

Committee: Strategic Development	Date: 04 August 2011	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Devon Rollo		Ref No: PA/10/01458	
		Ward(s): Mile End and Globe Town	

1. APPLICATION DETAILS

Location:	Redundant Railway Viaduct North of Pooley House, Westfield Way, London
Existing Use:	Railway siding above viaduct Storage units under viaduct.
Proposal:	The erection of two separate four storey podium blocks of Student Apartments – the easterly block flanked by two eight storey towers rising from the podium level and the western block by an eight storey block and a ten storey tower at the western end terminating the view along the Campus Access Road to the south. 412 student rooms are proposed which include 344 en suite single rooms, 32 self contained studios, 36 rooms designed for students with disabilities, 67 kitchen/diners and communal facilities on the site of a redundant railway viaduct running along the northern boundary of the Queen Mary College Campus in Mile End, London E1. The proposal also includes storage facilities for Queen Mary College at the western end of the site.
Drawing Nos:	MHJ/200 A; MHJ/201 C; MHJ/202 C; MHJ/210 C; MHJ/211 C; MHJ/212 D; MHJ/213 D; MHJ/213retro D; MHJ/214 D; MHJ/214retro D; MHJ/215 D; MHJ/216 C; MHJ/220 D; MHJ/221 D; MHJ/222 C; MHJ/223 C; MHJ/224 C; MHJ/225 C; MHJ/226 C; MHJ/227 C; MHJ/228 C; MHJ/229 C; MHJ/SK03; MHJ/SK04; MHJ/SK05; MHJ/SK21 A; MHJ/SK22 A; SL01 B; SL02 A; SL03 B; SL04 B; SL05 A; SL06 A; SL07 A; SL08; SL09; SL10 and SL11
Supporting Documents:	Design Statement, Supplementary Design Statement (3) March 2011; Impact Statement and Supplementary Impact Statement.
Applicant:	Network Rail
Owner:	Network Rail
Historic Building:	No
Conservation Area:	No

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of the application against the policies contained in The London Plan 2008, the Council's planning policies contained in the adopted Tower Hamlets Core Strategy 2010, the Tower Hamlets Unitary Development Plan 1998, the Council's interim planning guidance 2007 and associated supplementary planning guidance and Government Planning Policy Guidance and has found that:

- The provision of a student housing is supported by policies 3A.1 and 3A.25 of The London Plan 2008, policy SP02 of the adopted Tower Hamlets Core Strategy 2010, and policy and HSG14 of the Tower Hamlets Unitary Development Plan 1998, which provides for the specialist housing needs of the borough through working with the borough's universities to enable the appropriate provision of student accommodation that meets identified needs by:
 - i. Focusing student accommodation supporting London Metropolitan University at Aldgate or on locations that have good public transport accessibility
 - ii. Focusing student accommodation supporting Queen Mary University London in close proximity to the University.
- The new building in terms of height, scale, design and appearance is acceptable and in line with national advice in PPS5, policies 4B.1, 4B.8, 4B.10, 4B.11, 4B.12 and 4B.14 of The London Plan 2008, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1, DEV2 and CON2 of the Council's Interim Planning Guidance 2007 which seek to ensure development is of a high quality design, and preserves or enhances heritage assets and their settings.
- Transport matters, including vehicular and cycle parking, vehicular and pedestrian access and servicing arrangements are acceptable and in line with policy SP09 of the Tower Hamlets Core Strategy 2010, policy T16 of the Tower Hamlets Unitary Development Plan 1998, policies DEV16, DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance 2007 and national advice in PPG13, which seek to minimise trip generation and ensure developments can be supported within the existing transport infrastructure.
- Sustainability and renewable energy matters are appropriately addressed in line with policies 4A.7 – 4A.9 of The London Plan, policies DEV5 to 9 and DEV 11 of the Council's interim planning guidance 2007, and policy SP11 of the adopted Tower Hamlets Core Strategy 2010 which seek to ensure development is sustainable due to reduced carbon emissions, design measures, water quality, conservation, sustainable drainage, and sustainable construction materials.
- The scheme would not result in the overdevelopment of the site or result in any of the problems typically associated with overdevelopment. As such, the scheme is in line with policy 3A.3 of The London Plan 2008, policy SP10 of the adopted Tower Hamlets Core Strategy 2010, policies DEV1 and DEV2 of the Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's interim planning guidance 2007, which seek to provide an acceptable standard of development throughout the borough.
- The management of the demolition and construction phase would accord with policy DEV12 of the Council's interim planning guidance 2007.
- Contributions have been secured towards environmental improvements of pedestrian facilities, community facilities, open space, highways improvements, car free

arrangements and arrangements to ensure that accommodation is used as Student Housing for the student of Queen Mary University, London Metropolitan University or other further education facilities agreed with the Council. This is in line with Circular 05/2005, the Community Infrastructure Levy Regulations 2010, policy 6A.5 of The London Plan 2008, policy SP13 of the adopted Tower Hamlets 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 contributions toward infrastructure and services required to facilitate development.

3. RECOMMENDATION

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

A. Any **direction** by **The Mayor of London**

B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:

Financial Contributions

- Provide a contribution of **£15,000.00** to British Waterways for the undertaking of a study into the condition of the waterway wall.
- Provide a contribution of **£50,000.00** to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent to key public transport nodes within the vicinity of the site.
- Provide a contribution of **£75,000.00** to the Primary Care Trust for the provision of Health Care within the borough
- Provide a contribution of **£330,597.86** towards the provision of open space.
- Provide a contribution of **£42,848.00** towards the provision of library and Ideas stores.
- Provide a contribution of **£192,891.00** towards the provision of leisure and community facilities.
- Provide a contribution of **£2,855.68** for the upgrade the existing street lighting by replacing lights along Longnor Road.
- Provide a contribution of **£2,524.97** for the upgrade the existing street lighting by replacing lights along Moody Street.
- Provide a contribution of **£57,000.00** for footway improvement works in Longnor Road.

Non-financial Contributions

- Car free arrangements that prohibit residents and users of the development, other than disabled people, from purchasing on-street parking permits from the borough council.
- Restriction of the use of the accommodation to students of Queen Mary University or London Metropolitan University, or other further educational establishments within the borough as has been approved in writing by the local planning authority.
- To participate in the Council's Access to Employment initiative.

3.2 That the Head of Planning and Building Control is delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) 3 year Time Period
 - 2) Approved plans
 - 3) Submission of materials and elevation details
 - 4) Landscaping plan and landscaping management plan
 - 5) 10% wheelchair accessible room provision
 - 6) Carbon Emissions/Energy Savings Measures
 - 7) BREEAM level Excellent
 - 8) Land contamination remediation
 - 9) Verification of contamination remediation
 - 10) Cycle parking details
 - 11) Petrol/oil interceptors
 - 12) Noise insulation and glazing measures
 - 13) Details of plant and ventilation systems
 - 14) Air quality for mechanical ventilation
 - 15) Micro-climate assessment
 - 16) Bin store details
 - 17) Site Waste Management Plan
 - 18) No infiltration of surface water drainage
 - 19) Restriction of foundation designs
 - 20) Schedule of works on the Highways
 - 21) Water supply provisions for fire fighting
 - 22) Student Accommodation Management Plan
 - 23) Delivery and Service Management Plan
 - 24) Noise barrier details
 - 25) Post completion noise testing
 - 26) Details of water re-use
 - 27) Dismantle structures by hand
 - 28) Updated Black Redstart survey
 - 29) Living roofs
 - 30) Nest boxes for black redstarts
 - 31) Landscape enhancements for bats to be determined after a bat activity survey.
 - 32) Eradication and disposal of Japanese knotweed from the site.
 - 33) Measures to ensure acceptable water supply for development.
 - 34) Programme for recording the historic fabric of the railway viaduct.
 - 35) Travel advice note package
 - 36) CCTV scheme
 - 39) Removal of PD fencing rights
- Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) S106 agreement
 - 2) S278 agreement
 - 3) Thames water infrastructure requirements
- Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

3.3 That, if by 22nd of September 2011 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Planning and Building Control is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The applicant proposes to construct a student accommodation block containing 412 student rooms on the land currently occupied by the redundant portion of the railway viaduct. The proposal will consist of the demolition and removal of the redundant portion of the railway viaduct to the south side of the railway and the erection of two separate buildings.
- 4.2 Both buildings will consist of 4 storey podium blocks with higher tower elements at either ends of the podiums. The eastern building, closest to the Regent's Canal (Grand Union Canal), has tower elements rising to 8 storeys at both ends. The western building has tower elements rising to 8 storeys at the eastern end of the podium and 10 stories at the western end. This is shown in figure 4.1 below.



Figure 4.1 – South elevation of the proposed development showing heights of the proposed tower elements.

- 4.3 The proposal also includes the construction of two single storey storage buildings. One of these will be located within the Queen Mary University Campus and the other will be located to the west of the main student accommodation buildings.
- 4.4 The development will include parking spaces for two disabled vehicles and an onsite loading space and landscaping around the building. Communal roof terraces will be provided between the tower elements on top of the podium blocks on both buildings. Living roof elements will be incorporated on the roofs of the tower blocks.
- 4.5 As response to initial consultation comments, the design of the scheme has been changed from the scheme as originally submitted. The main changes to the design of the scheme are:
- The principle cladding material for the entire development has been changed from terracotta tile to stock brick.
 - Projecting bays have been simplified to a rectangular form with more uniform glazing.
 - Copper cladding, similar to that on Pooley House, will be used as predominate material on the projecting bays, rather than zinc, with only a small element of zinc cladding retained around the glazing elements.
 - The elevations of the originally submitted design have been simplified in terms of both form and materials.
 - The projecting roof elements have been removed.

Site and Surroundings

- 4.6 The subject site is currently occupied by a railway viaduct adjacent the northern boundary of the Queen Mary University campus on the northern side of Mile End Road. The site is

approximately 172m long by 25m wide and covers an area of approximately 0.469 hectares (1.16 acres). The site fronts onto a private unadopted access way within the university campus, which provides access to the rear of the Pooley House student accommodation building within the Queen Mary University campus.

- 4.7 The railway viaduct to the north of the subject site carries operational services out of Liverpool Street Station. The full viaduct extends to approximately 50m, with the northern section carrying live tracks. The viaduct narrows at the eastern end to a bridge crossing Regents Canal (Grand Union Canal). The redundant portion of the railway viaduct is located on the southern side of the operational tracks.
- 4.8 The viaduct forms a natural northern barrier to the Queen Mary University Campus, which is bounded to the south by Mile End Road, the east by Regent's Canal (Grand Union Canal) and the west by the Royal London Hospital.
- 4.9 To the east of the site is Regent's Canal (Grand Union Canal) and to the east of that is Mile End Park, an extensive area of Public Open Space running along the banks of the Canal from Limehouse to Victoria Park.
- 4.10 The Queen Mary University is to the south of the subject site. Immediately adjacent the development site is the existing 8 storey student housing building of Pooley House, with associated servicing access and parking. A Tower Hamlets Homes housing estate, known as Longnor Estate, on the north side of Longnor Road is located to the west of the site and to the north on the far side of the railway tracks is the housing developments of Sutton's Wharf and Leamore Court, Meath Crescent.

Planning History

- 4.11 PA/08/02485 – An Outline Planning Application for the erection of a student housing development was submitted in December 2008. This application was withdrawn by the applicant.
- 4.12 PA/09/01445 – A Full Planning Application for the erection of a student housing development to a maximum height of 10 storeys was submitted in August 2009. This application was also withdrawn by the applicant.

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:

Government Planning Policy Guidance/Statements

PPS 1	Delivering Sustainable Development
PPG 13	Transport
PPG 24	Planning and Noise
PPS 22	Renewable Energy

The London Plan Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (February 2008)

2A.1	Sustainability Criteria
3A.1	Increasing London's Supply of Housing
3A.3	Maximising the Potential of Sites

3A.5	Housing Choice
3A.6	Quality of New Housing Provision
3A.7	Large Residential Developments
3A.13	Specialist Needs and Specialist Housing
3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and enhancement of Social Infrastructure and Community facilities
3A.23	Health Impacts
3A.25	Higher and Further Education
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.3	Sustainable Transport in London
3C.4	Land for Transport
3C.17	Tackling Congestion and Reducing Traffic
3C.19	Local transport and public realm enhancements
3C.21	Improving Conditions for Walking
3C.22	Improving Conditions for Cycling
3C.23	Parking Strategy
3D.8	Realising the Value of Open Space and Green Infrastructure
3D.14	Biodiversity and Nature Conservation
4A.1	Tackling Climate Change
4A.2	Mitigating Climate Change
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy: Heating, Cooling and Power
4A.7	Renewable Energy
4A.9	Adaptation to Climate Change
4A.10	Overheating
4A.11	Living Roofs and Walls
4A.12	Flooding
4A.13	Flood Risk Management
4A.14	Sustainable Drainage
4A.16	Water Supplies and Resources
4A.17	Water Quality
4A.19	Improving Air Quality
4A.20	Reducing Noise and Enhancing Soundscapes
4A.28	Construction, Excavation and Demolition Waste
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.6	Safety, Security and Fire Prevention and Protection
4B.8	Respect Local Context and Communities
4B.9	Tall Buildings – Location
4B.10	Large-scale buildings – Design and Impact
4B.12	Heritage Conservation
4C.2	Context for Sustainable Growth
4C.3	The Natural Value of the Blue Ribbon Network
4C.6	Sustainable growth priorities for the Blue Ribbon Network
4C.8	Fright Uses on the Blue Ribbon Network

Core Strategy 2025 Development Plan Document (2010)

SP02	Urban Living for Everyone
SP03	Creating Healthy and Liveable Neighbourhoods

SP04	Creating a Green and Blue Grid
SP05	Dealing with Waste
SP07	Improving Education and Skills
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

Unitary Development Plan 1998 (as saved September 2007)

Policies:

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV4	Planning Obligations
DEV12	Provision of Landscaping in Development
DEV46	Protection of Waterway Corridors
DEV48	Strategic Riverside Walkways and New Development
DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV63	Designation of Green Chains
DEV69	Efficient Use of Water
HSG13	Internal Standards for Residential Developments
HSG14	Provision for Special Needs
HSG15	Preserving Residential Character
HSG16	Amenity Space
T16	Traffic Priorities for New Development
T19	Priorities for Pedestrian Initiatives
T21	Pedestrian Needs in New Development
T26	Use of Waterways for Freight
U2	Development in Areas at Risk From Flooding

Interim Planning Guidance for the purpose of Development Control (2007)

Proposals:

CSG	Crossrail Safeguarding Zone
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Core Strategies:

Policies:

DEV 1	Amenity
DEV 2	Character and Design
DEV 3	Accessibility and inclusive Design
DEV 4	Safety and Security
DEV 5	Sustainable Design
DEV 6	Energy Efficiency and Renewable
DEV 7	Water Quality and Conservation
DEV 8	Sustainable Drainage
DEV 9	Sustainable Construction Materials
DEV 10	Disturbance from Noise Pollution
DEV 12	Management of Demolition and Construction
DEV 13	Landscaping and Tree Preservation
DEV 14	Public Art
DEV 15	Waste and Recyclables Storage
DEV 16	Walking and Cycling Routes and Facilities
DEV 17	Transport Assessments
DEV 18	Travel Plans

DEV 19	Parking for Motor Vehicles
DEV 20	Capacity of Utility Infrastructure
DEV 22	Contaminated Land
DEV 27	Tall Building Assessment
HSG 1	Determining Residential Density
HSG 7	Housing Amenity Space

The Draft Replacement London Plan (October 2010)

2.18	Green infrastructure: the network of open and natural spaces
3.1	Ensuring equal life chances for all
3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.7	Large residential developments
3.8	Housing choice
3.10	Mixed and balanced communities
3.17	Protection and enhancement of social infrastructure
3.18	Healthcare facilities
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood risk management
5.13	Sustainable drainage
5.14	Water quality and sewerage infrastructure
5.15	Water use and supplies
5.17	Waste capacity
5.18	Construction, excavation and demolition waste
5.21	Contaminated land
6.2	Providing transport capacity and safeguarding land for transport
6.3	Assessing transport capacity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.3	Secured by design
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.8	Heritage assets and archaeology
7.9	Heritage-led regeneration
7.19	Biodiversity and access to nature
7.30	London's canals and other rivers and waterspaces
8.2	Planning obligations

Supplementary Planning Guidance/Documents

Designing Out Crime (Part 1 & 2) – SPG 2002
Landscape Requirements – SPG 1998

Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

A Great Place To Be
Healthy Communities
Prosperous Communities
Safe and Supportive Communities

6. CONSULTATION RESPONSE

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

Olympics Joint Planning Authorities Team

6.2 No objection or concerns raised.

Crossrail

6.3 Do not wish to make any comments on the application.

Officer's Comments

6.4 Design changes in the Crossrail programme mean that while the application site is located within the Safeguarding Area, this area is no longer proposed to be used in association with the construction proposals for Crossrail.

Environment Agency

6.5 The Environment Agency has withdrawn an earlier objection to the proposal. The Environment Agency has requested that a number of conditions be imposed on any approval relating to contamination within the site and piling related to the foundations of the development.

Officer's Comments

6.6 Conditions required by the Environment Agency are recommended to be included on the Planning Permission, if approved.

British Waterways

6.7 British Waterways have requested a survey and repairs be carried out to the waterway wall adjacent the development, to ensure that the waterway wall is capable of accommodating the development and additional impact from nearby users. They have also requested details of the new copings to be installed.

6.8 British Waterways have requested a financial contribution of £100,000 to be secured through a Section 106 legal agreement towards enhancement of the waterway environment, due to the increased number of users from the development.

6.9 British Waterways have requested that LED path lighting to the underside of the adjacent rail bridge be installed, to increase the safety of users of the waterside towpath, including the additional users from the development.

6.10 British Waterways have requested Green and Brown roofs be installed and have also requested the installation of bird and Bat boxes within the development, in order to increase biodiversity and the use of the adjacent waterway for nature conservation.

6.11 British Waterways have requested a number of conditions and informatives be imposed on the planning permission, if approved.

Officer's Comments

6.12 The applicant has offered to replace the copings on the adjacent waterway wall as part of the proposal and agreed to a financial contribution of £15,000 to undertake a study on the condition of the waterway wall. This does not fully address British Waterway's request for a survey and identified repairs to be carried out to the waterway wall. However, any existing damage to the wall cannot be attributed to the proposed development and therefore it would be unreasonable to expect that the proposal would repair any damage.

6.13 No commitment to provide LED lighting above the towpath on the underside of the rail bridge has been provided. The canal towpath walkway that runs under the rail bridge is located on the opposite side of the canal (eastern side) from the development and occupants of the development would not have direct access to it from the development site. The canal path is an existing situation, and while the increase in population may increase the number of users, the existing lighting situation would not be exasperated by the development. It is not considered that the provision of LED lighting under the bridge would be appropriately related to the mitigation of the impacts of the scheme.

6.14 No commitment to provide any further financial contribution towards enhancement of the waterway environment has been provided.

6.15 Detail of bird and bat box installation on the development has been provided as a response to British Waterway's. These could be secured by a condition of consent.

6.16 Conditions and informatives required by British Waterways are recommended to be included on the planning permission, if approved.

London Fire and Emergency Planning Authority

6.17 LFEPA have requested that further information is provided on the water supplies in the area.

6.18 LFEPA have advised that turning for emergency vehicles does not comply with ADB.B5.16.11 (Diagram 50)

Officer's Comments

6.19 It is considered that a condition should be included on the application to require confirmation that adequate access to water for fire fighting purposes is available, to the satisfaction of the LFEPA, prior to the commencement of development.

6.20 Since the response from LFEPA, further information has been provided by the applicant showing how the turning can be achieved.

Commission for Architecture and Built Environment

6.21 Initial comments from CABA on the design stated that the principle of student accommodation on the site is acceptable. However CABA raised a number of areas of concern regarding the design of the development. CABA state that there is not a clear relationship with Pooley House at ground floor level. They also raised concerns as to the internal amenity for the occupants of the development, commenting particularly on the daylight to the northern single aspect units/rooms. They have also questioned how the rooms will be ventilated and also protected from noise. Initial comments also highlighted that they were unconvinced that the architecture exhibits a quality that such a prominent location demands and that the architecture is unnecessarily complicated.

6.22 Following the design amendments CABA were again consulted on the scheme. However, at the time of writing this report CABA had been able to comment on the revisions to the design of the scheme.

Officer's Comments

- 6.23 The land immediately adjacent the site, which is a parking and service road to the rear of Pooley House, is owned by Queen Mary University and is outside the control of the applicant. However, the applicant has entered discussions with the University and drawn up a plan, for information only, of how landscaping of the area could be brought forward. However, the applicant has not agreed to the landscaping of the QMU land being secured by S106, as they are not able to control that this be brought forward. They have commented that the area within the site will be landscaped and provide additional public realm. However, the form of landscaping is restricted as this area is required to be maintained as an emergency services access, due to the fact that the developer does not have access rights over the adjacent QMU land for this purpose.
- 6.24 The development is proposed for student accommodation and thus will have a transient population. However, in order to address concerns related to the design and provision of daylight to the northern aspect the developer has amended the design to include larger windows with louvers which will allow daylight through the north facade while restricting noise from the adjacent rail tracks. A daylight report has been provided detailing the level of daylight received into the rooms. This is discussed in paragraph 8.103 of this report.
- 6.25 Further information has been provided detailing ventilation options and the measures to protect the residents from the noise generated by the adjacent railway and calculations have been provided to show how effective noise protection measures are. The information demonstrates that ventilation can be provided in an acceptable form and conditions are recommended to ensure these measures are adequately installed and post completion testing is carried out to ensure the quality of the living spaces.
- 6.26 Changes have been undertaken to the northern facade of the building and to the proposed materials palette.
- 6.27 Changes to the design of the building are considered by officers to simplify the architecture of the building.

English Heritage

- 6.28 The initial response from English Heritage raised concern about the lack of information regarding the heritage of the viaduct and as such, they were unable to provide a final comment on the application. Following further information provided by the applicant on the heritage of the viaduct, English Heritage recommended that a condition be included on any approval requiring the implementation of a programme of recording and historic analysis.

Officer's Comments

- 6.29 As a result of the initial comments from English Heritage, the applicant undertook a report into the heritage of the viaduct. It is considered that the condition recommended by English Heritage, following the review of the heritage report, be included on any Planning Permission.

Transport For London

- 6.30 TFL accept the car-free proposal for the site and request that this is secured by S106 legal agreement. However, they have noted that only two of the three car parking spaces provided onsite are to be provided for disabled drivers. They have therefore requested clarification as to the use of third car parking space provided onsite.
- 6.31 TFL have requested cycle parking is increased from 120 to 206 to meet the required standard of 1 space per 2 students. In addition security measures such as CCTV should be provided to ensure that the cycle storage is secure and well maintained.
- 6.32 TFL have also requested a Construction Logistics Plan and a Delivery and Servicing Plan.

They have requested this be secured in the S106 of the development.

- 6.33 Finally in line with TFL comments they have requested a financial contribution of £50,000 be secured under the S106, to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- 6.34 Given the level of walking estimated in the Transport Assessment TFL has also requested signage in 4 locations, which together with the maintenance costs brings the total value of their S106 financial contribution requirements to £51,727.
- 6.35 TFL have requested a full travel plan for the development, including a particular focus on the arrival and leaving of students at the start and end of terms.

Officer's Comments

- 6.36 The applicant has accepted the requirement for the development to be secured as car free (excluding disabled parking) by S106 legal agreement.
- 6.37 The applicant has confirmed that the 3rd parking space is not a parking space but would be a loading space.
- 6.38 The applicant has confirmed that the cycle parking spaces will be two tier stands and will therefore be able to accommodate 240 cycle spaces. This exceeds the 206 requested by TFL.
- 6.39 No confirmation or detail of security measures has been provided at this stage but it is recommended that a condition be included on the consent to ensure that prior to occupation these details are provide and installed.
- 6.40 The applicant has confirmed they are happy for a delivery and servicing plan and a construction delivery plan to be secured by planning condition. If approved, it is recommended that conditions are included securing the submission and approval of these documents.
- 6.41 The applicant has also agreed to provide the requested financial contribution towards improving the junctions adjacent key public transport nodes within the vicinity of the site. However, they have not committed to the contribution towards signage. Their response on this matter is that there is appropriate wayfinding signage existing in the area, particularly through the Queen Mary University campus.
- 6.42 In relation to the request for a full travel plan, it is considered, on the basis of Council's Strategic Transport Officer advice that a travel plan would not be an effective tool for the mitigation of impacts from the arrival and leaving of students at the start and end of terms. Instead Council officers are advocating a simpler and more user friendly travel advice note package as further discussed paragraph 8.68 of this report.

Greater London Authority

Land use

- 6.43 GLA have requested information as to the operation and management of the new student accommodation. They have also requested confirmation that Rents and Nomination Agreement will be entered into with QMU or other student housing provided.
- 6.44 GLA have requested that it is secured by S106 legal agreement that the accommodation is only used by students or faculty staff of QMU only

Design

- 6.45 GLA initially raised a number of concerns related to areas of the design of the building. They

requested the screens on the northern side of the terrace be removed. They have also stated that the north elevation needed to be reconsidered, as it failed to provide a sufficiently distinctive and high quality enclosure to the park to the north.

- 6.46 Other concerns that GLA raised relating to the design included, that the northern elevation was not designed with a north facing aspect in mind and that there is a lack of passive security achieved to the main entrance of the building at Bradwell Street.
- 6.47 Furthermore, GLA stated that there was insufficient detail of how the development relates to the canal setting and that the overall appearance should be reconsidered to ensure it would suit the context and would not harm the Conservation Area.
- 6.48 The GLA requested that improvements to Bradwell Street, which is in a poor state, include lighting and active security measures and be secure if planning permission is approved.
- 6.49 Concern was also raised by GLA that planting of trees is proposed too close to the building to achieve maturity.
- 6.50 Following submission of the amended design, officer comments from the GLA were provided on the changes to the design. These stated that the revisions to the materials palette and simplification of the external treatment and roofline is welcomed. The comments on the revised design stated that the new design response would have an improved relationship with the character of Regent's Canal Conservation Area.
- 6.51 However, the officer comments do state that the inclusion of brise soleil to the northern elevation seems counterintuitive given the orientation of this elevation and that this elevation should be designed with a north facing aspect in mind.

Accessibility

- 6.52 Initially in relation to accessibility GLA stated that insufficient information to demonstrate how the studio units would be adapted for wheelchair users is provided. Following the provision of more information and amended designs officer level comments were received from the GLA confirming the 9% of units as wheelchair accessible and 1% as adaptable for wheelchair uses was supported.

Sustainability

- 6.53 Initially in relation to sustainability and climate change mitigation GLA also requested details showing the breakdown of regulated and unregulated carbon emissions. They also requested details of the proposed building parameters (e.g. Air permeability and U-values) compared with the values for the 2010 Building Regulations Notional Building. GLA requested a condition to secure the proposed photovoltaic panels.
- 6.54 Following amended designs and further information the officers level response from GLA commented that, while the energy efficiency measures proposed will meet 2010 Building Regulations compliance through energy efficiency alone, the applicant should explore the potential to achieve further energy efficiency savings to ensure they exceed 2010 Building Regulations compliance and that GLA officers would expect any constraints to doing so to be clearly summarised and evidenced.

Transport

- 6.55 In relation to transport issues the comments from the GLA complement those provided from TFL (see above). The GLA accept the car-free proposal for the site and request that this is secured by S106 legal agreement.
- 6.56 The GLA have requested cycle parking is increased from 120 to 206 to meet the required standard of 1 space per 2 students. In addition security measures should be provided.

- 6.57 A signage strategy has been requested between the site and key transport nodes and full travel plan is requested to be secured in the S106 legal agreement.
- 6.58 GLA have also requested a Construction Logistics Plan and a Delivery and Servicing Plan.
- 6.59 Finally in line with TFL comments they have requested a financial contribution be secured under the S106 for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- 6.60 GLA, have also requested a full travel plan for the development.

Officer's Comments

- 6.61 The applicant has provided a statement commenting that it is not currently known how the student housing will be operated as they are currently in the process of picking a preferred developer. Therefore no commitment has been given that a Rents and Nomination agreement will be entered into with the QMU or other student housing provider. In addition, the applicant has advised that QMU do not enter into Rents and Nomination agreements.
- 6.62 The applicant has agreed to an obligation in the S106 legal agreement that the accommodation will only be used by students of Queen Mary University, London Metropolitan University or other agreed further education facility. This is considered acceptable.
- 6.63 The applicant has removed the screens to the northern side of the terraces, amended the design of the north elevation and material pallet in order to address some of GLA's concerns. Given the latest officer level comments from the GLA this has been largely successful in addressing GLA concerns.
- 6.64 While the amendments to the northern elevation fails to fully address GLA officers concerns, the design of the northern elevation must also contend with the adjacent railway and the noise that arises from the operation of trains along this line. Design is discussed in greater detail in the Material Planning Considerations section of this report, in paragraphs 8.79-8.129. Comments from GLA officers brought up an issue with brise soliel to the northern elevation. These are in fact acoustic baffles rather than brise soliel and are proposed to ensure adequate noise mitigation to the student rooms.
- 6.65 Matters related to tree planting, the type of tree and the exact position will be agreed in detail through the discharge of landscaping conditions, which are recommended to be included on any approval.
- 6.66 Bradwell Street is a private roadway outside the ownership of the applicant. While the applicant does have rights of access over the roadway, it is outside the application site and improvements cannot be secured by condition.
- 6.67 Amended drawings have been provided detailing how the conversion of the studio apartments to wheelchair units would be accomplished.
- 6.68 The applicant has provided the requested details on regulated and unregulated carbon emissions and a comparison of the building parameters with the 2010 Building Regulations notional building. Conditions of consent could ensure that Energy Efficiency measures are maximised in accordance with GLA's request.
- 6.69 A condition is recommended to be included on the permission as requested by GLA securing the installation and operation of the proposed photovoltaic panels.
- 6.70 Refer to the officers comments under the TFL section (above) for comments related to transport.

Thames Water Authority

- 6.71 Thames Water Authority has requested conditions and informatives relating to attenuation of stormwater, pilling restrictions, oil interceptors, fat traps and a study on the impact of the development on the water supplies to the area.

Officer's Comments

- 6.72 Conditions and informatives required by Thames Water Authority are recommended to be included on the Planning Permission, if approved.

Inland Waterways Association

- 6.73 No objection or concerns raised.

Tower Hamlets Primary Care Trust

- 6.74 Tower Hamlets Primary Care Trust has commented that there is insufficient detail in the application on health care and how the proposed residents of the student accommodation will be catered for and as such they cannot provide a final response or identify an appropriate total for a financial contribution to mitigate the impact upon health services in the area.

Officer's Comments

- 6.75 No information has been submitted to outline the impact of the additional population created by the development on health facilities. While QMU has health facilities within the campus, there is no requirement that students will only use these facilities. Students are open and able to register with and use other NHS facilities in the area. Furthermore, there is no possibility to restrict occupants from using any public health facilities with the area. In addition to this, occupants would potentially increase the demand on such facilities as Accident and Emergency. In order to mitigate this impact the applicant has proposed a financial contribution to PCT of £75,000

LBTH Transportation and Highways

- 6.76 The Council's Transport and Highways Department raised concern that details of the types of stand for cycle storage were not provided.
- 6.77 They have also identified areas where they considered inappropriate data was used in the Transport Assessment. They have stated that the survey used to estimate trip generation should be recent and based on inner-London student accommodation rather than the data that was used which did not include any sites in London and was collected in 2001 to 2006.
- 6.78 The Council's Transport and Highways Team have also raised questions relating to how the modal splits between public transport modes have been allocated.
- 6.79 Financial contributions have been requested for the following public realm improvements:
- £5,380.65 for the upgrade the existing street lighting by replacing lights along Longnor Road and Moody Street
 - £57,000.00 for footway improvement works in Longnor Road
 - £53,000.00 for raised junction tables at Moody Street/Bancroft Road and Moody Street/Longnor Road junctions.

Officer's Comments

- 6.80 The applicant has provided detail of the two tier stands proposed, confirming sufficient operation distance has been provided to ensure the top level of the cycle stands are accessible.

6.81 The applicant has provided additional information to address the Council's Transport and Highways Department's questions relating to trip generation and modal splits. They have provided an explanation that no directly comparable data is available for inner-London student housing sites and that is why outer-London sites have been used. The statement provided by the applicant identifies that a simple 50:50 modal split was adopted due to the low number of estimated trips.

6.82 The applicant has agreed to provide a financial contribution for:

- £5,380.65 for the upgrade the existing street lighting by replacing lights along Longnor Road and Moody Street; and
- £57,000.00 for footway improvement works in Longnor Road

6.83 However, the applicant has not agreed to the financial contribution of £53,000.00 for raised junction tables at Moody Street/Bancroft Road and Moody Street/Longnor Road junctions. The applicant has stated that this is disproportionate to the scheme given that the development would be car free and provide minimal vehicle trips.

LBTH Waste Policy and Development

6.84 LBTH Waste Policy and Development has not raised objections to the development

LBTH Energy Efficiency Unit

6.85 LBTH Energy Efficiency Unit have requested conditions be imposed on any planning permission relating to sustainability and energy efficiency.

Officer's Comments

6.86 Conditions requested by LBTH Energy Efficiency Unit are recommended to be included on the Planning Permission, if approved.

LBTH Landscape Section

6.87 The Council's Landscape has not objected to the proposals.

LBTH Arts, Sports and Leisure Services

6.88 The Council's Arts, Sports and Leisure Services Team have requested financial contributions of £330,597.86 are made towards open space provision, £42,848.00 towards library and ideas stores provision and £192,891.00 towards leisure and community facilities. The financial contributions would be used to mitigate the impact of the increased population on these resources and have been calculated on the basis of the Council's infrastructure delivery plan, Sports England calculator and the Council's Planning for Population and Grown Capacity Assessment. These financial contributions should be secured through a S106 agreement.

Officer's Comments

6.89 The applicant has agreed to commit to the requested financial contributions towards open space, libraries and Ideas Stores and leisure and community facilities.

LBTH Crime Prevention Officer / Met Police

6.90 The Council's Crime Design Officer from the Met Police has commented that the new building is as secure as possible, relating to access to the building and between rooms. Would expect Secure by Design standards for ground floors, doors, glass, lighting, entry phones, concierge/porters, postal services etc.

6.91 He has also commented that given the current permeability of the campus, campus security should not be used as a reason for not opening up towpath access on the western side.

Officer's Comments

6.92 It is recommended that the requirements for Secured by Design Standards are included on

the permission as conditions of consent if granted.

- 6.93 The applicant is not proposing any changes to the current tow path arrangement. On the western side of the Regent's Canal the viaduct bridge arch is immediately adjacent the canal wall, leaving no room for a tow path on this side of the canal. Any tow path on the western side would have to be developed within the current canal waterbody. While the development does not provide tow path access under the viaduct on the western side, it does not preclude this being provided in the future.

LBTH Environmental Health

Noise, vibration and ventilation

- 6.94 Due to the noise source from the adjacent the railway, noise and vibration are of concern in relation to this development. Details of required noise mitigation and levels of vibration and ground borne noise have been provided and reviewed by Environmental Health. Environmental Health are happy that measures can be included to adequately mitigate these matters and ensure an appropriate living environment. They have recommend conditions of consent relating to glazing, ventilation, noise mitigation measures, air quality for any mechanical ventilation and post completion test to be carried out in order to prove that development achieve the BS 8233 good standard.

Land Contamination

- 6.95 Records show that the site and surrounding area have been subjected to former industrial uses (Miscellaneous: Hospitals; Miscellaneous: Cemetery or Graveyard; Infrastructure: Railways), which have the potential to contaminate the area. It is understood that ground works and soft landscaping are proposed and therefore a potential pathway for contaminants may exist and will need further characterisation to determine associated risks. Conditions are recommended to ensure appropriate testing and remediation of any land contamination due to former uses, prior to the construction of the development.

Officer's Comments

- 6.96 It is recommended that the conditions recommended by Environmental Health are included on any permission to mitigate the impacts of the noise environment and any potential land contamination.

7. LOCAL REPRESENTATION

- 7.1 A total of 794 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 responses: 27 Objecting: 25 Supporting: 2
No of Petitions: 1 - Online

- 7.2 The following issues were raised in representations and petitions received:

- In the view of one submitter, the MOLAS assessment of the railway viaduct to be removed lacks sufficient historic analysis for a proper assessment of significance and that further research on the historic analysis of the railway would probably have lead to a much higher level of significance. The submitter considers that too much of the Borough's railway heritage has already disappeared and that MOLAS should carry out a proper standing building assessment.
- The quantity of proposed rooms in the development will have a negative effect on the local residents and amenities. Together with the already densely populated area, with many 8 and 9 storey buildings extremely close by and Sutton's Wharf North that is

currently under construction and will also add hundreds of flats, the hundreds of extra residents would put considerable pressure on bus routes, walkways, shops, canal towpaths, local parks and GP surgeries.

- The development lacks architectural merit, with the submitter commenting that the design is reminiscent of an office block template, offering little enjoyment to residents and does not sensitively harmonise with the surrounding canal and Mile End Park.
- The double height roof canopies look like helicopter landing pads and would recommend that they are redesigned
- Suggest that the cladding materials are toned-down.
- The development will spoil the views of Canary Wharf
- The development will create an overdevelopment of buildings in the area
- The development will effect the aesthetics of the park
- The development will cause a drop in property prices in the area
- Already within Bethnal Green there has been several student accommodations built.
- The development should be redesigned to be more eco-friendly or the developer should turn the area into greenland.
- The 10-14 storey height is too tall and out of scale with recent developments.
- There will be an increased level of noise from more student accommodation, and noise from the trains as it bounces off the walls of the new development.
- The development will have a negative affect on nature around the area.
- The development will impact on the light level received by the existing student block [Pooley House]
- The proposed development will have a lot of noise disturbance from the trains
- Fed up with constant construction noise in the area.
- Will air conditioning be installed to new building [to prevent need to open windows and reduce noise insulation]?
- Scale of the development would be excessive and out of keeping with character of the area, dominating the local skyline.
- The proposed design is aesthetically uninspiring
- Impact on light received by developments to the north side of the railway
- Amount of building is reducing the quality of the area and green areas
- Features of the building increase the height without serving any purpose
- Height of the building would be overbearing and would blight the amenity value of Mile End Park, the Canal walk and Meath Gardens
- Adverse impact on Mile End Station [capacity]
- More appropriate to refurbish the derelict building on Queen Mary University Campus that build the proposed development
- The development will result in overlooking and loss of privacy
- The development would adversely impact on the conservation area features, wildlife, biodiversity and protected priority species on the adjacent areas of Regent's Canal
- Development will increase traffic flow along Longnor Road and Bradwell Street
- Will students be entitled to make applications for residents parking permits?
- Currently there is little disturbance from the University Campus on Longnor Road. However, the university gates are closed at 7pm. The application fails to make clear what hours of access will be and what impact this will have on Longnor Road. Worry is that it will impact on privacy of residents and alter the calm quiet atmosphere currently enjoyed.
- Concern about contamination of the site
- No mention in the application of the allotments on Bradwell Street and what will be done to protect these
- No mention is made of the small businesses, which currently operate in Apple Tree Yard.
- Lack of consideration of residents of Longnor Estate
- To have a large concentration of student flats on our doorstep is detrimental to the harmony of community relations and will cause irreconcilable tensions as has been evidenced in other inner city large-scale student accommodation.

- Consideration that it would make more sense to limit the number of students in lower rise buildings or distribute student housing in different locations spread out over East London. This would be better for the students who would benefit from a more communal reception rather than potential targets of abuse and crime.
- Consider that there will be noise pollution from parties taking place on terraces
- Noise from noisy drunken people late at night walking home along residential streets
- No roof terraces should be permitted as they will constitute an unnecessary health and safety hazard, in addition to creating noise and light pollution for other residents.

7.3 The following supporting comments were raised in representations:

- Queen Mary University and Network Rail have been working together and Queen Mary University is now satisfied that the potential benefits of the scheme outweigh the temporary nuisance during construction activity.
- Purpose built student accommodation of the specification proposed is lacking within proximity to the Queen Mary University and the proposed development will significantly increase the diversity of accommodation available to Queen Mary University Students
- Queen Mary University believe the scheme will not compete with the existing accommodation on the Mile End campus, as it will be more expensive, however it will add to the options available to students and they envisage that the accommodation will be fully occupied once complete.
- In 2010 the Queen Mary University had a considerable number of students on the waiting list for accommodation, indicating significant unmatched demand for purpose built student accommodation
- Security of the Queen Mary University campus is a significant priority for the University and Queen Mary University and Network Rail have given this much thought and the scheme now envisages the development will be gated thus preventing general pedestrian access onto the site and via the site onto the University campus
- Replacement storage facilities will ensure Queen Mary University will continue to have on site access for essential plant, equipment and consumables needed in the day to day operation of it 1700 on site student rooms.
- Longnor Tenants and Residents Association consider that the scheme will greatly improve and regenerate an immediate area
- The development will create a more pleasant environment and deter anti social behaviour
- The Development will create a liaison between Longnor Estate and the railway
- The Longnor Tenants and Residents Association has been consulted by Network Rail throughout the application and understand and support the merits and are working with Network Rail to ensure that the immediate area benefits from the application presented by them.

Officer's Comments

7.4 Matters related to the Museum of London Archaeology report are discussed in detail in paragraphs 8.95-8.100 of this report.

7.5 Matters related to the internal amenity of the proposed development, density of development, scale and height of the development and the appearance of the development are all also addressed in section 8 of this report. It should be noted that a number of the comments made in representations relating to the architectural quality and design relate to the design as originally submitted. Significant design alterations were undertaken following initial officer feedback that have seen, amongst other amendments, changes to the material pallet, simplification of the design and removal of the butterfly roofs, which has resulted in a lowering of the height and what Council design officers consider a significant overall improvement of the design of the development.

- 7.6 A number of representations received raise objection on the grounds that the development will impact upon views from the developments to the northern side of the rail towards Canary Wharf, impact on the skyline, and result in a drop in property values for these residents. As addressed in paragraph 8.121 it is an accepted planning principle that private views cannot be protected in planning consideration. Therefore, as private views are recognised as not being a material planning consideration it is considered that a refusal could not be substantiated on this basis. Furthermore, property value is also a matter that is outside the aspects of material consideration when assessing and making a decision on planning applications.
- 7.7 With many student housing developments concern is raised over the impact of a concentration of students within the area. Aspects raised in representation for this application include noise and anti social behaviour of students also. This matter is addressed in paragraphs 8.48-8.50 of this report, where it is recommended that a condition of consent require the implementation of a management plan for the development which would include:
- Details of a full time management team and the provision of 24 hour security.
 - Details of a Management Code of Conduct that stipulates the behaviour of occupiers and residents of the building.
 - A requirement for each student residing in the building to sign a tenancy agreement to abide by the Management Code of Conduct.
 - Circumstances where a tenancy would be terminated and the steps to achieve this.
- 7.8 It is considered that such tools have been successfully used in other developments to control noise and antisocial behaviour attributed to student housing and that this tool would be appropriate to mitigate impacts of the scheme related to these matters.
- 7.9 As with many large development schemes, representations have raised concern that the scheme will result in overdevelopment of the area. Overdevelopment is a symptom caused by development when an area does not have appropriate infrastructure, facilities and transport connections to adequately support the developments in an area. It is shown in section 8 of this report that the development does not impact on transport capabilities and is adequately supported by facilities in the area.
- 7.10 Representations from the public have raised concern that no detail has been provided on the impact of noise from the trains bouncing back off the new development. Following the review of these objections the applicant was requested to provide details. As detailed in paragraphs 8.51-8.53 the information submitted shows that the maximum increase in noise will be negligible.
- 7.11 Representations have also raised concerns on the impact of loss of light, loss of privacy, impact on biodiversity and ecology value, construction noise, land contamination, Mile End Station capacity and increased traffic. These matters are all addressed within Section 8 of this report and are not considered to be of such a detrimental impact to warrant refusal of the application, either separately or cumulatively.
- 7.12 One representation has raised concern about the impact on the site known as Apple Tree Yard, within the arches immediately to the west of the site, behind Longnor Estate, and the existing allotment plots further to the west adjacent the railway viaduct. Network Rail have confirmed that Apple Tree Yard and the business there within the arches are not impacted and their access remains unaffected. Also the allotments which have been created by members of the public on Network Rail land will not be affected.
- 7.13 While officers can see the merits of such an offer, it is not appropriate to secure this as a planning obligation as it does not meet the tests in the CIL Regulations 2010 or the 05/05 Circular.

- 7.14 Representations have also raised issues relating to the impacts of the use of roof terraces. Again it is felt that the impacts of these are a management issue and could be adequately controlled through a Management Plan for the development, which could restrict hours of use.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Principles of the Land Use
2. Impact on the Amenity of Adjoining Occupiers and the Surrounding Area
3. Traffic and Servicing Issues
4. Design and Layout of the Development
5. Sustainability
6. Planning Obligations

Principle of the Land Uses

Loss of existing uses

- 8.2 The subject site is currently occupied by a disused portion of the railway viaduct. This disused portion of the viaduct was formally coal or sand shoots that would likely have been associated with a coal depot belonging to the Great Eastern Railway. The Coal depot has long since been redeveloped and the area to the south of the site is now occupied by Student housing associated with the Queen Mary University.
- 8.3 Underneath the railway viaduct a number of the arches have been in use by Queen Mary University for storage purposes. While there appears to be no planning history providing approval for this uses, the arches would be likely to have been in this use for in excess of 10 years and therefore would benefit from immunity to enforcement action for this use under the planning system.
- 8.4 Policy 3C.4 of the London Plan protects land for transport functions, stating that changes of use of land from transport and transport support functions should only be approved if it is no longer required for this purpose, or if equally good alternatives are provided.
- 8.5 While the redundant railway viaduct currently occupying the site has in the past be used for transport purposes, this use is now no longer required. In addition, the applicant has stated that the viaduct is in a state of disrepair and would possibly require demolition in any event. It is therefore considered that the change of use of the land from a transport function is acceptable in terms of policy 3C.4 of the London Plan.
- 8.6 Policy SP08 of the Core Strategy identifies that Council should maximise the use of rail to take the load of the strategic road network and promote the sustainable transportation of freight. However, the redundant railway viaduct is not safeguarded under the Core Strategy and given the adjacent development would not likely be suitable for any future freight transport interchange. It is therefore considered that change of use of the land from a transport function would not conflict with policy SP08 of the Core Strategy.
- 8.7 Saved policy T27 of the UDP states that the replacement of existing aggregate handling facilities which are satisfactorily located will be resisted. While this site could be considered to have formally been an aggregate handling facility in its previous use, the use of the site for this function has long been abandoned. Furthermore, due to the now residential nature of the surrounding environment, it is considered that this site would no longer be acceptable for such a function. It is therefore considered that the proposed loss of the viaduct and ability to convert back to an aggregate handling facility would not conflict with saved policy T27 of the UDP.

8.8 While it is unknown when the arches under the viaduct were first used for storage, it is obvious that this use has been carried out for some time. The proposed development seeks to replace the existing storage use within a new storage building for Queen Mary University. As this existing use is to be replaced, it is considered that there is no policy conflict. Furthermore, the applicant has agreed to include a requirement to participate in the Council's Access to Employment initiatives within the S106 legal agreement.

Proposed Student Accommodation Use

8.9 The proposed development replaces the redundant railway viaduct with a new student housing development. The London Plan recognises the role of higher education in supporting London's position as a world city, along with the benefits resulting from associated employment opportunities, and by attracting investment into the economy. The London Plan 2008 provides the Mayor's strategic objectives the most relevant of which to this application are to:

8.10 *"Make the most sustainable and efficient use of space in London and encourage intensification and growth in areas of need and opportunity;and*

Achieve targets for new housing... that will cater for the needs of London's existing and future population."

8.11 In terms of housing, policy 3A.1 of the London Plan seeks to increase the supply of accommodation. This is supported by policy 3A.3, which requires that proposals achieve the maximum intensity of use compatible with local context, design policy principles and public transport capacity.

8.12 Policy 3A.5 of the London Plan requires boroughs to take steps to identify the full range of housing needs in their area. Paragraph 3.39 of the London Plan acknowledges the importance of purpose-built student housing and the role it plays in adding to the overall supply of housing whilst reducing pressure on the existing supply of market and affordable housing. Policy 3A.13 requires the borough's policies to provide for special needs housing, including student housing, and policy 3A.25 of the London Plan supports the provision of student accommodation.

8.13 It is therefore considered that the provision of student housing on this site would be in accordance with policies 3A.13 and 3A.25 of the London Plan, which support the provision of specialist student accommodation, and policies 3A.1 and 3A.3 of the London Plan which seek to increase the supply of residential accommodation and maximise the use of land.

8.14 The Draft Replacement London Plan was published in October 2009 for its first round of consultation. The Examination in Public commenced in June 2010 and concluded in December 2010, with the Inspector's report published in March 2011. The Draft Replacement London Plan therefore carries some weight in the planning process and needs to be considered in the making of decisions on planning applications within Greater London.

8.15 Policy 3.8 of the Draft Replacement London Plan says that boroughs should work with the Mayor and local communities to identify the range of needs likely to arise within their areas and ensure that strategic and local requirements for student housing meeting a demonstrable need are addressed by working closely with higher and further education agencies and without compromising capacity for conventional homes.

8.16 As with the London Plan, the Draft Replacement London Plan recognises the contribution of higher education to the economy and labour market and states in paragraph 3.44 that London's universities make a significant contribution to its economy and labour market. It is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation. While there is uncertainty over future growth in

the London student population and its accommodation needs, even if requirements from overseas students associated with the London Higher group of universities (the largest recent source of demand for new accommodation), was to fall by a half, this could still approximate to a need for 20,000 – 25,000 places over the 10 years to 2021. The Draft Replacement London Plan again recognises that any new provision may also tend to reduce pressure on other elements of the housing stock currently occupied by students, especially in the private rented sector.

- 8.17 Paragraph 3.45 of the Draft Replacement London Plan adds that addressing these demands should not compromise capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. The Plan says that this may raise particular challenges locally, and especially in parts of inner London where almost three quarters of the capacity for new student accommodation is concentrated.
- 8.18 Importantly when considering the principle of student housing the Draft Replacement London Plan says that unless student accommodation is secured through a planning agreement for occupation by members of specified educational institutions for the predominant part of the year, it will normally be subject to the requirements of affordable housing policy.
- 8.19 The fundamental aim of policy 3.8 is therefore to ensure that not only is there is a sufficient supply of quality student accommodation, but that it is delivered in such a way as to not prejudice the availability of land for conventional housing and, in particular, affordable family homes.
- 8.20 In these respects, the application site is considered unsuitable for permanent housing (particularly affordable and family units) due to its position immediately adjacent an operational railway line and with immediate access into the Queen Mary University campus. Importantly, it lies within the QMUL “*Knowledge Hub*” identified within the Council’s Core Strategy 2010. Accordingly, the proposal would have no impact upon housing land availability. Indeed, by helping to address the shortage of student accommodation, the development could reduce the pressure on other land that is better suited to conventional housing development.
- 8.21 Furthermore, the recommended Section 106 Agreement includes a binding obligation whereby the student residential accommodation would only be occupied for the predominant part of the year by students attending Queen Mary University or from a previously agreed list of other further educational establishments or as approved in writing by the local planning authority. Consequently, there is no requirement for the development to provide affordable housing.
- 8.22 It is therefore considered that the proposed student housing use would be an acceptable land use and accord with policy 3.8 of the Draft Replacement London Plan.
- 8.23 The Core Strategy’s “*Vision*” for Mile End is: “*A lively and well connected place with a vibrant town centre complemented by the natural qualities offered by the local open spaces.*”
- 8.24 The Mile End Vision Key Diagram of the Core Strategy, displayed in figure 8.1, shows that the subject site would be located within the Queen Mary University Knowledge Hub. In terms of ‘*Opportunities and growth*,’ the document says that Mile End will undergo housing growth, with development on a number of sites, through infill and housing regeneration. The document notes that Queen Mary University is also continuing to grow.

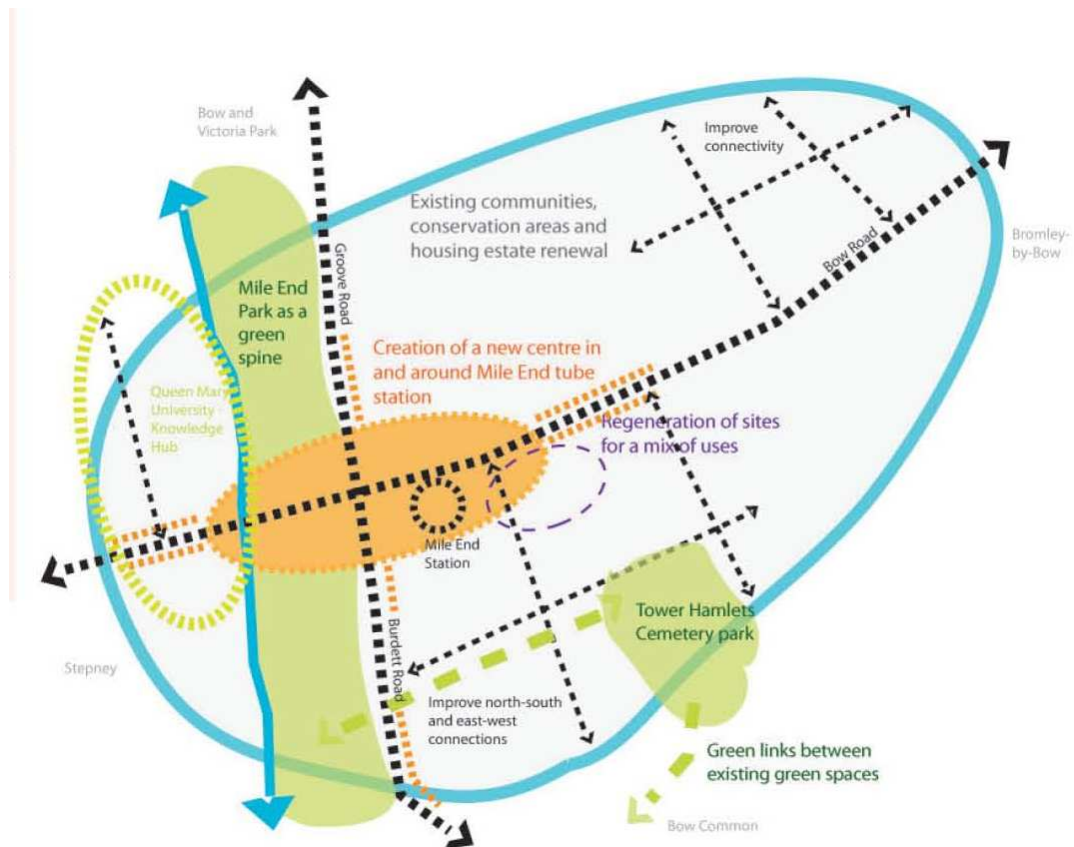


Figure 8.1 – Mile End Vision Diagram from the Core Strategy 2010

- 8.25 Policy SP02 of the Core Strategy seeks to provide for specialist housing needs within the borough by focusing student accommodation in close proximity to the universities that it is supporting or in locations that have good transport accessibility. Given the location of the student accommodation in immediate proximity to the Queen Mary University campus and in an area of high PTAL, discussed further in paragraph 8.59 the location is considered appropriate for student housing.
- 8.26 It is therefore considered that the development of student housing on the site would be in accordance with Policy SP02 of the Core Strategy and would support the vision and opportunities and growth outlined in the Core Strategy.
- 8.27 Saved policy HSG14 of the UDP states that the Council will encourage development which meets the needs of residents with special needs, including students. The UDP explains (paragraph 5.29) that the Council will consider student housing in a variety of locations providing there is no loss of permanent housing, which is the case here, and again notes that additional provision could release dwellings elsewhere in the borough in both the public and private rented sectors.
- 8.28 While not embedded in the saved policies, paragraph 3.2 of Chapter 10 of the UDP states that Council supports the wish of Queen Mary and Westfield Collage [Queen Mary University] to designate the College Site as a University Precinct. Figure 8.2, Map 10 of the UDP, which supports this statement, shows the subject site within this University Precinct. It is considered that student housing would be appropriate within the University Precinct, particularly given that there are a number of existing student housing developments in this area already.



Figure 8.2 – Map 10 from the UDP 1998 showing the QMWC University Precinct

- 8.29 It is therefore considered that provision of student housing on the site would be appropriate and would be supported by saved policy HSG14 of the UDP.

Density of Development

- 8.30 The Government's Planning Policy Statement 1: 'Delivering Sustainable Development' 2005 supports making efficient use of land. It advises that this should be achieved through higher density, mixed-use development and returning previously developed land and buildings to beneficial use.
- 8.31 The London Plan policies 4B.1 and 3A.3 and Draft Replacement London Plan policy 3.4 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility.
- 8.32 Policy HSG1 of the Council's interim planning guidance 2007 sets out criteria which should be taken into account when determining appropriate residential density. The following matters are relevant to this application:

- *The density range appropriate for the setting of the site, in accordance with Planning Standard 4: Tower Hamlets Density Matrix;*
- *The local context and character;*
- *The need to protect and enhance amenity;*
- *The need to incorporate good design principles;*
- *Access to a town centre (particularly major or district centres);*
- *The provision of adequate open space, including private and communal amenity space and public open space;*
- *The impact on the provision of services and infrastructure, including the cumulative impact; and*

- 8.33 Table 3A.2 of The London Plan and Planning Standard 4: Tower Hamlets Density Matrix provide a recommended residential density range of 200 – 700 habitable rooms per hectare for “Urban” sites with a PTAL range 4-6. The proposed density of the student housing accommodation is 1,037 habitable rooms per hectare, which while this exceeds the guidance, is over 300 habitable rooms per hectare less than the recently approved student housing scheme to the south side of Mile End Road at 438-490 Mile End Road.
- 8.34 As a matter of principle, it is questionable whether it is appropriate to apply a residential density calculation to student housing in the same way as a general purpose housing scheme. Subject to the design matters outlined in policy HSG1 (above) being satisfactory, the density proposed is considered acceptable for a site within greater London with an appropriate location and a good PTAL. These matters are considered further in the following sections of this report.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

Daylight and Sunlight

- 8.35 Policy 4B.10 of the London Plan, policy SP10 of the CS, saved policy DEV2 of the UDP, policy DEV1 of the IPG and policy 7.7 of the Draft Replacement London Plan require that developments preserve the amenity of the adjacent occupiers, including sunlight and daylight.
- 8.36 The applicant has provided Daylight and Sunlight Reports in support of their application outlining the daylight and sunlight received by the buildings adjacent to the development site. The Daylight and Sunlight Reports have assessed the impact on the daylight and sunlight levels against the guidance provided in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991) providing the results of the effect on daylight in terms of the tests use in the BRE guidelines.
- 8.37 The reports state that the loss of daylight to rooms in the development to the north of the development site, known as Leamore Court, Meath Crescent, would be within the limits of the BRE guidelines and acceptable light would continue to be received by the windows to habitable rooms of this development. Furthermore the report states that the distribution of daylight to these rooms would not be significantly effected. In terms of sunlight levels received, the levels would continue to meet the BRE guidance also.
- 8.38 To the west of the development site is the Longnor Estate. The applicant's Daylight and Sunlight Reports assess the impact on the most impacted properties on Longnor Road and state that compliance with BRE guidelines is met in terms of the impact of the proposed development on daylight received by these properties.
- 8.39 To the south of the development site is the Queen Mary University student housing accommodation building of Pooley House. This building has been designed with projecting bays directing some of the windows to the east, away from the railway noise sources. This is

shown in figure 8.3 below. As a result, many of the north facing windows are heavily shaded by the overhangs and have existing failures of the BRE Vertical Sky Component daylight test.



Figure 8.3 – Photo showing the projecting bays on the northern side of Pooley House student accommodation block, Queen Mary University.

- 8.40 The proposed development to the north of Pooley House would result in further failures of the BRE tests and worsening of the existing failures. However, the accommodation affected is student housing, which is occupied by a transient population. The occupiers of these student accommodation rooms are normally only resident during the university terms. It is therefore considered, while Pooley House is significantly impacted in terms of the light received by the student accommodation, the occupants would not be long term inhabitants, as would be the case in residential flats and houses, and therefore the impacts are less in terms of the living environment.
- 8.41 The impact on the level of daylight received by these rooms needs to be balanced against the need for housing and student housing within the borough. As stated above, student housing is considered a suitable use on this site, where due to the proximity to the railway and location immediately adjacent the Queen Mary University campus, residential dwellings would not be so appropriate. Therefore, student housing on this site is considered to free up other sites within the borough for housing development and provide for student accommodation within the borough without impacting upon the supply of existing housing.
- 8.42 As such, given the strategic priority for development of housing within the borough, although there is some impact in terms of daylight on the existing student accommodation of Pooley House, on balance the benefits of the scheme are considered to outweigh the impact. The scheme is therefore considered to be, on balance, acceptable in terms of policy 4B.10 of the London Plan, policy SP10 of the CS, saved policy DEV2 of the UDP, policy DEV1 of the IPG and policy 7.7 of the Draft Replacement London Plan in relation to the impact on daylight and sunlight.
- Privacy
- 8.43 Issues of privacy/overlooking need to be considered in accordance with policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG, which inform that new developments should be designed to ensure that there is sufficient privacy for adjacent

habitable rooms.

8.44 The nearest residential properties on Longnor Road and in Leamore Court, Meath Crescent are well over 18m from the development. The closest windows to habitable rooms exist in the student housing of Pooley House to the south of the development. The distance between the new development and the windows facing the development in Pooley House is a minimum of 18m. The Council's UDP states that this distance reduces inter-visibility to a degree acceptable to most people.

8.45 It is therefore considered that the proposed development would be acceptable in terms of privacy and generally in accordance with policy SP10 of the CS, saved policy DEV2 of the UDP and policy DEV1 of the IPG.

Noise and Vibration

8.46 In protecting the amenity of the surrounding area, policy SP03 of the CS, saved policies DEV2 and DEV 50 of the UDP and policies DEV1 and DEV 10 of the IPG also require the noise and vibration nuisance from a development to be minimised.

8.47 No specific details of the proposed noise and vibration levels of plant or ventilation systems to the proposed development has been provided with the application. However, it is considered that a condition of consent could ensure that details of the noise and vibration impacts of any proposed plant and ventilations systems would be submitted to Council for approval prior to installation. This would ensure that any acoustic attenuation required would be installed to mitigate the impact on the adjoining occupiers and surrounding area.

8.48 The main source of noise concern is likely to arise from students arriving at and departing from the building. The assessment of noise attributed to the movement of students to and from student housing is not dealt with by any single planning standard or guideline. Should statutory nuisance occur, the Council has powers under the Noise Act 1996 and the Environmental Protection Act 1990.

8.49 The application does not include any Building Management Statement setting out how potential issues of noise or anti social behaviour by students could be addressed. It is recommended that any planning permission is conditioned to require the approval and implementation of such a document which should comprise:

- Details of a full time management team and the provision of 24 hour security.
- Details of a Management Code of Conduct that stipulates the behaviour of occupiers and residents of the building.
- A requirement for each student residing in the building to sign a tenancy agreement to abide by the Management Code of Conduct.
- Circumstances where a tenancy would be terminated and the steps to achieve this.

8.50 There are several examples of successfully managed student accommodation buildings in the borough which have not presented any concerns relating to noise disturbance to neighbouring properties. Environmental Protection have received no complaints over the past 2 years, from nearby properties to the following student accommodation development:

- Westfield Student Village; Queen Mary University of London; Westfield Way; Mile End; London E1 (accommodates 1176 students)
- Albert Stern House, 253 Mile End Road, E1 4BJ (accommodates 45 students)
- Ifor Evans Place, Mile End Road, E21 4BL (accommodates 36 students)
- 50 Crispin Street, E1 6HQ (accommodates 365 students).

8.51 Representations have raised concern that the proposed development would result in a significant increase in the noise received by residential units to the north of the development site, due to the existing train noise reflecting back off the proposed building. Noise modelling

of the site has taken place in order to determine whether there will be any change to noise levels at the southern facade of Leamore Court, Meath Crescent (referred to as Meath Gardens in table 8.1) and Sutton Wharf due to reflections from the facade of the proposed building and the new noise barrier.

- 8.52 The results of the assessment are summarised in the table 8.1, below, which shows the highest increase anticipated at the floor where the highest increase occurs.

Receptor	Highest anticipated noise increase		
	dB L _{Aeq, 16hr day}	dB L _{Aeq, 8hr night}	dB L _{Amax,F night}
Meath Gardens	0.6	0.7	0.8
Sutton Wharf	0.7	0.7	0.8

Table 8.1 – Noise increase due to reflected noise at Meth Gardens and Suttons Wharf.

- 8.53 The calculated noise increase is less than 1 dB for all metrics at both locations. This level of noise increase is considered to be negligible and would have no significant impact over the existing noise levels and would not be considered to significantly impact on the living conditions of nearby residents.

Construction

- 8.54 It is acknowledged that the proposed development would result in some disruption to the amenity of the area and highway network due to the construction effects of the proposed development. However, these will be temporary in nature.
- 8.55 Demolition and construction is already controlled by requirements to adhere to numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995 and Air Quality Regulations 2000 and Health and Safety at Work Act 1974. However, PPS23 makes provision for the inclusion of conditions of consent to mitigate effects of construction.
- 8.57 It is therefore recommended that, if approved, a condition of consent is included, which would require the submission of a Construction Management Plan, in order to ensure that the best practice examples are followed and to avoid, remedy and mitigate the effects of construction.

Traffic and Servicing Issues

Trip Generation and public transport capacity

- 8.58 Policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policy SP09 of the CS, saved policy T16 of the UDP, policies DEV17 and DEV19 of the IPG and policies 6.1, 6.2, 6.3 and 6.4 of the Draft Replacement London Plan seek to restrain unnecessary trip generation, integrate development with transport capacity and promote sustainable transport and the use of public transport systems.
- 8.59 The existing site is a redundant railway viaduct and generates no trip movements, apart from when maintenance or monitoring work is being carried out by Network Rail. This is infrequent and would not be considered to contribute greatly to trip generation on the highway network. The public transport accessibility level (PTAL) of the site is 2-5 across the site. As the site will have access through the Queen Mary University campus, it can be considered to have a good PTAL.
- 8.60 The proposed development would result in occupation of the site by some 412 students plus staff associated with the operation of the development. Given the location of the site immediately adjacent to the major university campus of Queen Mary University the majority of the trips associated with the development are likely to be undertaken by walking.

Furthermore, the nature of university classes means that the trips are likely to be spread throughout the day, rather than concentrated at peak times, such as office accommodation would be.

8.61 The applicant's Transport Assessment has identified the estimated peak hour trip generation from the development, which is shown in table 8.2

Mode	AM Peak Hour (0800-0900)	PM Peak Hour (1700-1800)
	Two Way Peak Trips	
Pedestrians	69	99
Tube / Train	12	12
Bus	12	12
Cycle	6	6
Total	99	129

Table 8.2 – Trip distribution and adjusted two way peak trip generation.

8.62 The very low number of trip movements on the public transport system is not considered to significantly impact on the capacity of these systems. While Council's highways team initially questioned that comparative data used to generate these figures the applicant has provided a response stating that the data uses is the most relevant and up to date data available. It is therefore considered that this estimate is robust and appropriate and would be a fair reflection of the trip generation of the development.

8.63 It is considered that the car free nature of the development, providing only minimal disabled parking spaces and being Council parking permit free, the development would minimise the associated vehicle trips on the highway network.

8.64 Due to the developments location to the Queen Mary University and Whitechapel it is considered that the majority of trip movements would be made by walking, with trip movements on the public transport network, which has good accessibility from the site, secondary. Given that pedestrian movement will be the main trip mode, both Council's Highways Department and Transport for London have requested financial contributions to improve the pedestrian environment in the area, reducing the conflict between existing vehicles and pedestrians and improving the security of pedestrians.

8.65 The following measures have been agreed by the applicant and will be included in a S106 legal agreement, if the application is approved.

- A contribution of £50,000 to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- A contribution of £2,855.68 to Council for the upgrade the existing street lighting by replacing lights along Longnor Road.
- A contribution of £2,524.97 to Council for the upgrade the existing street lighting by replacing lights along Moody Street.
- A contribution of £57,000.00 to Council for footway improvement works in Longnor Road.

8.66 It is therefore considered that the development would successfully avoid unnecessary trip generation on highways and public transport systems, due to its proximity to the university,

facilities on Mile End Road and Whitechapel Town Centre. Furthermore, due to the car free nature of the development, it would achieve a shift to sustainable transport and the use of public transport systems. The development is therefore considered to be acceptable in terms of policies 3C.1, 3C.2, 3C.17 and 3C.23 of the London Plan 2008, policy SP09 of the CS, saved policy T16 of the UDP, policies DEV17 and DEV19 of the IPG and policies 6.1, 6.2, 6.3 and 6.4 of the Draft Replacement London Plan.

- 8.67 It is also considered that there would not be a significant impact on the public transport capacity and the development is acceptable in terms of policies 3C.1 and 3C.2 of the London Plan 2008 and policy DEV17 of the IPG, in relation to impact on public transport capacity.

Travel Plans

- 8.68 Transport for London comments have requested that a Travel Plan be prepared for the development. However, Council's Strategic Transport Team have considered the type of development and do not consider that this would be an effective management tool. Instead Council officers are advocating a simpler and more user friendly travel advice note package. This would include detailed information on transport options within the area which are available to students, which would need to be displayed and given to occupiers of the development. It is recommended that this requirement be secured by a condition of consent.

Parking

- 6.69 London Plan Policies 3C.17 and 3C.23 seek to reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promoting use of public transport. This is supported by policy SP09 of the CS, policies DEV17 and DEV19 of the IPG and policy 6.3 of the Draft Replacement London Plan.

- 8.70 Parking provided on the site consists only of two disabled spaces and a loading space. No other parking is associated with the development. The applicant has also agreed to enter into a S106 legal agreement to exempt the occupiers or employees of the new development from obtaining parking permits for the Council's on street parking bays. This will prevent parking permits being issued to address of the new development.

- 8.71 It is therefore considered that the vehicle parking provisions would be minimised in accordance with policies 3C.17 and 3C.23 of London Plan 2008, policy SP09 of the CS, policies DEV17 and DEV19 of the IPG and policy 6.3 of the Draft Replacement London Plan.

Cycle Parking and Facilities

- 8.72 Policy 3C.22 of the London Plan 2008, policies SP09 and SP12 of the CS, policy DEV16 of the IPG and policy 6.9 of the Draft Replacement London Plan seek to provide better facilities and a safer environment for cyclists.

- 8.73 The applicant is proposing cycle storage for 240 cycles within the development. The proposed cycle storage is to be secure and located in four internal ground floor areas, adjacent the entrance cores to the buildings. This provision is in accordance with Council's standards and therefore provides adequate cycle storage for the development. Broxap Double Decker Cycle Storage system has been shown in the application, however it is recommended a condition of consent is included on any approval to ensure the layout and security of the cycle storage areas is acceptable.

- 8.74 Subject to this condition, it is considered that the proposed cycle storage would be acceptable for the use of the development and would accord with policy 3C.22 of the London Plan 2008, policies SP09 and SP12 of the CS, policy DEV16 of the IPG and policy 6.9 of the Draft Replacement London Plan.

Deliveries and Servicing

- 8.75 Policy T16 of the UDP and policy DEV17 of the IPG seek to provide adequate provision for the servicing and operation of developments, while minimising the impact on the highway.

- 8.76 Refuse collection and servicing would take place from the main parking entrance rear of the development, off Bradwell Street. This location allows for vehicles to turn on Bradwell Street and enter and exit the Council's adopted highway network in a forward gear.
- 8.77 Highways have requested a Delivery and Service Management Plan be conditioned to ensure mitigation of the impacts of servicing and prevent numerous delivery vehicles arriving at the same time. Such a management plan is common on developments within London and is aimed at ensuring the management of delivery times, numbers and vehicle types, to ensure that the limited servicing capacity is not overstressed. As such, it is recommended, if approved, that such a condition is imposed.
- 8.78 Subject to the recommended condition, it is considered that the proposed servicing arrangements are acceptable and would accord with policy T16 of the UDP and policy DEV17 of the IPG.

Design and Layout of the Development

Mass and Scale

- 8.79 Policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4 and 7.7 of the Draft Replacement London Plan seek to ensure developments are of appropriate mass and scale to integrate with the surrounding environment and protect the amenity of the surrounding environment and occupiers.
- 8.80 The height of the development has been based on the height of the immediately adjacent buildings to the north and south. Pooley House, immediately to the south is an 8 storey building. The developments on north side of the operational railway, in Leamore Court, Meath Crescent and Sutton's Wharf, are of 9-10 storeys in height. Future phases of Sutton's Wharf extend northwards along the canal, rising to 16 storeys in height.
- 8.81 The proposed student housing development will involve the erection of two separate buildings. The eastern building would have towers sitting on the four storey podium block rising to a height of eight storeys. The western block would also have two towers sitting on a four storey podium block. However on the western block, the tower at the western end would raise to ten storeys. The eastern tower of the western block would be only eight stories. The scale of the development in relation to the developments at Sutton's Wharf and Leamore Court, Meath Crescent is shown in figure 8.4 below.



Figure 8.4 – proposed development with the outline of developments at Sutton's Wharf and Leamore Court, Meath Crescent shown in the background.

- 8.82 The development has been split into two buildings to break the length of the building and add relief to the long mass of built form when viewed from the south. The height of the three

towers to the east of the building have been kept to an eight storey height to match the scale of the Pooley House, which is also eight storeys. The tower at the western end of the development has been increased in height to ten storeys to mark the termination of the university campus road to the south.

- 8.83 While the development has not been particularly related to the buildings of the Longnor Estate and the scale of the development along Longnor Road, the proposed development does form an effective termination to the north end of the Queen Mary University campus, which is considered its more immediate context.
- 8.84 Furthermore, it is considered that while there is a scale difference between the proposed development and the Longnor Estate, because of the obvious difference in style and purpose, the developments are not considered to sit uncomfortably together.
- 8.85 Given the surrounding context and scale of the existing building to the north of the proposed development and within the Queen Mary University campus to the south, the scale and mass of the development is considered acceptable and would suitably meet the requirements of policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4 and 7.7 of the Draft Replacement London Plan.

Appearance and Materials

- 8.86 Policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4, 7.5, 7.6 and 7.7 of the Draft Replacement London Plan also seek to ensure development is high quality in design.
- 8.87 The development site is located at the rear of Queen Mary University in close proximity to a number of high quality buildings within the Queen Mary University campus. The site is also located immediately adjacent the Regent's Canal Conservation Area. As such a high quality design is required to maintain the appearance and character of the area as well as the setting of the Conservation Area.
- 8.88 Significant design changes have been discussed and negotiated during the processing and assessment of this application, with input being received from design experts within the Council's Development, Design and Conservation Team, CABE and the Greater London Authority.
- 8.89 The applicant has taken on board advice and addressed the design issues raised. The resulting proposal for the appearance and materials of the development involves changes which include a simplification of setbacks and projections in plan and section, contextual responses to the north and south elevations and a simplification of the materials palette.
- 8.90 The elevations of the originally submitted scheme have been simplified in terms of both form and materials. The principle cladding material for the entire development is now stock brick with fenestration set within deep reveals. Projecting bays have been retained, but in a simpler rectangular form with more uniform glazing. Copper cladding, similar to that on Pooley House, will be used on the projecting bays, with a small element of zinc cladding retained around the glazing elements. This is shown in the CGI image in figure 8.5 below.



Figure 8.5 – Northern elevation of proposed student housing development

- 8.91 Council's Design Officer has reviewed the amended scheme and has confirmed that the proposed appearance and materials would be acceptable, subject to conditions requiring submission and approval of materials. Such a condition is recommended to ensure that the quality of the materials proposed is of an acceptable quality to produce a building of the required quality and appearance.
- 8.92 It is therefore considered that the proposed appearance and materials would be acceptable and would not adversely impact on the character of the area or the setting of the conservation area. In terms of appearance and materials the proposed development is considered to acceptably meet policies 4B.1, 4B.2 and 4B.10 of the London Plan 2008, policies SP02, SP10 and SP12 of the CS, saved policies DEV1, DEV2 and DEV3 of the UDP, policies DEV1 and DEV2 of the IPG and policies 7.1, 7.4, 7.5, 7.6 and 7.7 of the Draft Replacement London Plan.
- 8.93 In addition to the requirement to have an acceptable appearance, policies 4B.11, 4B.12 and 4B.13 of the London Plan, policy SP10 of the CS, policies DEV32 and DEV37 of the UDP, policies CON1 and CON2 of the IPG and policies 7.8 and 7.9 of the Draft Replacement London Plan, seek to preserve the historic assets of the city.
- 8.94 As discussed above, it is considered that the proposed development would be of an acceptable quality to ensure that the building would sit appropriately within the conservation area setting.
- 8.95 Representations made in relation to the application raise concerns around the loss of the railway viaduct, which was formally used as coal and sand shoots. The applicant has had a report undertaken, by London Museum of Archaeology, into the historic value of this portion of the railway viaduct. The report has concluded:
- “In the light of English Heritage criteria for the statutory listing of buildings and heritage values defined in English Heritage conservation principles, it can be said that the buildings have medium evidential, historical, communal and aesthetic value and does not meet the published criteria for designations.*
- “The structure is not a designated heritage asset, it is possible that remnants of the original structure, the Braithwaite viaduct, remain embedded in the present viaduct immediately to the north of the site. If so, removing the structure on the present site would re-expose the 1830s viaduct.”*
- 8.96 The report also states that the medium heritage significance of the structure suggests that a historic buildings survey to English Heritage specification Level 2, and at least one site visit at an appropriate time during demolition of the structure, would mitigate adverse effects of the proposed redevelopment of the site.

- 8.97 This report has been reviewed by English Heritage who has raised no objections with the report, only recommending a condition be imposed requiring a programme of recording and historic analysis.
- 8.98 Although the member of the public has questioned the level of significance placed on the structure by the Museum of London Archaeology report, it is considered that the conclusions of the report are acceptable. The report has been reviewed by English Heritage who has not raised concern about the quality of the report or any objection to the development.
- 8.99 Furthermore, following the comments received in the representation, the applicant was advised of the matter and Museum of London Archaeology requested to review the conclusions of their report. The following response was received confirming their position with regards to the significance level attributed to the viaduct.

"We have rated the heritage significance of the viaduct as 'medium', on a simple three-point scale from low to high, and we would not rate it higher; to do so would imply that it met the criteria for statutory listing, which it clearly does not. We receive the impression from [REDACTED] letter that he rates the heritage significance of the viaduct more highly than we do for reasons other than its intrinsic architectural or historic interest, which we have considered as objectively and dispassionately as we can."

- 8.100 It is therefore concluded, that while the development would result in the loss of the railway viaduct with a historic significance level of medium, subject to the recommended mitigating condition, the proposals would be on balance acceptable in terms of policies 4B.11, 4B.12 and 4B.13 of the London Plan, policy SP10 of the CS, policies DEV32 and DEV37 of the UDP, policies CON1 and CON2 of the IPG and policies 7.8 and 7.9 of the Draft Replacement London Plan.

Internal Amenity

- 8.101 Policy SP02 of the CS, saved policy DEV2 of the UDP and policy DEV2 of the IPG seek to ensure that new housing and accommodation, including specialist housing, is designed and built to a standard that would ensure that the living conditions within the development are appropriate for the future occupiers.
- 8.102 There are no particular standards that relate to the size of student accommodation rooms. However, the room sizes have been reviewed in terms of the suitability for the proposed use and it is considered that the rooms are of an appropriate size and layout and would provide an adequate level of internal amenity for the residents. Furthermore, the development provides appropriate communal areas for interaction between future occupants.
- 8.103 The applicant has provided a daylight and sunlight assessment for the proposed rooms, which identifies that the student bedrooms within the development would receive an acceptable level of daylight in accordance with the BRE test for daylight into a proposed development, as prescribed in the BRE Report 209 "Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice" (1991). It is therefore considered that the proposed development would receive an appropriate level of daylight.
- 8.104 The site is located immediately adjacent an operational railway line. As such the noise environment created by the use of the railway has a significant impact on the acceptability of any proposed accommodation. The applicant has submitted noise reports detailing the impact of the noise environment and measures to mitigate the impact of noise.
- 8.105 Noise mitigation for the development is provided as a two metre high noise barrier adjacent to the railway and acoustic baffles on the building. The assessment has concluded that internal noise levels will meet both BS 8233 "good" criteria and the World Health

Organisation guidance for sleep disturbance, provided suitable glazing and ventilation systems are incorporated into the design. The developer has identified that the development can provide suitable glazing and ventilation, but at this stage has not submitted details of which particular products will be installed. As such, conditions of consent are recommended to ensure that appropriate glazing and ventilation is installed to provide a suitable internal environment for the future occupiers.

- 8.106 It is therefore concluded that the internal amenity provided by the development would be appropriate for the future occupiers of the student accommodation and would be acceptable in terms of policy SP02 of the CS, saved policy DEV2 of the UDP and policy DEV2 of the IPG.

External Amenity Space, open space and landscaping provision

- 8.107 Policies 3D.8, 4A.11, 4B.1, 4B.2 and 4B.3 of the London Plan 2008, policies SP02, SP04 and SP12 of the CS, policies DEV12 and HSG16 of the UDP, policies DEV1, DEV2 and DEV13 of IPG and policies 7.1 and 7.5 of the Draft Replacement London Plan promote the good design of public places and public realm and the provision of green spaces.
- 8.108 The proposed development provides communal roof terraces for the use of the occupiers of the accommodation. Again there are no specific standards related to the amount of amenity space required to be provided for student accommodation.
- 8.109 In each building, at fourth floor podium level, the student accommodation opens onto centrally located roof terraces. Flanked by towers on their east and west ends each terrace is open to the south where they overlook the Queen Mary University campus and to the north where they have particularly good views across the railway. The terraces are fully accessible by lift and stair from the podium floors below. They are proposed to be laid out as roof gardens incorporating seating and planting. Shrub planting is, necessarily, containerised and species will be selected to tolerate this condition. All planting will be provided with suitable irrigation systems so as to minimise day to day maintenance. In order to ensure the provision of this amenity space a condition relating to its accessibility and landscaping is recommended to be included on any approval of this application.
- 8.110 Further to the provision of amenity space onsite, the applicant has agreed to the Council's Communities, Localities and Culture Department's request for a financial contribution to public open space of £330,597.86. This will be secured through a S106 legal agreement should the application be approved.
- 8.111 The development proposes three distinct areas of public and semi-public realm. These areas are the entrance and parking area off Bradwell Street, the area immediately in front of the development between the development and Pooley House (Southern Pavement and Central Square) and the area adjacent the canal.
- 8.112 The main vehicle and pedestrian access to the student accommodation will be from a new entrance square off Bradwell Street to the west of the site. This space is defined by the southern façade of the western accommodation, the single storey storage buildings to its east and west of the Bradwell Street entrance. The area encompasses the disabled parking spaces and the loading and servicing area. It is proposed to screen the enclosing facades of the storage building with densely planted groups of native trees and shrubs.
- 8.113 The southern pavement runs east to west along the length of the development. It is of sufficient width to allow emergency and maintenance vehicle access from the entrance square at Bradwell Street. In order to discourage vehicle access and uncontrolled parking from the Queen Mary University campus, bollards or light fittings are proposed to be located along its pavement edge. In the centre of this area between the buildings is a central square area. This area is also clear of obstructions and open to the south where it faces Pooley House to enable an emergency vehicle to turn within the space. It is enclosed on its north

side by the wall of the retained elevated railway viaduct. This space is overlooked from student rooms located at the ends of the podium blocks.

- 8.114 The eastern most façade of the student accommodation building overlooks the Regents/Grand Union Canal. The building is set back from the canal edge creating an outdoor space accessible from student common rooms on its ground floor. The space is also accessible from the new southern pavement and from the western canal towpath (through the campus), which terminates at this point. The canal side space is proposed to be paved and provide seating so as to form an outdoor seating/amenity area next to the canal.
- 8.115 The applicant has submitted a general landscaping concept for the development. However, there is no specific detail on the landscaping proposed. It has been shown, through the information submitted to date, that appropriate landscaping can be provided to ensure that the proposed landscaping is of an acceptable level and quality. In order to ensure the quality of landscaping and that appropriate materials, plant species and sizes and appropriate lighting and equipment is provide, it is recommended that a condition of consent is imposed on the application if granted, which will ensure that a robust landscaping plan and landscape management plan is submitted for approval.
- 8.116 It is therefore considered that the provisions for amenity space, open space and landscaping would be acceptable and would accord with policies 3D.8, 4A.11, 4B.1, 4B.2 and 4B.3 of the London Plan 2008, policies SP02, SP04 and SP12 of the CS, policies DEV12 and HSG16 of the UDP, policies DEV1, DEV2 and DEV13 of IPG and policies 7.1 and 7.5 of the Draft Replacement London Plan.

Wind Micro-Environment

- 8.117 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 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”.

- 8.118 Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 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.”

- 8.119 The applicant has provided a desk top Wind Microclimate study which details the likely impact on the pedestrian environment as a result of the proposed tall building development. The report concludes that there are some areas within the development where the wind micro-climate may require some mitigation measures to be implemented. As such, it is recommended that a full assessment of the proposed micro-climate around the buildings is undertaken, including details of intended mitigation measures to be implemented. This should be required by condition, and would also be needed to be considered when proposing and assess the landscaping scheme to be proposed.
- 8.120 It is considered that through appropriate mitigation measures the proposed development would be able to be made acceptable in terms of the impact on microclimate wind conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site in accordance with London Plan policy 4B.10 and policy DEV1 of the IPG.

Views

- 8.121 The subject site is not located within a strategic view, as identified and protected in the London Plan or Draft Replacement London Plan. While representations received have raised objections to the development on the basis that it will restrict views, it is an accepted planning principle that private views cannot be protected in planning consideration. Therefore, as views are recognised as not being a material planning consideration it is considered that a refusal could not be substantiated on this basis.

Access

- 8.122 Following initial concern regarding the inclusiveness of the development and the number of wheelchair accessible rooms the applicant has made a number of changes to address the concerns raised. The number of wheelchair accessible rooms included in this proposal is now 36 rooms (9%) out of a total of 412 rooms, with a further 4 wheelchair accessible rooms capable of being “retro-fitted.” This means that a total of 40 rooms (10%) are or are capable of being wheelchair accessible. These rooms are dispersed throughout the development at all upper levels and are all served by two wheelchair accessible lifts.
- 8.123 It is therefore considered that the access for mobility impaired persons is acceptable and would be in accordance with policy 4B.5 of the London Plan 2008, policy SP02 of the CS, policy DEV3 of the IPG and policy 7.2 of the Draft Replacement London Plan.

Waste Storage

- 8.124 Policy SP05 of the CS, saved policy DEV55 of the UDP and policy DEV15 of the IPG seek to ensure that waste is appropriately provided for within developments.
- 8.125 The subject development has been designed with a refuse store provided in each block, which is accessed from the adjacent the entrance lobby. A main holding store is located at the western end of the development, allowing vehicular collection via Longnor Road and Bradwell Street. This store has a capacity of 13 x 1100 litre eurobins, recycling bins and an area for the storage of bulky items. A smaller store is located in the eastern block. It is proposed that the full bins in this store will be rotated by an on site management team, with empty bins from the main holding store. Both stores will be naturally ventilated with louvred screens / doors and provided with wash down facilities to allow for regular cleaning. It is recommended to ensure that the appropriate management of the waste stores is carried out, a condition of consent requiring a management plan for the development, which includes the waste store management, is included on the permission, if granted.
- 8.126 With such a condition imposed, the waste and recycling storage is considered appropriate and would accord with policy SP05 of the CS, saved policy DEV55 of the UDP and policy DEV15 of the IPG.

Security

- 8.127 While it is acknowledged that Policy SP09 of the CS does not support gated communities, a major concern for Queen Mary University and the Metropolitan Police is security of the student housing. This applies to the existing student housing within the Queen Mary University Campus and that of the development proposed. Currently the University has perimeter security arrangements that restrict entry to the campus. Although the campus is normally open to the public between 7am and 7pm, Monday to Friday, the ability to secure the Westfield Village (the student housing area within the Queen Mary University campus) in the evenings and at other times as required, forms an essential part of the Universities arrangements for ensuring good levels of personal safety for the University Community, especially the more vulnerable first year undergraduate students. This desirability of being able to restrict public access though the University is shared by the Metropolitan Police.
- 8.128 The applicant has addressed security by providing an open metal screen, incorporating a pedestrian pass gate and an emergency access gate between the western accommodation

building and the storage building. These gates are lockable so as to maintain the security of the western campus boundary, while retaining the openness of the Entrance Square. The development would remain unfenced to the University campus. To ensure this aspect of openness it is recommended that a condition of consent be included removing permitted development rights to construct fencing between the campus and the development.

- 8.129 It is considered that this arrangement would adequately control access to the campus and maintain the security of the building and existing student housing within the Queen Mary University campus, while the development would remain publically accessible while the campus is open during the day.

Sustainability

- 8.130 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. Policies within the CS, UDP, IPG and Draft Replacement London Plan also seek to reduce the impact of development on the environment, promoting sustainable development objectives.

Energy

- 8.131 The London Plan policies clearly set out a strategy for energy reduction and reducing CO₂ emissions, and therefore, the impact on climate change. The strategy sets out the following principles:
- Using less energy – Through energy efficient design of development to reduce the need for energy usage.
 - Supplying energy efficiently – Through the provision of decentralised generation and utilising waste heat for example.
 - Using renewable energy – utilising energy sources which do not contribute to CO₂ production, such as wind and solar.
- 8.132 The applicant has followed the energy hierarchy set out in policy 4A.1 of the London Plan and the proposals aim to reduce total site carbon emissions by 35%. The energy baseline and carbon emissions have been calculated using the Simplified Building Energy Model (SBEM). The anticipated emission rates are:
- Target Emission Rate – 41.7 kgCO₂/m²
 - 'Be Lean' Emission Rate – 41.7 kgCO₂/m²
 - 'Be Clean' Emission Rate – 28 kgCO₂/m²
 - 'Be Green' Emission Rate – 27 kgCO₂/m²
- 8.133 The scheme has been designed in accordance with Policy 4A.3 in seeking to minimise energy use through passive design measures to be in accordance with 2010 Building Regulations. Proposed u-values are 0.25 W/m²K walls; 0.2 W/m²K floor; 0.16 W/m²K roof; 1.7 W/m²K windows.
- 8.134 Decentralised energy is proposed through the provision of a community heating system. It is anticipated that the system will be fed by a 150kWth CHP Engine and result in a 33% reduction in total CO₂ emissions. The energy centre is proposed to be located in the ground floor of the east podium block. The energy centre has been sized to accommodate a 9m³ thermal store. Gas fired boilers are proposed to provide top-up and back-up for the development.
- 8.135 Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that meeting the 20% of the buildings energy demand through renewable

technologies is not feasible. The proposals include the installation of Photovoltaic array (210m²) to reduce proposed emissions (development after energy efficiency measures) by 2%.

- 8.136 To ensure the proposed measures are met when the development is constructed, it is recommended that they be secured by condition. Overall, the Sustainable Energy Strategy is considered appropriate for the development and the London Plan energy hierarchy has been followed appropriately.
- 8.137 As such, the proposed development is considered acceptable in terms of policies 4A.1, 4A.2, 4A.4, 4A.6 and 4A.7 of the London Plan 2008 and policy SP11 of the CS.

Biodiversity

- 8.138 Policy 3D.14 of the London Plan 2008, policy SP04 of the CS, policies DEV57 and DEV61 of the UDP and policy 7.19 of the Draft Replacement London Plan seek to protect and enhance biodiversity and natural habitats.
- 8.139 A small portion of the eastern end of the subject site and the adjacent canal is designated as a Site of Nature Conservation or Importance. The applicant has provided an Ecology Report, which details the existing ecology of the site.
- 8.140 The Ecology Report identifies the site as comprising of (in order of abundance): bare ground, wasteland, tall ruderal, poor semi-improved grassland, scattered semi-mature deciduous trees and a small broad-leaved deciduous plantation. Furthermore, the Regent's Canal is adjacent and to the east of the Site. The canal supports locally uncommon aquatic flora, invertebrates including dragonflies and damselflies, a diverse fish community and breeding waterfowl.
- 8.141 The Council's Biodiversity Officer has reviewed the application and made a number of recommendations as to conditions, base on the Ecological Report to mitigate and enhance the biodiversity of the of the sites. It is recommended that the following conditions are included on any approval of the application, for the associated reasons.
- A condition should ensure that the recommendations in the Ecological Report, to dismantle certain structures by hand, are enforced, with an informative that in the unlikely event bats are found, work must stop immediately Natural England must be informed.
 - The black redstart survey in 2009 found no black redstarts on site, but that is somewhat out of date for a species which changes nest sites from year to year. Therefore, a survey for nesting black redstarts should be undertaken immediately before demolition starts. This should also be secured through condition.
 - The proposed green roofs should be brownfield-style green roofs ("brown roofs"). A condition should ensure that details of these are approved by the Council before construction starts and that they are then implemented as agreed.
 - A further condition that nest boxes for black redstarts should be provided in appropriate places.
 - A condition should also secure landscape enhancements for bats, to be determined after a bat activity survey.
 - Finally, a condition should ensure responsible eradication and disposal of Japanese knotweed from the site.
- 8.142 With the inclusion of such conditions, it is considered that the biodiversity of the site is likely to improve the range of habitats available and promote biodiversity in accordance with policies.
- 8.143 It is therefore considered that the proposed development would provide important biodiversity enhancements to this inner city location and that the proposed development

would be consistent with policy 3D.14 of the London Plan 2008, policy SP04 of the CS, policy DEV61 of the UDP and policy 7.19 of the Draft Replacement London Plan.

Water and Flooding Risk

- 8.144 The development site is located in Flood Risk Zone 1 and thus is not at risk from flooding from fluvial or tidal influenced sources within a return period of 1 in 1000 years. As the site does not exceed one hectare no formal Flood Risk Assessment is required. However the applicant has submitted a Flood Risk Appraisal to support their application.
- 8.145 As the site is at such a low risk of flooding from fluvial or tidal influenced sources, in accordance with PPS25, the site is considered appropriate for all land use types. The submitted Flood Risk Appraisal states that the existing area is impermeable in nature with heavily compacted soils located on the roof of the viaduct that exhibit impermeable characteristics (during high intensity rainfall events) due to the compacted nature and the fact the fill is not connected to any natural soil below the viaduct.
- 8.146 The appraisal goes on to state that the proposals will not increase the extent of impermeable area on the site. As a result the volume and rate of surface water runoff will not increase as a result of the proposed redevelopment.
- 8.147 As there will be no increase in impermeable area within the site, there will not be an increase in surface water runoff. Green roofs have been incorporated into the final building design along with raised planter areas on the roof terrace. These features will assist in reducing the peak rate of stormwater runoff generated from the site.
- 8.148 The Flood Risk Appraisal has recommended that rainwater harvesting and reuse should be incorporate into the final design to assist in reducing the peak runoff and potable water demand for the site. It is considered that this can be secured by condition and would assist to make the development more sustainable and use less water.
- 8.149 The applicant has not provided details of the proposed water usage or mitigation provisions. It is therefore considered that conditions be included so that low flow water use devices be used and that a BREEAM Assessment be required, in order to ensure the minimisation of water usage.
- 8.150 Due to the former industrial uses of the site, the Environment Agency has raised concerns that development on the site could open pathways for contaminants to enter underground water sources. As such they have recommended a number of conditions to prevent this occurring. As such, in order to protect underground water sources, it is recommended that these conditions be included on the application.
- 8.151 Subject to the recommended conditions the proposed development is considered in accordance with policies 4A.12, 4A.13, 4A.14 and 4A.16 of the London Plan 2008, policy SP04 of the CS, policies DEV69, U3 of the UDP and policies DEV7, DEV 8 and DEV21 of the IPG.

Construction Waste and Recycling

- 8.152 Policy 4A.28 of the London Plan 2008 and policy SP05 of the CS require developments to follow the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste.
- 8.153 Conditions of consent should require a Site Waste Management Plan to be submitted, detailing the particulars in relation to the development, to ensure that the development is implemented in accordance with the principles of the waste hierarchy and that reuse and recycling of waste reduces the unnecessary landfilling of waste. If development is undertaken in accordance with an appropriate Site Waste Management Plan the development would be considered to be in accordance with policy 4A.28 of the London Plan

2008 and policy SP05 of the CS.

Planning Obligations

- 8.154 Policy SP13 of the CS, policy DEV 4 of the UDP and policy IMP1 of the IPG state that the Council will seek planning obligations to secure onsite or offsite provisions or financial contributions in order to mitigate the impacts of a development.
- 8.155 The applicant has agreed to the following being included in a Section 106 to ensure mitigation of the proposed development.

Financial Contributions

- Provide a contribution of **£15,000** to British Waterways for the undertaking of a study into the condition of the waterway wall.
- Provide a contribution of **£50,000** to Transport for London to be pooled with contributions from other developments, for improvements to the junctions adjacent key public transport nodes within the vicinity of the site.
- Provide a contribution of **£75,000.00** to the Primary Care Trust for the provision of Health Care within the borough
- Provide a contribution of **£330,597.86** towards the provision of open space.
- Provide a contribution of **£42,848.00** towards the provision of library and ideas stores.
- Provide a contribution of **£192,891.00** towards the provision of leisure and community facilities.
- Provide a contribution of **£2,855.68** for the upgrade the existing street lighting by replacing lights along Longnor Road.
- Provide a contribution of **£2,524.97** for the upgrade the existing street lighting by replacing lights along Moody Street.
- Provide a contribution of **£57,000.00** for footway improvement works in Longnor Road.

Non-financial Contributions

- Car free arrangements that prohibit residents and users of the development, other than disabled people, from purchasing on-street parking permits from the borough council.
 - Restriction of the use of the accommodation to students of Queen Mary University or London Metropolitan University, or other further educational establishments within the borough as has been approved in writing by the local planning authority.
 - To participate in the Council's Access to Employment initiative.
- 8.156 In accordance with policy SP13 of the CS, policy DEV 4 of the UDP and policy IMP1 of the IPG it is considered that the inclusion of these matters in a Section 106 Legal Agreement, together with the recommended conditions would adequately mitigate against the impacts of the development and meet the tests of the Community Infrastructure Levy Regulations 2010.

Conclusions

- 8.157 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.