite side of Chrisp Street and the DLR railway line, which also contains a number of formal playing fields. The site is in a highly accessible location being located not only in the immediate vicinity of Langdon Park DLR station which provides links to Stratford and central London, but also a range of bus services. There are also a range of bus services within the vicinity of the site includes D6, D7, D8, 115 and 309 bus services.
- 4.11 The site is situated within walking distance from both Bartlett Park and Langdon Park (approximately 300m and 133m respectively from the subject site)
- 4.12 The site is not situated within a conservation area, however the Lansbury conservation area is situated within close proximity to the site. The site does not consist of any listed buildings and does not effect the setting of a listed building(s).

### **Relevant Planning History**

- 4.13 There is no relevant planning history on site.
- 4.14 However, an application was recently approved on site known as L9 on Chrisp Street. The L9 site is located approximately 100m from the subject site. Poplar HARCA was also the applicant for this scheme. Planning permission (ref : PA/09/2657) was approved on the 26/03/2010 for the:

*“demolition of existing residential buildings on site and construction of buildings between three and nine storeys to provide 117 residential units, 300 sqm of commercial floorspace comprising retail, restaurant, business and non-residential institution (Use Classes A1, A3, B1 and D2).  
Provision of open space improvements and car parking”*

## **5. POLICY FRAMEWORK**

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

### **5.2 Spatial Development Strategy for Greater London (The London Plan) 2008**

2A.1	Sustainability Criteria
3A.1	Increasing London’s Supply of Housing
3A.2	Borough Housing Targets
3A.3	Maximising the potential of sites
3A.5	Housing Choice
3A.6	Quality of new housing provision
3A.7	Large residential developments
3A.8	Definition of Affordable Housing
3A.9	Affordable Housing Targets
3A.10	Negotiating affordable housing in individual private residential and mixed-use schemes
3A.11	Affordable housing thresholds

3C.1	Integrating Transport and Development
3C.16	Road Scheme proposals
3C.22	Improving conditions for cycling
3C.23	Parking Strategy
3D.13	Children and Young People Play 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.19	Improving Air Quality
4B.1	Design principles for a compact city
4B.2	Promoting world class architecture 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 building- location
4B.10	Large-scale buildings- design and impact
6A.4	Priorities in planning obligations
6A.5	Planning obligations

### 5.3 Adopted Core Strategy (2010)

SP02	Urban living for everyone
SP03	Creating healthy and liveable neighbourhoods
SP05	Provide appropriate refuse and recycling facilities
SP08	Making connected places
SP09	Creating attractive& safe street space
SP10	Creating distinct and durable places
SP11	Working towards a zero carbon borough
SP12	Delivering placemaking
SP13	Planning Obligations

### 5.4 Unitary Development Plan 1998 (as saved September 2007)

Policies:

ST37	Strategic policy on open space , leisure and recreation
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV50	Noise
DEV51	Contaminated Land
HSG6	Separate Access
HSG7	Dwelling Mix
HSG15	Residential Amenity
HSG16	Amenity Space
T16	Impact of Traffic
T18	Pedestrian and the road network
T19	Priorities for pedestrian initiatives
T21	Existing Pedestrians Routes
EMP1	Encouraging new employment uses



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

DEV1	Amenity
DEV2	Character & Design
DEV3	Accessibility & Inclusive Design
DEV4	Safety & Security
DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV 9	Sustainable Construction Materials
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV22	Contaminated Land
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes

**5.6 Supplementary Planning Guidance/Documents**

Designing Out Crime  
Residential standards  
Landscaping Requirements

**5.7 Government Planning Policy Guidance/Statements**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG10	Planning and waste management
PPG13	Transport
PPG17	Sports and recreation
PPS5	Planning and the historic environment
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPG24	Noise
PPG25	Development and flood risk

**5.8 Community Plan** The following Community Plan objectives relate to the application:

A better place for learning, achievement and leisure  
A better place for creating and sharing prosperity  
A better place for living safely

A better place for living well

5.9 LBTH adopted Housing Strategy 2009/12 (2009)

5.10 LBTH adopted Strategic housing market and needs assessment (2009)

**6. CONSULTATION RESPONSE**

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

6.2 The following were consulted regarding the application:

**Transport for London (Statutory Consultee)**

6.3 Transport for London have confirmed they have no objections to raise given the distance of the site from the nearest part of the Transport for London Road Network (TLRN) and the estimated trip generation. Notwithstanding, it is recommended that a Construction Management Plan is secured by condition to ensure that the construction works are carried in a safe and efficient manner.

(Officers comment: The applicant would be required to submit a Construction Management Plan for approval to the Local Planning Authority. This would be secured by way of condition).

**Environmental Agency (Statutory consultee)**

6.4 The Environmental Agency (EA) does not object in principle to the proposed development.

6.5 The EA recommended that the Local Planning Authority should ensure that the proposed green roof is provided for the development to increase biodiversity habitat and also attenuate and slow down the rate in which rainwater would reach drainage systems to reduce risk of flooding.

(Officers comment: The applicant would be required to implement the green roof details identified on the plans. This would be secured by way of condition).

**Primary Care Trust**

6.6 PCT seek a capital contribution of £100,694 to mitigate against the additional demands on health care facilities in the area.

6.7 The nearest current practice is on Chrisp Street. The population in this ward is expected to rise from 13 556 in 2011 to 16 357 in 2015 which is an increase of over 20%. To accommodate the expected population growth in area of borough, the capital contribution would go towards health services in the area.

(Officers comment: The above contribution of £100,694 would be secured to mitigate against the demand for additional health care facilities).

**Directorate of Communities, Localities and Culture (CLC)**

6.8 LBTH Communities, Localities and Culture note that the proposed increase in

population arising from this proposed development would increase the demand on community, culture and leisure facilities with a predicted population increase of 148 people.

6.9 The following S106 financial contributions are requested below and their justification should be read in conjunction with the full consultation response available on the case file.

- Open Space contribution- £ 63, 725
- Library/idea store contribution- £15, 392
- Leisure & recreation facilities- £ 63, 239

6.10 (Officers comment: CLC did provide a substantial justification for the financial contributions they sought to secure. The open space contribution was calculated based on the LBTH open space standards and based on a figure for a new Local Park derived from the Councils Infrastructure Development Plan. The library/idea store contribution was based on evidence from the Infrastructure Development Plan and a tariff approach to s106 contributions for libraries and archives has been developed by Museums, Libraries & Archives Council. With reference to leisure and recreation contribution, a Sports Facility Calculator, developed by Sport England was used to calculate the S16 contributions.

6.11 The justification for the contributions towards open space, leisure and library facilities was carefully considered against the evidence base for the Core Strategy. However, in this instance, it is considered that the viability of the scheme could be compromised by securing the full financial contributions which were sought from CLC. A viability toolkit was submitted by the applicant in part to examine the viability of securing all financial contributions which the various consultees sought to secure. Officers concur with the findings of the assessment which concludes that an overall financial contribution of £367, 500 is viable to deliver the scheme.

6.12 In balancing up the financial contributions for the S106, it is considered that securing contributions towards affordable housing, health, education and highway and public realm works were also of high priority. One of the key issues to consider is the overall deliverability of the scheme during the economic downturn. In light of this, it is considered that the following contributions would be secured in this S106 Agreement:

- £30, 846 towards open space
- £25,000 towards leisure/recreation facilities
- £10,000 towards library/idea store facilities)

### **LBTH Education**

6.12 The proposed dwelling mix has been assessed for the impact on the provision of primary school places. The mix is assessed as requiring a contribution towards the provision of 12 additional primary school places@ £14, 830= £177, 960. This funding would be pooled with other resources to support the Local Authority's programme for the borough of providing additional places to meet need.

(Officers comment: The contribution of £177, 960 would be secured in the S106 Agreement to mitigate against the additional demand on education facilities in the area).

### **LBTH Crime Prevention Officer**

- 6.13 No comments were received from the LBTH Crime Prevention Officer as yet. Notwithstanding, the applicant would be required to submit a Secure By Design Statement to include details of CCTV and lighting. This to ensure that the development is designed to maximise safety and security throughout the site.

### **LBTH Cleansing**

- 6.14 The capacity for refuse and recycling facilities is sufficient for waste storage.

### **LBTH Energy & Sustainability**

- 6.15 In terms of energy matters, the information submitted is satisfactory subject to the following conditions:

- A heat network supplying all spaces shall be installed and sized to the space heating and domestic hot water requirements
- A minimum of 12m<sup>2</sup> of photovoltaic panels shall be installed to the single house on Chrisp Street.

(Officers comment: The above would be secured by way of conditions to ensure a further reduction in CO<sub>2</sub> emissions).

- All units within the development should achieve a "Code Level 4" rating for sustainable homes.

(Officers comment: All affordable housing achieve a Code for Sustainable Homes Level 4 rating. However, all private units would achieve a Level 3 rating. The applicant has undertaken a viability assessment to explore the viability of achieving level 4 rating across the development. The assessment was reviewed by officers. The findings of the assessment concluded that the only means of providing Level 4 rating across the site would be at the cost of reducing the amount of affordable housing and other financial contributions. On balance, it is considered that in this instance, the need for affordable housing out weights the need to ensure all units to achieve a Code for Sustainable Homes Level 4 rating. This is discussed further in paragraph 8.105-8.106 of this report).

### **LBTH Environmental Health – contamination**

- 6.16 The applicant should be required to undertake a site investigation to identify potential contamination on site:

(Officers comment: The applicant would be required to submit a contamination assessment to be approved by the LPA prior to the commencement of works on site. This would be secured by way of condition).

### **LBTH Environmental Health- noise**

- 6.17 A noise survey and assessment in accordance with BS4142 together with proposed mitigation measures should be submitted for approval by the Local Planning Authority prior to granting planning permission.

(Officers comment: The applicant would be required to carry out a noise assessment

in accordance to the above prior to commencement of works on site. This would be secured by way of condition).

6.18 Hours of construction works should be restricted to the following times:

- 0800 hrs to 1800 hrs Monday-Friday
- 0800 hrs to 1300 hrs Saturdays
- No working on Sundays or Public Holidays

(Officers comment: The above hours of construction works would be secured by way of condition).

6.19 During the construction works, noise levels and vibration limits should be controlled to reasonable limits.

(Officers comment: The noise and vibration levels during the course of construction would be restricted and secured by way of condition).

### **LBTH Highways**

6.20 LBTH Highways team do not object to the proposal subject to the following conditions and Section 106 contributions:

#### Conditions

- A scheme of highway improvements necessary to serve the development to be submitted and approved by the Local Planning Authority prior to commencement of works on site
- Construction Management Plan to be submitted prior to the commencement of works on site

(Officers comment: The above would be secured by way of conditions).

#### Section 106 matters

- A contribution of £40,000 should be secured towards highway improvement works.

(Officers comment: LBTH Highways team have provided a justification for this contribution. However, it is considered that the viability of the scheme could be compromised by securing the full financial contributions which were sought to be secured. In balancing up the financial contributions for the S106, it is considered that securing contributions for the affordable housing, health, education, open space, leisure/recreation and library facilities are also of high priority. It is recommended that a contribution of £20,000 should be secured towards improving/upgrading pedestrian crossing facilities on Chrisp Street and improving the streetscene in general.

- A contribution of £3,000 should be secured towards the monitoring and review of the Community Travel Plan

(Officers comment: This contribution would be secured in the S106 Agreement)

- The applicant should be required to enter into a "car free" agreement to

prevent residents from applying for car parking permits on the estate.

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

## **7. LOCAL REPRESENTATION**

7.1 A total of 196 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. 2 site notices were also posted on site.

7.2 The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.3 No of individual responses: 2            Objecting: 1            Supporting: 1

### Letter of Objection

7.4 The following issue was raised in the individual representation that is material to the determination of the application:

- The proposal would result in overdevelopment of the site.

(Officers comment: It is considered that the proposal does not present any symptoms associated with overdevelopment as the proposal does not result in:

- Unacceptable loss of sunlight and daylight to surrounding properties;
- Unacceptable loss of privacy and outlook to surrounding properties;
- Small unit sizes;
- Lack of open space and amenity space;
- Increased sense of enclosure;
- Adverse Impacts on social and physical infrastructure

The proposed density of the scheme and associated material considerations are discussed further in paragraphs 8.12-8.22 of this report).

### Letter of support

7.5 The proposal would enhance the Crisp Street area and would provide much need housing in this area.

(Officers comment: It is considered that the proposed contemporary design and palette of materials are of high quality and would enhance the appearance of the area. Design matters are discussed in detail in sections 8.43-8.50 of this report.

With reference to housing, there is a great shortage of housing in the borough as identified in the Councils Core Strategy (2010). Moreover, the Council's Strategic Housing Market & Needs Assessment dated August 2009 identifies the acute need for affordable housing within the borough. It notes that there is a shortfall of 2, 700 units of affordable housing per annum. The total scale of future delivery would require a very significant increase in dwelling numbers to meet all needs. It is considered that this subject proposal would help address the great requirement for social rented housing in the Borough. Housing matters are discussed further in

sections 8.23-8.42 of the report).

- 7.6 Representations received from all consultees and local residents are available for members to view at the committee meeting.

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

1. Land Use
2. Density
3. Housing
4. Design
5. Amenity
6. Transport and Highways
7. Energy & Sustainability
8. Other Environmental matters
9. Section 106 contributions

### **Land Use**

- 8.2 The application site does not fall within any designation within the adopted Unitary Development Plan (1998) or the Interim Planning Guidance (Oct 2007). The existing land use on site is residential (C3 use). As the subject proposal only relates to residential development, the land use on site would remain unchanged.
- 8.3 Within the adopted Core Strategy (2010), the site is identified in LAP 7 and 8 (Polar). The vision set out in the Core Strategy for Poplar is to regenerate it:

*"into a great place for families set around a vibrant Chrisp Street and a revitalised Bartlett Park".*

One of the key principles for the vision of Polar is to :

*" focus higher density development in and around Chrisp Street and adjacent public transport nodes"*

- 8.4 Policy SP02 of the Core Strategy seeks to deliver 2, 855 homes per year with new development focussed in identified parts of the borough, including Polar.
- 8.5 The London Plan (2008) seeks to make the most efficient use of land and to maximise the development potential of sites which doesn't result in overdevelopment of the site. Policy 3A.3 aims to achieve the highest possible intensity of use compatible with local context, design principles and public transport capacity. The trust of this policy is to secure sustainable patterns of development and regeneration through the efficient re- use of previously developed urban land, concentrating development at accessible locations and transport nodes
- 8.6 In respect of national policy, PPS1 and PPS3 promote the efficient use of land with high density and encourage the use of previously developed, vacant and underutilised sites to achieve national housing targets. PPS3 'Housing' encourages Boroughs to adopt an evidence based policy approach to housing. Local Development Documents and Regional Spatial Strategies policies should be

informed by a robust, shared evidence base, in particular of housing need and demand, through a Strategic Housing Market Assessment. PPS3 stipulates that:

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

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

8.8 The Councils adopted Housing Strategy 2009/12 clearly identifies as a key priority that :

*“the amount of affordable housing- particularly social housing in Tower Hamlets needs to be maximised”*

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

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

8.10 The site is currently an underutilised brownfield site with good access to public transport facilities and local services including Chrisp Street town centre. It is considered that redeveloping this site would act as a catalyst for regeneration for the site and the Poplar area in accordance with the Core Strategy. Moreover, the subject proposal would make the most efficient use of the land and bring forward sustainable development which responds to its context and doesn't result in overdevelopment of the site. Furthermore, this subject proposal would help address the great requirement for social rented housing which is a priority focus for the borough. Housing matters are discussed further in paragraphs 8.23-8.42 of this report.

#### Conclusion on land use matters

8.11 The proposal complies with national policy PPS1 and PPS3; policy 3A.3 of the London Plan (2008); policy SP02 and the vision for Poplar identified in the Core Strategy (2010) which seek to ensure developments are sustainable and make the most efficient use of land. In addition, the proposal would assist in implementing the key objectives to deliver much needed affordable housing as identified in policy HSG4 of the Interim Planning Guidance (Oct 2007); the Councils adopted Housing Strategy 2009/12 and the Councils adopted Strategic Housing Market and Needs Assessment dated August 2009.



## Density

- 8.12 PPS1 and PPS3 seek to maximise the reuse of previously developed land and promotes the more efficient use of land through higher densities.
- 8.13 Policy HSG1 of the Council's IPG (2007) specifies that the highest development densities, consistent with other Plan policies, would 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.
- 8.14 Density ranges in the London Plan (2008) are outlined in Policy 3A.2 and 3A.3 which seek to intensify housing provision through developing at higher densities, particularly where there is good access to public transport.
- 8.15 Policy SP02 of the Core Strategy (2010) seeks to ensure new housing developments optimise the use of land by corresponding the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location.
- 8.16 As noted in paragraph 4.10 of this report, the site has a public transport accessibility level (PTAL) rating of 3 and 4 which means it has good access to public transport. Table 3A.2 of the consolidated London Plan (2008) suggests a density of 200-450 habitable rooms per hectare (hrph) for sites with a PTAL range of 3 and suggests a density of 200-700 hrph for sites with a PTAL range of 4.
- 8.17 As noted in paragraph 4.1 of the report, the site measures approximately 0.32 hectares in area. The scheme is proposing 75 units or 224 habitable rooms. The proposed residential accommodation would result in a density of approximately 700 hrph.
- 8.18 The proposed density therefore exceeds the GLA guidance for sites with a PTAL 3 rating and is at the higher end of the GLA guidance for sites with PTAL 4 rating. However, the density matrix within the London Plan and Council's IPG is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context and London Plan design principles, as well as public transport provision. Moreover, it should be remembered that density only serves an indication of the likely impact of development.
- 8.19 Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
  - Loss of privacy and outlook;
  - Small unit sizes
  - Lack of open space and amenity space;
  - Increased sense of enclosure;
  - Increased traffic generation; and
  - Impacts on social and physical infrastructure;
- 8.20 On review of the above issues later in this report, the proposal does not present any of the symptoms associated with overdevelopment. The proposed density of the

development is justified in this location in accordance with London Plan, Core Strategy; Unitary Development Plan and Interim Planning Guidance policies.

8.21 The scheme is considered acceptable primarily for the following reasons:

- The proposal is of a high design quality and responds appropriately to its context.
- The proposal is not considered to result in any adverse symptoms of overdevelopment.
- The provision of the required housing mix, including dwelling size and type and affordable housing is acceptable.
- A number of obligations for affordable housing, health, education, open space, leisure facilities, library facilities and highway improvement works have been agreed to mitigate any potential impacts on local services and infrastructure.
- Ways to improve the use of sustainable forms of transport would be provided through a travel plan. This would be secured in the S106 Agreement.

#### Conclusion

8.22 The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of the London Plan (2008), SP02, SP03 & SP10 of the Core Strategy (2010), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998); policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007) & policies which seek to provide an acceptable standard of accommodation.

#### **Housing**

8.23 Policies 3A.1, 3A.2 and 3A.5 of the London Plan (2008) seek to increase London's supply of housing, require Boroughs to exceed housing targets, and for new developments offer a range of housing choices, in terms of the mix of housing sizes and types.

8.24 Policy SP02 of the Core Strategy (2010) seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan. This proposed would go towards addressing this need.

8.25 The application proposals would deliver 75 residential units. This level of housing could contribute towards the Council's annual target of delivering 2,885 per year.

#### Dwelling Mix

8.26 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”*

These groups include older people, such as families with children, single person households and older people.

8.27 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”.*

8.28 Policy HSG7 of the Unitary Development Plan (1998) & SP02 of the Core Strategy (2010) stipulates that 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. The UDP (1998) does not provide any prescribed targets.

8.29 The following table below summarises the proposed housing mix against policy HSG2 of the Interim Planning Guidance (2007), which seeks to reflect the Boroughs current housing needs:

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total units in scheme	units	%	LDF %	units	%	LDF %	units	%	LDF %
Studio	0	0	0	0	0	0	0	0	0	0
1 bed	25	1	7	20	2	22	37.5	22	43	37.5
2 bed	34	7	47	35	7	78	37.5	20	39	37.5
3 bed	12	3	20	30	0		25	9	18	25
4 bed	4	4	26	10	0			0		
5 Bed	0	0		5	0					
<b>TOTAL</b>	<b>75</b>	<b>15</b>	<b>100</b>	<b>100</b>	<b>9</b>	<b>100</b>	<b>100</b>	<b>51</b>	<b>100</b>	<b>100</b>

**Fig 3:** Dwelling and tenure mix

8.30 Policy SP02 of the Core Strategy requires that 45% of social rented units should be suitable for family sized accommodation. It does not specify a target for intermediate or private rented units. Likewise, the Council’s Interim Planning Guidance (2009) seeks 45% of social rented units to be 3 bedroom or more. In addition, the IPG (2007) seeks 25% of intermediate and market units to be suitable for family accommodation (3 bed or more). Overall, a proposed residential development should make provision for 30% family sized units.

8.31 The proposal makes provision for 46% family size accommodation within the social rented tenure which therefore exceeds policy requirement and supported by officers. The proposal does not make provision for family sized accommodation within the intermediate tenure and 18% within the market tenure and therefore does not meet the IPG (2007) policy target. The deficiency of family units is offset by the quantum of family units in the social rented tenure which is the key priority area for family sized units. In addition, the lack of family sized accommodation in the intermediate and market tenures is offset by the policy compliant provision of 35% affordable which is a key priority for the Borough. As such, the resultant overall unit mix of approximately 21% family housing across the site is also considered acceptable.

8.32 The following demonstrates that the proposed development is a significant improvement upon what has been achieved across the borough and in terms of aspiration for family units within the social rented and market tenure and this is a positive step towards LBTH achieving key housing targets and better catering for housing need.

8.33	Tenure	Borough wide %	PA/10/2501
	Social rented	21.7%	46%
	Intermediate	9.7	0 %
	Market	1.7	18%

8.34 On balance, the scheme provides a suitable range of housing choices and meets the needs of family housing in the social rented component.

#### Affordable Housing

8.35 Policy 3A.9 of the London Plan (2008) sets out a strategic target that 50% of the housing provision should be affordable. Policy SP02 of the Core Strategy (2010) stipulates that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.

8.36 The site previously contained 12 studio units which were demolished in March 2010. These units amounted to 12 habitable rooms. Including the re provision of these studio units on site, the scheme proposes 37.5% affordable housing based on habitable rooms. Excluding the re provision of these demolished studio units, the proposed affordable housing equates to 35% affordable housing based on habitable rooms.

8.37 As such, the proposal makes provision for 35 % of new affordable housing on site based by habitable rooms per hectare. This meets the Councils policy requirement and is accepted by officers.

#### *Social Rented/ Intermediate Ratio*

8.38 The table below sets out the proposed tenure split within the affordable housing provision and the strategic and local policy requirements:

TENURE	THE PROPOSAL	IPG (2007)	LONDON PLAN 2008	CS 2010	DRAFT PLAN
Social rent	70 %	80 %	70%	70%	60%
Shared ownership	30 %	20 %	30%	30%	40%
Total	100 %	100%	100 %	100%	100%

8.39 As it can be seen from the above table, there is a change in the nature of the tenure split over time. The proposed tenure split is reflective of the adopted London Plan policy 3A.9 and the adopted Councils Core Strategy policy SP02 and is therefore acceptable.

#### Wheelchair Housing and Lifetime Homes

8.40 Policy 3A.5 of the London Plan requires new development to meet Lifetime Homes

standard and for 10% of new housing to be wheelchair accessible or easily adaptable for residents who are wheelchair users. This is reflected in policy HSG9: Accessible and Adaptable Homes of the Interim Planning Guidance (2007) and policy SP02 of the Core Strategy (2010).

- 8.41 In accordance with these policies, it is proposed that the development would be designed to meet the 16 Lifetime Homes criteria where they are applicable to individual units. Furthermore, 10% of the units have been designed to wheelchair adaptable standards. This totals 7 units comprising 5 wheelchair accessible units and 2 further wheelchair adaptable units are proposed. As such, the proposal is in compliance with the policies identified in paragraph 8.40 above.

#### Conclusion on housing matters

- 8.42 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.1; 3A.2, 3A.5, 3A.9 and 3A.10 of the London Plan (2008); SP02 of the Core Strategy (2010); policy HSG7 of the Council's Unitary Development Plan (1998); policies HSG2, HSG3 and HSG4 of the Council's Interim Planning Guidance (2007) which seek to ensure that new developments offer a range of housing choices.

#### **Design**

- 8.43 Good design is central to all the objectives of the London Plan (2008). Policy 4B.8 of the London Plan states that tall buildings would 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 acceptable in terms of design and impact on their surroundings. Policy 4B.9 of the London Plan (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 provides further guidance on design considerations for large scale buildings, including context, attractiveness and quality.
- 8.44 These principles are also reflected in policies SP02 & SP10 of the adopted Core Strategy (2010); 'saved' policy DEV1 of the Unitary Development Plan (1998) & DEV2 of the Council's Interim Planning Guidance (2007) which seek to ensure development is of a high quality design. These policies also aim to ensure that developments are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.45 As noted in paragraph 4.5 of this report, the development comprises 3 separate blocks known as blocks A, B, C. Block A extends to 9 storeys in heights; Blocks B & C extend to 4 storeys in height. The single family unit on Carmen Streets is 2 storeys in height.
- 8.46 There is no single style of architecture which characterises the immediate or surrounding area. The general street scene provides for a variety of design, form and massing. The height of the taller element of the proposed development is not considered out of character given the emerging context and heights of buildings within this part of Chrisp Street. On the contrary, it is considered that the proposal responds to the prevailing and emerging character of the area. The surrounding area is characterised by buildings of varying heights with two storey dwellings to the north and 4 to 11 storey buildings to the west of the site. Recent planning approvals and recently constructed buildings Langdon Park station, 116, & 118 Chrisp Street

and L9 site are within the immediate context ranging from 3 to 15 storeys in height. Most notably, the L9 site located a distance of approximately 100m from the subject site extends to nine storeys in height which is the proposed height of the tallest element of this subject proposal.

- 8.47 The proposed tall building element of the proposal is considered to be well thought out in the context of the overall site layout and massing distribution. The development has been designed to step down from east to west. This would serve to integrate the built form with the two storey dwellings to the north of the site and the 4 storey development which runs along Carmen Street and the taller buildings on Chrisp Street.
- 8.48 It is considered that the proposed contemporary design responds positively to its context and would enhance the appearance of the site and general streetscene. In terms of façade treatment, the design rationale is to create a contemporary, attractive, visual presence on the site using high quality palette of materials. The elevation treatment, the variety of materials proposed as well as the varying heights and setbacks at 6<sup>th</sup> floor level to Block A would positively articulate the development whilst reducing its massing and adding to its overall visual interest. The applicant would be required to submit details of the material samples by way of condition.



**Fig 4:** Proposed development- view east along Carmen Street



**Fig 5:** Proposed development- view north along Crisp Street

### *Safety and Security*

- 8.49 In accordance with SP10 of the Core Strategy (2010); DEV 1 of the UDP (1998) and DEV 4 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 proposed open space would be clearly visible within the streetscene and the proposed pedestrian route through from east to west across the site would aid permeability within the site. The applicant would be required to submit a Secure by Design Statement which would include details of CCTV and lighting scheme to be approved by the Local Planning Authority to ensure the safety and security of the scheme. In addition, the applicant would be required to submit landscaping details. This would be secured by way of condition.

### Conclusion on design matters

- 8.50 The building height, scale, bulk and design is acceptable and in line with policies 4B.1, 4B.2, 4B.3 and 4B.5 of the London Plan (2008), policies SP02 & SP10 of the adopted Core Strategy (2010); policies DEV1 of the Council's Unitary Development Plan (1998) & policy DEV2 of the Council's Interim Planning Guidance (2007) which seeks to ensure buildings are of a high quality design and suitably located.

### **Amenity**

#### ***Amenity space***

#### Communal and Private amenity space

- 8.51 SP10 of the Core Strategy (2010) requires developments to make adequate provision for all forms of amenity space. Policy HSG16 of the Unitary Development Plan (1998) requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided.



- 8.52 Policy HSG7 of the Interim Planning Guidance (2007) sets out the minimum provision for private and communal amenity space to be met. The policy requirement for private amenity space is 869 sqm and the policy requirement for communal amenity space is 115 sqm.
- 8.53 The proposed development would provide approximately 933 sqm of private amenity space and approximately 587sqm of communal amenity within the site. The proposal therefore exceeds the policy requirement and is supported by officers.

#### Child Play Space

- 8.54 Planning Policy Statement 3 sets out the importance of integrating play and informal recreation in planning for mixed communities.
- 8.55 Policy 3D.13 of the London Plan (2008), policy SP02 of the Core Strategy (2010); policy OS9 of Tower Hamlets UDP (1998) (saved policies), policy HSG7 of Tower Hamlets IPG (2007) require the provision of appropriate child play space within residential developments.
- 8.56 The Council's IPG (2007) suggests that proposals should provide 3sqm of play space per child.
- 8.57 The Mayor's SPG 'Providing for Children and Young People's Play and Informal Recreation' sets a benchmark of 10 sqm of useable child play space per child, with under 5 child play space provided on site.
- 8.58 The child yield for the proposed development is anticipated to be 35 children and accordingly the development should provide a minimum of 351 sqm of play space on site. According to the SPG, the scheme should provide for 137sqm for 0-4 year olds; 129 sqm for 5-11 years olds and 85 sqm for 11-15 year olds.
- 8.59 The proposal makes provision for 355 sqm of child playspace on site and therefore exceeds the policy requirement as set out in Policy 3D.13 of the London Plan (2008) and the Mayor's SPG on the provision of child play space. In addition, the site is located within short walking distance of Bartlett Park and Langdon Park (which are 300 metres and 115 metres from the site respectively) which provide existing child playspace on site. The older children and youth could utilise both play areas in the respective parks.

#### Conclusion on amenity space matters

- 8.60 The quantity and quality of private and communal amenity space and child play space is also acceptable in line with policies 3D.13 of the London Plan (Consolidated with Alterations since 2004), policies ST37, HSG16 and OS9 of the Council's Unitary Development Plan (1998) and HSG7 of the Council's Interim Planning Guidance (2007) which seek to ensure that adequate amenity space is provided.

#### **Sunlight, Daylight and Overshadowing**

- 8.61 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.

8.62 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.

8.63 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.

8.64 The submitted Environmental Statement details the following neighbouring properties are to be considered 'sensitive receptors':

- 2-12 Carron Close
- 21-23 Carmen Street
- 25 Carmen Street (Public House)
- 50-74 Carmen Street
- 27-35 Carmen Street
- 2-48 Carmen Street
- 139-141 Chrisp Street

8.65 The BRE guidance report sets out the the following three main methods how daylight is normally calculated:

- Vertical sky component (VSC)
- Average Daylight Factor (ADF)
- No Sky Level (NSL)

#### Vertical Sky Component (VSC)

8.66 The daylight levels are measured from the centre point of the windows.

#### Average Daylight Factor (ADF)

8.67 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.

8.68 The ADF test is where the impact is measured from the centre of the room. The test assesses the size of the windows in relation to the size of the room. The ADF test takes into account the size of windows and whether the room has more than one window. BRE guidelines recommend that development should not result in ADF losses of greater than 20%

8.69 The impacts of the development on daylight levels to the following nearby and most effected properties were assessed:

## Assessment

- 8.70 The report identifies that there are some reductions in the VSC and ADF levels to the surrounding properties. However, the properties which do not fully accord with the VSC tests comply with the ADF tests with the exception of 1 ground floor room at 23 Carmen Street. However, the level of non compliance is not considered to be significant and the vast majority of rooms assessed comply with the BRE guidelines.
- 128 of 147 (87%) windows comply with VSC target daylight levels
  - 146 of 147 (99%) rooms comply with ADF target daylight levels
- 8.71 An internal daylight assessment was undertaken to examine the impact the development has upon itself. The Average Daylight Factor test was applied and overall approximately 95% of the rooms within the proposed development achieve full compliance with the BRE target.
- 8.72 The instances of non compliance are not considered to be significant and whilst the proposal is likely to result in a reduction in the availability of daylight into habitable rooms of some neighbouring properties; it is considered that the regenerative benefits that the proposal would bring to the area and the borough as a whole, in terms of affordable housing and financial contributions would, on balance, outweigh the loss of daylight to a small number of properties.
- 8.73 In relation to sunlight, the BRE Guidance advises that new development should take care to safeguard access to sunlight for existing buildings and any non domestic buildings where there is a particular requirement for sunlight. This test measures the Annual Probable Sunlight Hours. The amount of sunlight entering a south facing window throughout the year should be 25% and 5% during winter. The assessment looks at the available sunlight hours.
- 8.74 The residual availability of sunlight to the existing neighbouring buildings and the development itself would on the whole, remain adequate and there would be no material impact arising from the proposal. With reference to sunlight, approximately 92% of the relevant rooms achieve full BRE sunlight compliance whilst the 4 localised failures would have minimal impact upon the occupants.

## Overshadowing

- 8.75 The submitted Daylight and Sunlight Assessment includes an overshadowing assessment. It demonstrates that the extent of permanent overshadowing that would arise from the proposed development would not unduly result in any material detrimental impact on existing neighbouring amenity or result in unacceptable levels of overshadowing of the proposed amenity space.

## Overlooking/Sense of Enclosure

- 8.76 Unlike, sunlight and daylight assessments, these impacts cannot be readily assessed in terms of a percentage. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Notwithstanding, it is considered by officers, that, given the siting, location and orientation of the proposed buildings and its relationship to surrounding properties, it is not considered that the proposals would not result in an unacceptable sense of enclosure or loss of privacy to neighbouring buildings or on the development itself. The taller element (Block A) of the development is located to the north east of the

site is not considered to have an overbearing of its surroundings. Block B and C extend to four storeys in height and is considered that properties to the north on Carmen Street and Chrisp Street would not experience a sense of enclosure.

#### Conclusion on amenity matters

- 8.77 It is not considered that the proposal would give rise to any adverse impacts in terms of privacy, overlooking, sense of enclosure, loss of sunlight and daylight upon the surrounding properties. As such, the proposal is considered to satisfy the relevant criteria of SP10 of the Core Strategy (2010); saved policy DEV2 of the Council's Unitary Development Plan (1998); policy DEV1 of the Interim Planning Guidance (2007) which seeks to protect amenity of surrounding properties.

#### Noise and vibration

- 8.78 The submitted Noise Assessment was assessed by LBTH Environmental Health team. At present, a noise assessment from plants, air conditioning or ventilation systems for the proposed development has not been undertaken. As such, a noise survey and assessment in accordance with BS4142 together with proposed mitigation measures would be submitted for approval by the Local Planning Authority, prior to commencement of works on site. This would be secured by way of condition.
- 8.79 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 would further assist in ensuring noise reductions.

### **Transport and Highways**

#### Accessibility

- 8.80 As noted in paragraph 4.10 of this report, the site has a PTAL rating of 3 to the eastern part of the site and a PTAL rating of 4 to the western part of the site which overall means it has good access to public transport.
- 8.81 It is situated within close proximity of a number of public transport routes providing easy access to Canary Wharf, Bank and the wider London area. These public transport facilities; include a number of bus routes along A13 and Chrisp Street as well as DLR services from Langdon Park, All Saints and Polar stations. Both the 309 bus service and the D8 are located within a short walk at bus stops located on Cordelia Street and Chrisp Street respectively. Also, bus stops for the 15, 115, D6 and D7 buses are located close of the site.

#### Car Parking

- 8.82 Policy 3C.1, 3C.16 & 3C.22 of the London Plan (2008); policy SP09 of the Core Strategy (2010), 'saved' policy T16 of the Unitary Development Plan (UDP); policy DEV 17, DEV 18 & DEV 19 of the IPG (2007) which seek to ensure sustainable non car modes of transport and to limit car use by restricting car parking provision.
- 8.83 Planning Standard 3 'Parking' of the Interim Planning Guidance (Oct 2007) stipulates that, developments without on-site car parking /car free development

should provide 1 accessible car parking space on site.

8.84 As noted in paragraph 4.2 of this report, the site presently contains 32 garages on site. The submitted Transport Statement outlines that the existing usage of the 32 garages is as follows:

- 10 garages let to Poplar HARCA tenants
- 10 garages are sublet to local residents
- 12 garages are vacant

8.85 Whilst surrounding tenants (both Polar HARCA and other) can apply to Poplar HARCA to use the garages, this is a private commercial arrangement not linked to their tenancies and can be terminated at a weeks notice. In summary the garages can be rented to anyone who wishes to use them. The applicant has confirmed that it operates other garages for rental purposes in nearby estates such as Milstead House on Carron Close and Salisbury House off Hobday Street which can be made available for local residents who wish to use them.

8.86 LBTH Highways team have raised no objections to the removal of the garages. In addition, no objections have been received from local residents on the loss of garages on site.

8.87 The proposal would make provision for 1 accessible car parking spaces on site which is in accordance with Council policy requirement. There is also one other car parking space proposed for the 4 bed social rented house fronting Carmen Street. As the site is highly accessible by public transport, the low provision of car parking on site is supported by LBTH Highways officers as it would assist in alleviating any problems associated with congestion in the area.

#### Cycle Parking

8.88 Council policies requires that secure cycle parking should be provided for new build developments. Specifically for residential development, planning Standard 3 'Parking' of the Interim Planning Guidance (2007) requires 1 cycle space per unit. On this basis, the proposal would be required to provide 75 cycle spaces.

8.89 The proposal makes provision for 72 cycle spaces (46 spaces at basement level and 26 spaces on ground floor level) located in safe and secure locations through Sheffield stands which is supported by officers. The applicant notes that the proposed 12 units on the ground floor with private gardens would be able to store bicycles in their private amenity space areas. This arrangement is considered acceptable by LBTH Highways officers.

#### Contribution towards highway improvement works

8.90 Policy SP03 of the Core Strategy seeks to protect and enhance streets that function as important distribution routes for vehicles and pedestrians as well as places to gather and which provide key links between the borough's town centres.

8.91 As identified in paragraph 6.19 of this report, a contribution of £20, 000 would be secured towards highway improvement works which includes improving/upgrading pedestrian crossing facilities on Chrisp Street and street scene improvements. A highway improvement works condition would be attached to the decision. The condition would require the applicant to submit a scheme of highway improvement

works which would be necessary to serve the development. This is in the interest of pedestrian and vehicular safety on the public highway and would seek to ensure that the development would support the creation of better and safer streets.

- 8.92 In addition and as noted in section 3.2 of the report, the Council would also seek a contribution of £3,000 towards the monitoring of the Travel Plan.

#### Refuse and recycling/ servicing arrangements

- 8.93 Policies SP05 of the Core Strategy (2010); DEV 55 of the Unitary Development Plan (1998) & DEV 15 of the Interim Planning Guidance (Oct 2007) seek to ensure that developments make adequate provision for refuse and recycling facilities in appropriate locations.
- 8.94 A refuse strategy has been designed to provide an easily accessible refuse store for the whole scheme which would be serviced by the existing refuse vehicle movement on Carmen Street and would not generate any additional movements. In terms of deliveries, 2 service vehicles per day are predicted which is considered acceptable and should not be detrimental to the local highway network. On street servicing of refuse is accepted by LBTH Highway officers. Notwithstanding, the applicant would be required to submit a Secure and Delivery Management Plan. This would be secured by way of condition.

#### Conclusion on transport/highway matters

- 8.95 Subject to conditions and appropriate S106 contributions, transport matters, including vehicular and cycle parking, vehicular and pedestrian access are acceptable and accord with policy's 3C.1, 3C.16 & 3C.22 of the London Plan (2008); policy SP09 of the adopted Core Strategy (2010); policies T16 & T18 of the Unitary Development Plan (1998), policies DEV16, DEV17, DEV18 and DEV19 of the Interim Planning Guidance (2007) and national advice PPS13 which seek to ensure there are no detrimental highway impacts created by the development.

#### **Energy and Sustainability**

- 8.96 London Plan energy policies (4A.1-4A.7) aim to reduce carbon emissions by requiring the incorporation of energy efficient design, use of decentralised energy and renewable energy technologies. More specifically, policy 4A.3 seeks to ensure developments meet the highest standards of design and construction. Policy 4A.6 require all developments to demonstrate that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions and seeks the development to ensure that where a CHP system is proposed consideration is given to extend the scheme beyond the site boundaries. Policy 4A.7 states that new developments should achieve a reduction in carbon dioxide emissions of 20% from on-site renewable energy generation. Policy 5.2 of the draft replacement London Plan (Oct 2009) seeks developments to achieve a CO2 reduction of 44%. Policy SP11 of the adopted Core Strategy (2010) and policies DEV5 and DEV6 of the Interim Planning Guidance (Oct 2007) have similar aims to London Plan policies.
- 8.97 The application has been accompanied by an Energy Statement and a Sustainability Statement.
- 8.98 The proposed energy efficiency measures would include improvements to the building regulations minimum requirements for insulation, air tightness and thermal

bridging to reduce Cos emissions by 11% which is considered acceptable by LBTH Energy team.

- 8.99 As part of low carbon and renewable energy technologies proposed, a Combined Heat and Power (CHP) is proposed across the site to generate electricity apart from the single house fronting Chrisp Street where photovoltaic (solar) PV panels are proposed.
- 8.100 It is anticipated that the proposed CHP system would result in a 20% reduction in CO2 emissions. The CHP space has been allocated within a plant room at basement level to enable future connection to any wider district heating systems.
- 8.101 Overall, it is anticipated that the Co2 reductions through the CHP system and PV panels would amount to 46% which would exceed the draft London Plan (2008) target of 44% and therefore supported by officers.
- 8.102 To continue to ensure a reduction in carbon dioxide emissions, the following conditions would be secured:
- A heat network supplying all spaces should be installed and sized to the space heating and domestic hot water requirements of the Development.
  - A minimum of 12m2 of photovoltaic panels should be installed to the single house at Chrisp Street site L11 with a minimum peak power of 1.6kWp.

#### Sustainability

- 8.103 London Borough of Tower Hamlets requires all new development to demonstrate the highest standards of sustainable design and construction in accordance with Policy 4A.3 of the London Plan Spatial Development Strategy for Greater London (2008) and Policy DEV 5 of the Interim Planning Guidance (2007).
- 8.104 To meet minimum requirements in terms of meeting heating, hot water and CO2 emission requirements; a development should achieve a Code for Sustainable Homes Level 3 rating. To meet the maximum requirements in terms of meeting building Regulations requirements a development should achieve a Code for Sustainable Homes Level 4 rating.
- 8.105 All affordable housing achieve a Code for Sustainable Homes level 4 rating. However, all private units would achieve a Level 3 rating. As noted in paragraph 6.14 of this report, LBTH Energy team sought to achieve Level 4 rating for all residential units within the development. As a response to this, the applicant has undertaken a viability assessment to explore the viability of achieving Level 4 rating across the development. The assessment found that Level 4 rating could only be achieved at the cost of reducing S106 financial contributions and reducing the amount of proposed affordable housing. The assessment was examined by officers who concurred with the findings in the viability assessment.
- 8.106 On a finely balanced assessment, officers are of the opinion that in this instance, the regenerative benefits that the proposal presents together with the policy compliant provision of affordable housing and numerous financial contributions outweigh the need to ensure that all units achieve a Code for Sustainable Homes Level 4 rating on site. To reiterate on points made in paragraphs 8.7-8.10 of this report, the deliverability of housing, particularly affordable housing, is a key priority for both the Council and Government Office for London.

### Conclusion on energy matters

- 8.107 Subject to the recommended conditions as identified in paragraph 8.101 of this report, it is considered that energy and sustainability matters, including energy, are acceptable and in line with policies 4A.1 to 4A.7 of the London Plan (2008); SP11 of the adopted Core Strategy (2010), policies DEV 5, DEV 6 & DEV9 of the Council's Interim Planning Guidance (2007) which seek to promote sustainable development practices.

### **Other Environmental matters**

#### Air Quality

- 8.108 Policy 4A.19 of the London Plan (2008) seeks to achieve reductions in pollutant emissions and public exposure by pollution. The submitted Air Quality Assessment demonstrates that exposure to poor air quality is extremely small and exposure to dust from construction to existing residents is negligible. Nonetheless a condition would be attached requiring the submission of a Construction Management Plan, which should detail measures to reduce dust escape from the site during construction. Such matters are also covered by separate Environmental Health legislation.

#### Biodiversity

- 8.109 Policy SP11 of the Core Strategy (2010) seeks to ensure the built environment adapts to the effects of climate change and notes that climate change would affect the borough in a number of ways and adaptations required to address these effects include providing new green open spaces and greening of the built environment.

- 8.110 SP04 of the Core Strategy seeks to:

*"promote and support new development that provides green roofs, green terraces and other measures to green built environment"*.

In addition, the borough seeks to:

*"ensure development protects and enhances areas of biodiversity value in order to achieve a net gain in biodiversity"*

- 8.111 The proposed makes provision for green on blocks A , B and C. These roof top area are not assessable to residents. The inclusion of green roofs brings a number of environmental and ecological benefits including; control of air humidity; filtration of dust and pollutants; rainwater retention therefore reducing water run off; aiding biodiversity and creating a natural habitat for plants and birds.
- 8.112 The Environmental Agency has requested that the green roofing identified on the drawings should be implemented to promote biodiversity habitat and mitigate against climate change. The applicant would be required to implement all the approved drawings. This would be secured by way of condition.
- 8.113 In accordance with SP04 and SP11 of the Core Strategy (2011), it is considered that the proposed green roofs to the development are beneficial towards mitigating climate change and enhancing biodiversity.

## Section 106 contributions

8.114 In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, planning obligations can only constitute a reason for granting planning permission where they meet the following tests:

- i. The obligation is necessary to make the development acceptable in planning terms;
- ii. The obligation is directly related to the development; and
- iii. The obligation is fairly and reasonably related in scale and kind to the development.

8.115 Planning obligations can be used in three ways: -

1. To prescribe the nature of the development to ensure it is suitable on planning grounds. For example, by requiring a given proportion of housing is affordable;
2. To require a contribution to compensate against loss or damage that will result from a development. For example, loss of open space;
3. To mitigate the impact of a development. For example, through increased public transport provision

8.116 Policy 6A.5 of the London Plan (2008) advises:

- It would be a material consideration whether a development makes adequate provision for, or contribution towards requirements that are made necessary by, and related to, the proposed development.
- Negotiations should seek a contribution towards the full cost of such provision that is fairly and reasonably related to the proposed development and its impact on the wider area.

8.117 Policy DEV 4 of the Tower Hamlets UDP 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007) state that the Council will seek planning obligations or financial contributions to mitigate the impacts of a development.

8.118 Chapter 8 of the Council's Core Strategy 2010 deals with Delivery and Monitoring. Policy SP13 says:

*" The Council will negotiate planning obligations in relation to proposed development. These may be delivered in kind or through financial contributions".*

8.119 The applicant has offered that the following matters are included in a Section 106 Agreement with the Council:

- Affordable housing provision of 35% of the proposed habitable rooms with a 70/30 split between social rent and shared ownership to be provided on site (free from grant funding)
- £30,846 towards open space
- £25,000 towards leisure and recreation
- £10,00 towards leisure and creation facilities
- £177,960 towards education
- £20,000 towards highway works
- £100,694 towards health



- £3, 000 towards the monitoring of the Travel Plan

The total financial contribution would be £367,500

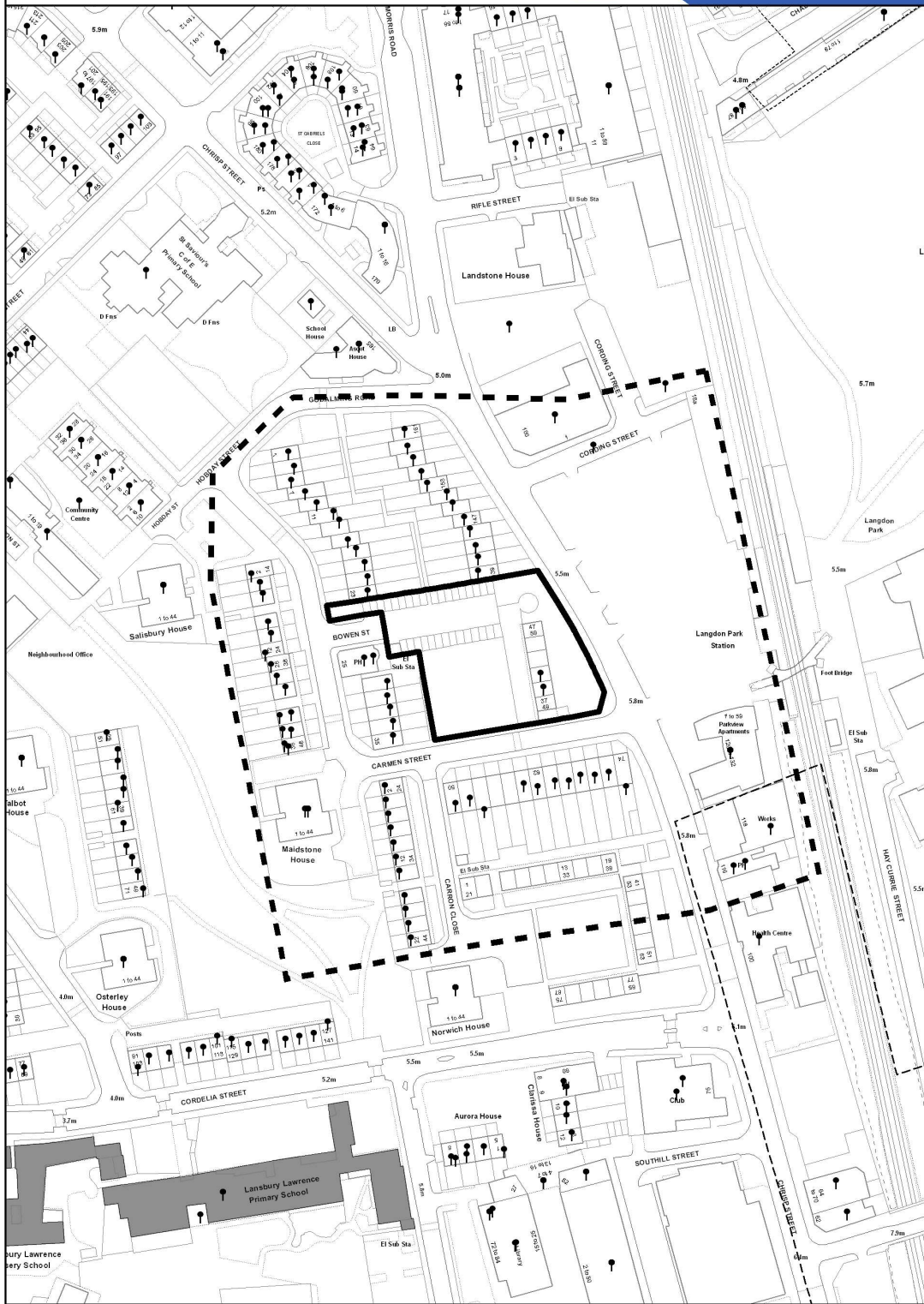
8.120 All of the above contributions have been discussed earlier in the report (paragraphs 6.6-6.11 & 6.21 of this report).







8.121 In accordance with policy 6A.5 of the London Plan, policy SP13 of the Core Strategy; policy DEV 4 of the UDP and policy IMP1 of the Interim Planning Guidance (Oct 2007), it is considered that the inclusion of the above matters in the section 106 agreement, together with the recommended conditions, would mitigate the impacts of the development and comply with Community Levy Regulations 2010.

## **9.0 CONCLUSION**

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

# Planning Application Site Map



	Planning Application Site Boundary		Locally Listed Buildings		Land Parcel Address	
	Consultation Area		Statutory Listed Buildings	0 30 m		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.  
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