

<b>Committee:</b> Strategic Development	<b>Date:</b> 8 <sup>th</sup> December 2011	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 6.2
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Jane Jin		<b>Ref No:</b> PA/11/01294	
		<b>Ward(s):</b>	

## 1. APPLICATION DETAILS

**Location:** Land bound by Dongola Rd, Duckett St, Ben Jonson Rd & Harford St, Ocean Estate, (Site F)

**Existing Use:** Community Centre and Place of worship – Mosque (Use Class D1)

**Proposal:** Application under s73 of the Town and Country Planning Act 1990 to vary condition A1 (approved plans) of planning permission PA/09/02585 dated 23rd of March 2010, to enable minor material amendments to the approved development on Site F only, involving:

- 1) Relocation of the CHP/Electrical Sub-Station and tank room;
- 2) Removal of open deck access to courtyard elevations and introduction of enclosed corridors;
- 3) Change of balcony details to Ben Jonson Road from cantilevered to recessed;
- 4) Reconfiguration of the internal arrangement of the units, relocating all 3 bedroom maisonettes to ground and first floor level;
- 5) Improvements to internal efficiency resulting in additional habitable rooms (without an increase in units);
- 6) Corresponding changes to window locations and balcony locations;
- 7) Removal of entrance core access ramps;
- 8) Movement of retail wall 290mm northwards; and
- 9) Increase in Hartford Street and Duckett Street front garden depths from 1.3m to 1.5m.

**Drawing Nos:** 012 REV P3; 050 REV P3; 051 REV P2; 052 REV P2; 053 REV P2; 054 REV P3; 055 REV P3; 056 REV P3; 057 REV P3; 058 REV P3; 058 REV P3; 060 REV P5; 061 REV P4; 062 REV P4; 063 REV P4; 065 REV P5; 066 REV P4; 100 REV P2; 101 REV P2; 102 REV P2; 103 REV P2; 104 REV P2; 105 REV P2; 106 REV P2; 107 REV P3; 108 REV P3; 108 REV P3; 109 REV P1; 110 REV P2; 111 REV P2; 112 REV P2; 113 REV P2; 114 REV P2; 115 REV P2; 116 REV P2; 117 REV P2; 118 REV P2; 119 REV P2; 120 REV P3; 121 REV P2; 122 REV P2; 123 REV P2; 124 REV P3; 125 REV P3; 126 REV P3; 127 REV P2; 130 REV P5; 131 REV P4; 132 REV P4; 133 REV P4; 134 REV P5; 135 REV P5; 136 REV P5; 137 REV P4; 138 REV P2; 200 REV P2; 201 REV P2; 202 REV P2; 202 REV P2; 203 REV P2; 204 REV P4; 210 REV P2; 213 REV P3; 220 REV P2; 221 REV P2; 222 REV P2; 223 REV P2; 225 REV P2; 226 REV P2; 227 REV P2;

---

### LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Eileen McGrath 020 7364 5321

228 REV P2; 230 REV P2; 231 REV P2; 232 REV P2; 233 REV P2;  
235 REV P5; 236 REV P5; 237 REV P5; 238 REV P4; 239 REV P5;  
260 REV P3; 261 REV P3; 270 REV P1; 271 REV P1; 272 REV P1;  
273 REV P1; 274 REV P1; 275 REV P1; 276 REV P1; 277 REV P1;  
278 REV P1; 022 REV P1; and 023 REV P1.

Documents:

Impact Statement by Barton and Willmore dated May 2011;  
Addendum Internal Daylight and Sunlight Assessment: Site F by GIA  
dated 20 May 2011;  
Energy Note by Richard Hodgkinson dated 19<sup>th</sup> May 2011; and  
Ocean Estate Block F Design Statement

**Applicant:**

East Homes, c/o Barton and Willmore

**Owners:**

East Homes Ltd and London Borough of Tower Hamlets

**Historic Building:** N/A

**Conservation Area:** N/A

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

The proposed minor amendment does not significantly alter the original permission PA/09/2585 and would still continue to provide a high quality design scheme; provide satisfactory standard of residential accommodation; satisfactory standard of amenity and sufficient proportion of affordable housing which complies with Policies 3.12 and 7.6 of London Plan 2011; Policies SP02 and SP10 of Core Strategy Development Plan Document 2010; and DEV1 and HSG7 of Unitary Development Plan 1998.

## 3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to conditions.
- 3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

### Conditions

- 3.3 The unaltered conditions of the previous decision notice with reference PA/09/2585 dated 23<sup>rd</sup> March 2011 which are not subject to this application shall be re-imposed to the decision notice.
- 3.4 Condition 2 relates to the timeframe for implementation. Usually this is a 3 year time frame from the date of issue in accordance with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended). The wording will be changed to specify the date of when the development needs to be implemented to ensure that extension of time is not granted.
- 3.5 Where conditions of planning permission have already been discharged, the condition will be re-imposed however the condition will make a reference to the already approved details.

### S106

- 3.6 The original permission was subject to a legal agreement to mitigate against the impacts from the development. As this application requires the issue of a new/fresh planning permission it would usually require a deed of variation. However, in this instance, the original deed captures an event for when permissions are varied and therefore deed of variation is

not necessarily required. In addition, the dwelling mix breakdown for affordable housing does not require alteration as there are no changes to what has been secured through S106. There are no additional heads of terms which is required as a result of the proposal and therefore, the subject application does not need any deed of variation to the original agreement.

#### **4. Background to Minor Material Amendments**

- 4.1 Changes were introduced in October 2009 to allow minor and non material amendments to developments after planning permission has been granted.
- 4.2 The 'Greater Flexibility Guidance' states that the use of the existing route under s.73 to vary a condition would be the best short term solution in allowing minor material amendments. However, the use of s.73 depends on the existence of a relevant condition which can be amended, which includes either a condition listing plans numbers or compliance with the approved plans condition.
- 4.3 The current proposal relies on Condition A1 (listing of approved plan numbers) of planning permission with reference PA/09/2585 for the proposed minor-material amendment.

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1 The application relates to an existing planning permission with reference PA/09/2585 which comprised of:

**Site E** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 9 storeys, to provide for 462 residential dwellings (Class C3) with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

**Site F** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 7 storeys, to provide for 240 residential dwellings (Class C3) and 1300sqm of built floorspace for flexible non-residential uses (Classes A1, A2, A3 and D1), with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

- 4.2 The proposal seeks changes to SITE F only, for the following:

1. Relocation of the CHP/Electrical Sub-Station and tank room;
2. Removal of open deck access to courtyard elevations and introduction of enclosed corridors;
3. Change of balcony details to Ben Jonson Road from cantilevered to recessed;
4. Reconfiguration of the internal arrangement of the units, relocating all 3 bedroom maisonettes to ground and first floor level;
5. Improvements to internal efficiency resulting in additional habitable rooms (without an increase in units);
6. Corresponding changes to window locations and balcony locations;
7. Removal of entrance core access ramps;
8. Movement of retail wall 290mm northwards; and
9. Increase in Hartford Street and Duckett Street front garden depths from 1.3m to 1.5m.

##### **Site and Surroundings**

- 4.3 The application site is split between two existing sites, Site E and Site F, within the Ocean Estate. Block E is bound by Shandy Street, White Horse Lane, Trafalgar Gardens, Masters Street and Duckett Street. Site F is bound by Dongola Road Duckett Street, Ben Jonson

Road and Harford Street.

The application site is characterised by post war residential development, generally in the form of medium rise tower blocks. The surrounding area is predominately residential with element of mixed-use, including shops, offices and community facilities.

### **Planning History**

4.4 An outline planning application (PA/09/2584) and a full planning application for Sites E and F (PA/09/2585) were approved on 23<sup>rd</sup> March 2010.

4.5 PA/09/2584: Outline Planning Permission

Outline Planning Permission for a total of 819 residential dwellings (Class C3) and up to 1300sq.m of built floorspace for flexible non residential uses (Classes A1, A2, A3 & D1) as follows:

**Site E** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 9 storeys in height, to provide for up to 462 residential dwellings (Class C3) with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

**Site F** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 7 storeys, to provide for up to 240 residential dwellings (Class C3) and up to 1300sqm of built floorspace for flexible non-residential uses (Classes A1, A2, A3 and D1), with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

**Feeder Site 2** – The demolition of existing buildings and redevelopment, involving the erection of a building up to 7 storeys, to provide for up to 24 residential dwellings (Class C3), with associated car parking, private and communal amenity spaces, and landscaping works in connection with the regeneration of the Ocean Estate.

**Feeder Site 3** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 10 storeys, to provide for up to 70 residential dwellings (Class C3), with associated car parking, private and communal amenity spaces and landscaping works in connection with the regeneration of the Ocean Estate.

**Feeder Site 4** – The demolition of two existing buildings and the conversion of one building for the redevelopment, involving the erection of buildings up to 3 storeys, to provide for up to 23 residential dwellings (Class C3), with associated car parking, private and communal amenity spaces and landscaping works in connection with the regeneration of the Ocean Estate.

Approved 23<sup>rd</sup> March 2010.

4.6 Reserved Matters

PA/10/1813:

Reserved matters on **Feeder Site 2** for submission in accordance with condition A3 and A4 for approval of 'Appearance' and 'landscaping' associated with the erection of a building of up to 7 storeys comprising 24 class C3 residential dwellings of planning permission PA/09/2584 dated 23/03/2010 was approved 6th September 2010.

PA/10/2283:

Submission of reserved matters for **Feeder Site 3** (Former Lifra Hall, Halley Street) in accordance with condition A4 for approval of 'appearance' and 'landscaping' associated with the erection of a building up to 10 storeys comprising 70 residential units (Class C3) following the granting of Outline Planning Permission ref. PA/09/2584 dated 23rd March 2010, was approved 13<sup>th</sup> December 2010.

#### 4.7 Other permissions

PA/10/2279: Cycle store to Feeder Site 3

Erection of a single storey cycle store and sub-station in connection with the creation of 70 residential dwellings (Use Class C3) pursuant to Planning Permission ref PA/09/2584, approved 26/11/10.

PA/10/2281: Non Material Amendment

Application for a non-material amendment to outline planning permission PA/09/2584 dated 23/03/2010 for elevational changes to Feeder Site 3 as identified on plan 2749-L181 P3. Approved 9<sup>th</sup> November 2010.

PA/10/1844: Non Material Amendment

Application for a non-material amendment to planning permission PA/09/2584 dated 23/03/2010 for minor changes to the siting of the new block to the rear of Feeder Site 4 (Land at 85 Harford Street, Ocean Estate, London) and a change to the scale of the new building block fronting Essian Street on Feeder Site 4 (Land at 85 Harford Street, Ocean Estate, London).

Approved 15<sup>th</sup> October 2010.

#### 4.8 PA/09/2585: Full Planning Permission for Site E and Site F

**Site E** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 9 storeys, to provide for 462 residential dwellings (Class C3) with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

**Site F** – The demolition of existing buildings and redevelopment, involving the erection of buildings up to 7 storeys, to provide for 240 residential dwellings (Class C3) and 1300sqm of built floorspace for flexible non-residential uses (Classes A1, A2, A3 and D1), with associated car parking Central Heating Plant (CHP), private and communal amenity spaces, alterations to the existing highway network and landscaping works in connection with the regeneration of the Ocean Estate.

Approved 23<sup>rd</sup> March 2010.

#### 4.9 PA/10/1085: Demolition of Site E

Prior notification of proposed demolition of five blocks and on, two storey house/shop (Site E) approved 6<sup>th</sup> September 2010.

#### 4.10 PA/10/2123: Non-Material amendments to Site E

Application for a non-material amendment to full planning permission PA/09/2585 dated 23/03/2010 for:

Non-material changes to Site E only involving:

10) Change in balcony positions

11) window positions

12) position of E2 east wing south entrance

13) Additional rainwater down pipes

14) Double aspect maisonette front windows changed from full height to standard openings with cills

15) Service penetrations at roof level

16) Additional rainwater pipes

- 17) Escape added across roof at 7th floor level
- 18) Louvres extended/added at ground floor level
- 19) Bike storage units

## 5. POLICY FRAMEWORK

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

### 5.2 The London Plan 2011

Policies:	3.5	Quality and design of housing developments
	3.8	Housing Choice
	3.16	Protection and enhancement of social infrastructure
	5.1	Climate change mitigation
	5.2	Minimising carbon dioxide emissions
	5.3	Sustainable design and construction
	7.2	An inclusive environment
	7.4	Local character
	7.5	Public realm
	7.15	Reducing noise and enhancing soundscapes

### Adopted Core Strategy 2010

Policies:	SP02	Urban living for everyone
	SP09	Creating attracting and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP12	Planning Obligation

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

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	HSG13	Internal Space Standards
	HSG15	Development affecting residential amenity
	HSG16	Amenity Space

### 5.4 Interim Planning Guidance for the purposes of Development Control 2007

Policies:	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and inclusive design
	DEV5	Sustainable Design
	HSG7	Housing amenity space
	HSG9	Accessible and adaptable homes.

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

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

## 6. CONSULTATION RESPONSE

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

The following were consulted regarding the application:

## 6.2 **GLA**

GLA conclude that the proposed changes does not raise any strategic issues and therefore does not need to be consulted further on this application.

## 6.3 **Environment Agency**

Raise no objections

## 6.4 **Thames Water**

Variation of conditions application does not affect Thames Water and as such no comments are made.

## 6.5 **LBTH Energy Efficiency**

Amendments do not alter the permitted energy strategy for the development. The submitted information notes that the CHP system rating (160kW capacity) is unchanged from the permitted planning permission. It is also highlighted that the CHP relocation will not prevent compliance with the associated conditions imposed on the original grant of planning permission.

Provided the changes and relocation of the CHP plant room do not alter the proposed energy strategy then there are no objections.

Officer's comment: The conditions relating to the energy strategy will be re-imposed.

## 6.6 **LBTH CLC**

As there is no increase in units from the previous proposal, no additional request for financial contribution relating to open space, idea stores/libraries or Leisure has been identified.

## 6.7 **LBTH Highways**

No objections raised to the proposed changes.

## 6.8 **LBTH Housing**

The proposal to convert 3 three bed flats into 3 three bed maisonettes and to move the 3 bed maisonettes on the 2nd and 3rd floors to the Ground and First floor. These units will therefore all have private gardens; this is a better provision of private amenity than the balconies that were proposed under the previous consent.

Housing would support both these changes as it was always considered that these maisonettes should have been sited on the ground and 1st floor. The total number of affordable units and mix remains unchanged from the consented scheme.

## 7. **LOCAL REPRESENTATION**

7.1 A total of 669 neighbouring properties within the area shown on the map appended to this report were notified about the application. The application has also been publicised in the press and a site notice was erected on site.

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

No of individual responses: 0            Objecting: 0            Supporting: 0  
No of petitions received: 1 objecting containing 23 signatories

7.3 The following issues were raised:

- the current/recent demolition activity adversely affected the residents;
- dust and sound pollution already affects the daily healthy life, opening doors is impossible due to dust;

- cannot open windows because excessive sandy dust directly come in to the kitchen;
- our houses vibrate due to demolition and cannot rest in the day time, significantly effect elderly citizen's and children's health;
- the developer has failed to safeguard our right to health and safe living;
- large vehicle/construction machinery is having negative impact on local residents;
  
- residents were told that the houses will be sold privately as advertised during Fun day at Shandy Park as organised by East Homes;
- proposed balcony or window location could restrict privacy;
- front and back gardens should be assimilated to existing adjacent properties and facilities should be adopted with family size accommodation and also an open kitchen plan should not be preferred.

Officer's comment:

Majority of the concerns raised by the residents are predominately in relation to the nuisance created as a result of the current construction/demolition works taking place on Ocean Estate for the extant planning permissions. Therefore the concerns raised by the residents do not relate to the proposed minor amendments itself. In addition, as part of the extant permission, conditions have been imposed for: limitation on noise (Condition A10); and restricted hours for hammer driven piling (Condition A13). The legal agreement to the extant permission secures the Code of construction practice which ensures construction works are carried out responsibly. It is considered that the issues raised by the residents in relation to the current construction works can either be investigated by the Council's Planning Enforcement Team and/or the Environmental Health Service under the Pollution Prevention and Control Act 1999. The issues raised are not considered to be directly related to the proposed minor amendments.

In relation to the comment raised on the private housing, the proposed minor amendment does not include any changes to the tenure mix of the entire scheme. The proposal minor amendment does not alter the details of the family dwelling accommodation which has already been approved.

In relation to the overlooking issue raised, this concern would be the only relevant planning concern which has been raised in the petition in relation to the proposed minor amendment. However, the minor changes to the balcony and window positions are not significant; they are changes which is in-line with the original consented elevation strategy with an offset/irregular balcony/window pattern. As part of the original proposal, the principle of the windows and balconies were previously considered.

There are two new balconies on Dongola Road elevation and four on Hartford Street however there are more balconies omitted as a result of the proposed changes. The proposed balconies are to the approved habitable rooms and its respective window. In the officer's report for the original proposal, paragraphs 9.41 to 9.46 deal with privacy and overlooking issue, which states:-

*'..given the density of the development, the design of the perimeter block and the inner city location the development does produce an aspect of overlooking which cannot reasonably be designed out.*

*In the majority of cases, the units that have an outlook over the surrounding roads have an acceptable separation distance exceeding 18m between any neighbouring buildings. '*

It is considered that majority of the concerns raised by the residents of Dongola Road and Harford Street through their petition is not relevant to the subject minor amendment proposal. Nevertheless, the Council's Environmental Health will be notified of the concerns.

Also, the amendments to the windows and balconies are not considered to create additional



overlooking and privacy issues for the residents of Dongola Road and Hartford Street. The changes are considered to be minor in nature, and when seen in the context of the approved development and retaining 18m separation distance, it is considered there would be no net increase in the overlooking impact. This is discussed in more detail below.

## **8. MATERIAL PLANNING CONSIDERATIONS**

- 8.1 As introduced earlier, the 'Greater Flexibility Guidance' introduced on 23<sup>rd</sup> November 2009 states that the use of the existing route under s.73 to vary a condition would be the best short term solution in allowing minor material amendments.

Whilst there is no statutory definition of a minor material amendment, the Guidance provides a definition as:

' A minor material amendment is on whose scale and nature results in a development which is not substantially different from the one which has been approved.'

The Guidance also suggests a pre-application discussion with the Local Planning Authority to be a useful tool in judging the appropriateness of this type of application.

- 8.2 The applicant has had pre-application discussions with the officers of the Council, and it was considered that the proposal would be minor material, and therefore an advice was given to submit a formal application for consideration.
- 8.3 Therefore the main planning issues raised by the application that the committee must consider is whether the proposed changes can be considered to be minor material changes to the original planning permission and also material planning consideration as a result of the changes.
- 8.4 The proposed changes are discussed in turn and its material planning considerations will be set out under each heading.
- 8.5 Relocation of the CHP/Electrical Sub-Station and tank room

The CHP and electric sub station is proposed to be reduced in size and relocated from Block F2 to Block F1. This is as a result of Block F1 being the first phase of the development for Site F and CHP plant will be required to be delivered ahead of Block F2 and also applicant's funding arrangement.

- 8.6 The material consideration is considered to be the changes to the ground floor elevation of Blocks F1 and F2, and whether the energy strategy as agreed in the extant planning permission can be delivered.
- 8.7 The applicant's reason to build the CHP plant within the first phase is logical and therefore supported, however the applicant's funding arrangement is not a matter for planning to consider. The relocation of the CHP from Blocks F2 to F1 will simply swap the elevation treatment between the two buildings and therefore is considered to be a minor change. The proposal will still deliver a good quality residential scheme in accordance with Policies DEV1 of the UDP 1998; DEV2 of IPG 2007 and SP10 of the Core Strategy which seeks high quality architecture and design in all development proposals.
- 8.7 Amendments do not alter the permitted energy strategy for the development and therefore will still remain to comply with policy SP11 of the Core Strategy 2010 and policies 5.1 and 5.2 of the London Plan 2011. The submitted information notes that the CHP system rating (160kW capacity) is unchanged from the permitted planning permission. It is also highlighted that the CHP relocation will not prevent compliance with the associated conditions imposed on the original grant of planning permission. Therefore there is no material change to the

energy requirements as a result of the proposed reduced size and relocation.

**8.8 Removal of open deck access to courtyard elevations and introduction of enclosed corridors**

The consented scheme show open corridor access along Court yard elevation from core to units on the first floor and the proposal seeks to enclose this corridor. The proposed enclosure is considered to be minor which does not have any design implications to the proposal which would be visible from the street.

8.9 The material planning consideration is whether the proposed change would have impact on the sunlight and daylight availability to the future residents of the units. The submitted sunlight and daylight assessment concludes that there is no material change to the availability of sunlight and daylight to the flats as a result of the enclosure due to internal re-arrangement of the units. The proposal is considered to be acceptable and in accordance with policies DEV2 of the Unitary Development Plan 1998; DEV1 of the IPG 2007; and SP10 of the Core Strategy 2010.

**8.10 Change of balcony details to Ben Jonson Road from cantilevered to recessed**

The proposed amendment is to recess the balconies on Ben Jonson Road is as a result of rationalising the layout of each floor. The recessed balconies are considered to be acceptable and there would be no net loss of internal areas to these flats and retaining the same amount of private amenity space. The proposal is considered to be minor material change.

8.11 The material planning consideration is whether the proposal would still provide sufficient private amenity space, internal dwelling size, and availability of sunlight and daylight. The proposed recessed balconies would re-provide the same amount of private amenity space and internal dwelling size as the approved plans.

In addition, sunlight and daylight assessment shows that the internal balconies will still permit good level of internal lighting. The proposal will comply with policies DEV2 of the Unitary Development Plan 1998; DEV1 of the IPG 2007; SP02 and SP10 of the Core Strategy 2010.

**8.12 Reconfiguration of the internal arrangement of the units, relocating all 3 bedroom maisonettes to ground and first floor level**

The proposal is to relocate the 3 bedroom maisonettes from second and third floors to ground and first floors. This is supported as it will allow family sized dwellings to have private gardens and this form of amenity space is more suitable for family sized dwellings and therefore this is considered to be minor material amendment.

8.13 The material planning consideration is whether the suitable of family housing will be retained and external design changes. The Council's Housing Officer supports the relocation of the 3 bedroom maisonettes as it offers better accessible amenity space in a form of private courtyard on the ground floor. The proposed external design changes mainly to location of windows and balconies which is discussed later in the report under the heading of 'Corresponding changes to window locations and balcony locations'.

**8.14 Improvements to internal efficiency arrangement resulting in additional habitable rooms (without an increase in units):**

The follow table show the difference between the consented scheme and the proposal.

BLOCK F	Consented		Proposed	
	Unit	Number	Unit	Number
Tenure				

Social Rent	1b	16	1b	16
	2b	19	2b	19
	3b flat	17	3b flat	15
	3b maisonette	3	3b maisonette	5
	4b maisonette	8	4b maisonette	8
	5b maisonette	2	5b maisonette	2
		<b>65</b>		<b>65</b>
Intermediate	Shared Ownership		Shared Ownership	
	1b	14	1b	14
	2b	19	2b	19
	3b	7	3b	6
	3b maisonette	4	3b maisonette	5
		<b>44</b>		<b>44</b>
	Shared Equity		Shared Equity	
	1b	0	1b	0
	2b	3	2b	3
	3b flat	12	3b flat	12
		<b>15</b>		<b>15</b>
Private	1b	47	1b	34
	2b	49	2b	62
	3b	12	3b	14
	3b maisonette	8	3b maisonette	6
		<b>116</b>		<b>116</b>

As it can be seen from the table, there are alterations to the dwelling mix however the overall tenure mix and unit numbers do not change as a result.

- 8.15 The main material consideration of the increase in habitable room numbers is two fold. Whether education contribution which was previously sought is sufficient for the revised dwelling mix which has an uplift of two bedroom flats, and also whether the density of the scheme is still acceptable.

Education Contribution: Since the approval of the original consent the Council has a draft SPD on Planning Obligations. This outlines all planning contributions which should from development. The original consent secured an educational contribution of £206,209. However, applying the draft SPD the education contribution of £780,105 should be sought from the subject proposal. The increase the amount is primarily due to the draft SPD calculating contribution towards secondary school place where as previously, it didn't. The proposal results in a difference of £573,896 from what had previously been paid for Blocks E and F.

The applicant has submitted a viability toolkit which states that the scheme would not be viable if further contributions are sought from the Council. The original consent was also subject to viability assessment and testing, and concluded similar. Whilst development proposals are required to mitigate against its impact, given the viability of the scheme the originally sought contribution towards primary school places would be sufficient in this instance.

Density: The consented scheme resulted in a density of 198units per hectare. The proposal results in the same density per unit as the total units numbers being the same however using habitable rooms, the density for the proposed development on Site F is 573hr/ha. The proposal still falls comfortably within the suitable density range 200-700hr/ha for a site with PTAL 4 and in urban context, in accordance with the London Plan 2011 density matrix.

- 8.16 Corresponding changes to window locations and balcony locations

Balconies and window positions have slightly altered as a result of internal re-configuration as a result of changes to internal layout of the flats. The amendment allows a more rational approach to the internal layout with the result of improve flat layouts and entrance lobbies. Whilst the re-configuration results in omission of some balconies on elevations and introducing new ones, there is no overall increase in new balconies as a result. The omission and introduction of the new balconies and windows, follow rational of the consented elevation and in majority of the cases, the new balconies are to the approved habitable room windows.

- 8.17 The material consideration is whether the new balconies and windows would further implicate overlooking and privacy issues to the neighbouring buildings. Also, whether the omission of windows and balconies still delivers acceptable design approach. Firstly, the elevation is rationalised and therefore retain visual interest and articulation as per originally granted, and the separation distances between habitable room windows remain the same as the consented and therefore there are minimal impact to neighbouring dwellings in terms of privacy and overlooking.

Therefore, the proposal is considered to be minor alteration to the overall development.

8.18 Removal of entrance core access ramps

The consented scheme had a number of access ramps to avoid stepped environs and to allow levelled access across the site. The proposal now include for the ground floor slab to be stepped to reduce the number of such ramps.

- 8.19 The proposed amendment will result in a less cluttered public realm, and a reduction in the overall building height whilst providing access free environment within the estate. This is a positive amendment to the scheme which is supported.

8.20 Movement of retail wall 290mm northwards

The re-configuration of the blocks results in a loss of retail space within Block F2. As the consented scheme had 1300sq.m of retail space, the proposed amendment include the retail wall to increase 290mm northwards (into the courtyard section) of the development. This results in approximately 10sq.m loss of Courtyard amenity space.

- 8.21 This is considered to be minor in context of the overall 12,441sq.m of space which has already been approved, together with financial contribution of £9.4million towards landscaping and public realm improvements through the wider estate secured through the original consent. The proposal will still retain much of the useable amenity and play space area, and therefore the proposed change is acceptable.

8.22 Increase in Hartford Street and Duckett Street front garden depths from 1.3m to 1.5m.

The applicant considered that the consented 1.3m depth of garden space along Hartford Street and Duckett Street was insufficient as a usable space and therefore now proposes 1.5m measured from the external face of the wall.

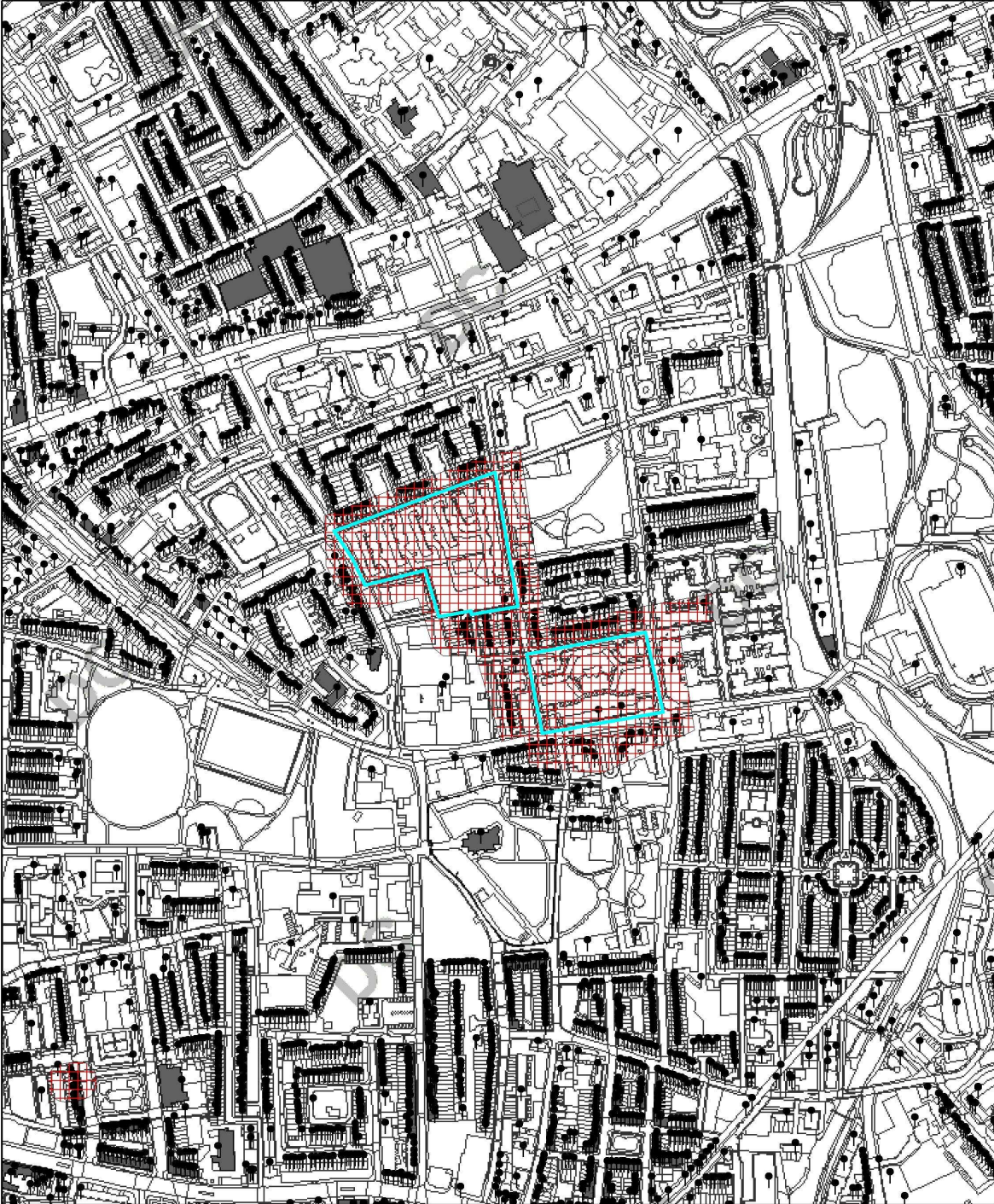
- 8.23 This is an improvement and no objection is raised to the proposed amendment. The increase of 200mm does shunt the dwelling size, but projects closer to the street whilst being within the redline boundary of the site. The forecourts of the dwellings increase and provide better usable space and therefore it is supported.

- 8.24 In summary, the proposed amendments are minor in nature and are considered to acceptable which does not alter the scale and nature of the original consent.





**Conclusion**

8.25 All other relevant policies and considerations have been taken into account. The proposed changes to the approved development is not considered alter the consented development and continue to provide positive regenerative benefits to the local area; with delivery of housing (affordable housing) and contributions towards improvements to services and infrastructure. Planning Permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

# Planning Application Site Map



© Crown copyright and database rights 2011 Ordnance Survey, London Borough of Tower Hamlets 100019288

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

