

Committee: Strategic Development Committee	Date: 8 th December 2011	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Amy Thompson		Ref No: PA/11/00642	
		Ward(s): St Katherine's and Wapping	

1. APPLICATION DETAILS

- Location:** Land at Royal Mint St Mansell St and Chamber St, Royal Mint Street, London
- Existing Use:** Car Park; Arches used for car washes and parking; DLR and Network Rail tracks.
- Proposal:** Redevelopment of site for a mixed-use development comprising the erection of two buildings of between 3 and 15 storeys, providing 354 residential units (Use Class C3), a 236 room hotel together with 33 serviced apartments (Use Class C1), flexible retail/financial services/restaurant/cafe/drinking establishment/health clinic/business space (1172sqm) (Use Classes A1, A2, A3, A4, D1 and B1), restaurant, bar, gallery, leisure (731sqm) (Use Class A3/A4/D1/D2), community uses including sports and training facilities, neighbourhood police base and office space within the railway arches (1,014sq.m) (Use Class D1/D2/B1), creation of new public open space, alterations to the existing highway, and new pedestrian link, together with associated works including landscaping, providing of parking, servicing and plant area.
- Drawing Nos:** 27995-P-02-000; 27995-P-03-00B; 27995-P-03-000 B; 27995-P-03-00M A; 27995-P-03-001 A; 27995-P-03-002 B; 27995-P-03-003 B; 27995-P-03-004 A; 27995-P-03-005 A; 27995-P-03-006 A; 27995-P-03-007 B; 27995-P-03-008 B; 27995-P-03-009 B; 27995-P-03-010 B; 27995-P-03-011 B; 27995-P-03-012 A; 27995-P-03-013 B; 27995-P-03-014 A; 27995-P-04-001; 27995-P-04-002; 27995-P-04-003; 27995-P-04-004; 27995-P-04-005; 27995-P-04-006; 27995-P-04-007; 27995-P-05-001 A; 27995-P-05-002 A; 27995-P-05-003 A; P1750.L100C; P1750 L.101; P1750 L.102; P1750 L.103; P1750 L.104; P1750 L.105; P1750 L.106; P1750 L.107B; P1750 L.108 B; P1750 L.109; P1750 L.110.
- Approved Documents:**
- Design and Access Statement, Broadway Malyan, 2011;
 - Supplementary Planning Statement, Rolfe Judd; 11 July 2011;
 - Environmental Statement and Non Technical Summary, Waterman, March 2011 and Letter dated 11 July 2011;
 - Daylight and Sunlight Supplementary Letter, GIA, 12 July 2011;
 - Energy Statement, Waterman Building Services, July 2011;
 - Sustainability Statement, Waterman, March 2011;
 - Strategy for Building Structures Report, Pell Frischman, 11 June 2011;
 - Employment Land and Office Case, GVA Grimley, April 2010;
 - Landscaping and Playspace Strategy, Fabrik, March 2011;
 - Residential and Uses Schedule, 28 November 2011;
 - Statement of Community Involvement, Indigo Public Affairs, March 2011;
 - Transport Statement, Entran, March 2011, read in conjunction with supplementary note, dated July 2011; and
 - Existing and Proposed Views, July 2011.

Applicant: ZBV (RMS) Limited and Network Rail Infrastructure Ltd

Owner:

- Network Rail
- DLR Limited
- London Borough of Tower Hamlets

Historic Building: No historic buildings on site, however several Listed Buildings are located within the immediate vicinity of the site.

Conservation Area: The southern part of the site lies within The Tower Conservation Area.

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), Adopted Core Strategy (2010), associated supplementary planning guidance, the London Plan (2011) and Government Planning Policy Guidance and has found that:
- 2.2 The scheme will provide a residential led mixed-use redevelopment with appropriate replacement of employment uses. The scheme would therefore provide opportunities for growth and housing in accordance with the CAZ and draft City Fringe Opportunity Area Planning Framework as identified in policies 2.1 and 2.13 of the London Plan 2011.
- 2.3 The theoretical loss of B1 office floorspace on this site is acceptable as the applicant has demonstrated that the site lies at the periphery of the main office area of the city, and is no longer viable for such development. As such, the proposal is in line with saved policy EMP3 of the Tower Hamlets Unitary Development Plan (adopted December 1998), policy SP06 of the Core Strategy (2010) and policies EE2 and CP13 of the Council's Interim Planning Guidance (2007). These policies seek to ensure services and jobs are provided in appropriate locations in the Borough.
- 2.4 The building height, scale, bulk and detailed design are acceptable and enhance the character and appearance of the surrounding area, in accordance with PPS5: Planning and the Historic Environment, strategic policy SP10 of the adopted Core Strategy (2010), saved policies: DEV1, DEV2 and DEV37 of the adopted Unitary Development Plan (1998), policies CON1, CON2, CON3, CON5, DEV1, DEV2 and DEV3 of the Interim Planning Guidance (2007), and policies SP10 and SP12 of the Core Strategy (2010) which seek to ensure buildings and places are of high quality design and suitably located, whilst also respecting the special architectural and historic interest of Listed Buildings, and ensuring new development preserves and enhances the character and appearance of Conservation Areas.
- 2.5 The proposal provides an acceptable amount of affordable housing and mix of units, in light of the viability of the scheme. As such, the proposal is in line with Planning Policy Statement 3, policies 3.8, 8.10, 3.11, 3.12, 3.13 of the London Plan (2011), saved policy HSG7 of the Council's Unitary Development Plan (1998), policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2010) which seek to ensure that new developments offer a range of housing choices.
- 2.6 On balance the scheme provides acceptable space standards and layout. As such, the scheme is in line with saved policy DEV2 of the Council's Unitary Development Plan (1998), policy DEV1 of Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2010) which seek to provide an acceptable standard of accommodation.

- 2.7 The proposed amount of amenity space is acceptable and in line with saved policy HSG16 of the Council's Unitary Development Plan (1998), policy HSG7 of the Council's Interim Planning Guidance (2007) and policy SP02 of the Core Strategy Development Plan Document (2010), which seek to improve amenity and liveability for residents.
- 2.8 On balance it is not considered that the proposal would give rise to undue impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding residents. Also, the scheme proposes appropriate mitigation measures to ensure a satisfactory level of residential amenity for the future occupiers. As such, the proposal is considered to satisfy the relevant criteria of saved policy DEV2 of the Council's Unitary Development Plan (1998), policy DEV1 of the Interim Planning Guidance (2007) and policy SP10 of the of the Core Strategy Development Plan Document (2010) which seek to protect residential amenity.
- 2.9 Transport matters, including parking, access and servicing, are acceptable and in line with policies T16 and T19 of the Council's Unitary Development Plan (1998), policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (2007) and policy SP08 and SP09 of the Core Strategy Development Plan Document (2010) which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.10 Contributions have been secured towards the provision of affordable housing; education improvements; public realm improvements; community facilities; transportation; health care provision and access to employment for local people in line with Regulation 122 of Community Infrastructure Levy 2010, Government Circular 05/05, saved policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007), and policies SP02 and SP13 of the Core Strategy Development Plan Document (2010), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

- 3.1 That the committee resolves to **GRANT** planning permission subject to:

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

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

Financial Contributions

- a) Off Site Affordable Housing: £9,625,081
 - o For the delivery of not less than 445 affordable habitable rooms on donor sites with appropriate planning obligations.
- b) Education: £341,498 comprising:
 - o £252,110 for the provision of additional primary school places;
 - o £8,938 for the provision of additional secondary school places.
- c) Health:
 - o £385,342 to mitigate against increased pressure on health facilities as a result in the increased population.
- d) Community Facilities and Libraries: £391,722 comprising:
 - o £305,465 for the provision of leisure and community facilities;
 - o £86,257 for the provision of libraries and Idea Store facilities.
- e) Highways & Transportation: £1,508,533 comprising:

- £1,201,522 towards the delivery of Crossrail;
 - £50,000 towards the Legible London wayfinding scheme;
 - £95,321 towards London bus services;
 - £132,000 towards the provision of a Cycle Hire Docking station within the vicinity of the site;
 - £20,000 towards the delivery of real time information boards within the communal areas of the development;
 - £9,690 towards Smarter Travel.
- f) Employment:
- £212,481 towards employment initiatives for Tower Hamlets residents.
- g) Open Space:
- £813,707 towards open space improvements within the locality of the site.
- h) Public Realm: £54,000 comprising:
- £32,000 towards street lighting within the vicinity of the site;
 - £22,000 towards accessibility improvements within the vicinity of the site.

Non-Financial Contributions

- i) 9 affordable rented residential units (49 habitable rooms) on the Royal Mint Street site;
- j) Not to occupy more than 50% of the Open Market Residential Units on Royal Mint Street until 50% of the Off Site Affordable Housing has been provided;
- k) Not to occupy more than 90% of the Open Market Residential Units on Royal Mint Street until 100% of the Off Site Affordable Housing has been provided;
- l) Delivery of new pedestrian link to Tower Gateway DLR Station;
- m) Code of Construction Practice - To mitigate against environmental impacts of construction;
- n) Seek to secure 20% goods/services procured during the construction phase by businesses in Tower Hamlets;
- o) Seek to secure 20% of the construction phase workforce as local residents of Tower Hamlets;
- p) Seek to secure 150 employees in end hotel phase to be residents of Tower Hamlets;
- q) Seek to secure 10 employees in community arches end phase to be residents of Tower Hamlets;
- r) Car Parking Permit-free development;
- s) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Total financial contribution: **£13,332,634**

- 3.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.
- 3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:
- 1) 3 year time limit for Implementation;
 - 2) Building in accordance with the approved plans;
 - 3) Submission of 1:20 and 1:50 drawings and sections of upper levels Building A;
 - 4) Submission of Material samples and detailed drawings;
 - 5) Submission of detailed drawing eastern flank elevation;
 - 6) Air Quality Assessment;
 - 7) Contamination;

- 8) Construction Management Plan;
- 9) Environmental Management Plan;
- 10) Archaeology;
- 11) Surface Water Drainage;
- 12) Secure by Design Assessment;
- 13) Impact piling method statement;
- 14) Method statement and details for the re-siting of existing metalwork railings;
- 15) Final sign-off from DLR/TfL re: link to tower gateway DLR station;
- 16) Development not to be occupied until the DLR link is accessible to DLR/DLR passengers;
- 17) Detailed specification of minimum 10% wheelchair units;
- 18) Lifetime Homes;
- 19) Vibration testing;
- 20) Details of access for affordable units to communal amenity area(s);
- 21) Details of hard and soft landscaping including materials;
- 22) Details of DLR ventilation art features;
- 23) Details of necessary highway works;
- 24) Details of ventilation and extraction;
- 25) Refuse and recycling;
- 26) Means of access and egress for people with disabilities;
- 27) Coach, Delivery and Service Management Plan;
- 28) Post-completion noise testing;
- 29) BREEAM Excellent;
- 30) Compliance with energy strategy;
- 31) 20% vehicle charging;
- 32) 5% Accessible hotel rooms and 5% future proofed;
- 33) Impact studies of the existing water supply infrastructure;
- 34) Period of serviced apartment occupation no longer than 90 consecutive days;
- 35) Servicing of central bay restricted to box van;
- 36) Servicing banksman on-site for the life of the development;
- 37) Standard hours of construction unless otherwise agreed in writing;
- 38) Parking (vehicle, disabled, cycle);
- 39) Power/hammer driven piling/breaking (10am - 4pm Monday to Friday);
- 40) Conservation Area Consent;
- 41) D2 use restriction;
- 42) Approved plans; and
- 43) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) Section 106 agreement required;
- 2) Section 278 Highways agreements required;
- 3) Contact Thames Water regarding installation of a non-return valve, petrol/oil-interceptors, water efficiency measures and storm flows;
- 4) Contact LBTH Environmental Health;
- 5) Contact LBTH Parking;
- 6) Contact Environment Agency;
- 7) Contact Thames Water
- 8) Contact London Fire & Emergency Planning Authority; and
- 9) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

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

4. PROPOSAL AND LOCATION DETAILS

Proposal

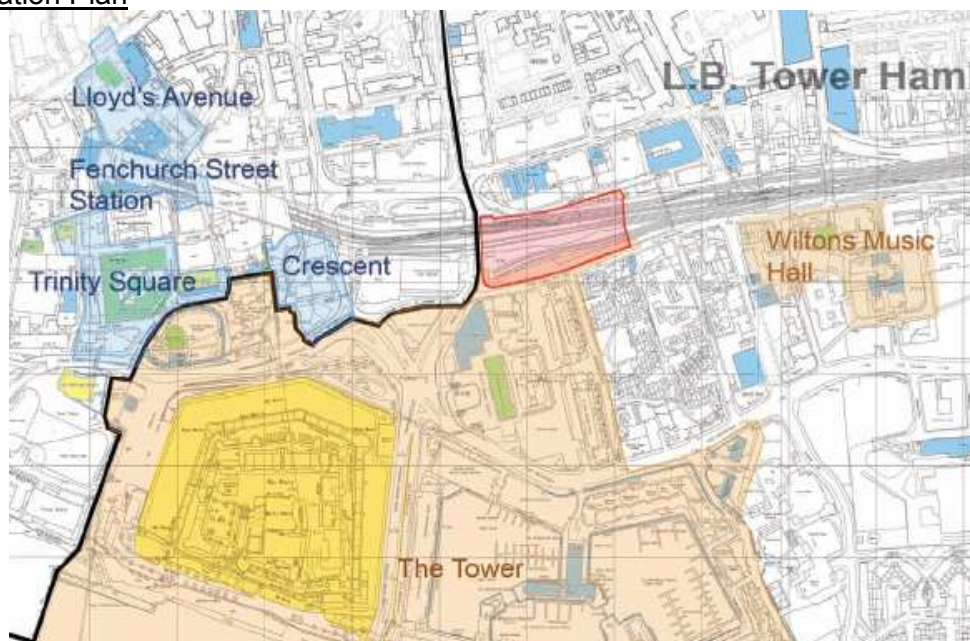
- 4.1 This scheme proposes the demolition of all existing structures on site (except for the rail line and associated arches), and erection of two buildings of between 3 and 15 storeys, providing 354 residential units (Use Class C3), a 236 room hotel together with 33 serviced apartments (Use Class C1), flexible retail/financial services/restaurant/cafe/drinking establishment/health clinic/business space (1172sqm) (Use Classes A1, A2, A3, A4, D1 and B1), restaurant, bar, gallery, leisure (731sqm) (Use Class A3/A4/D1/D2), community uses including sports and training facilities, neighbourhood police base and office space within the railway arches (1,014sq.m) (Use Class D1/D2/B1), creation of new public open space, alterations to the existing highway, and new pedestrian link, together with associated works including landscaping, parking, servicing and plant.
- 4.2 The 354 residential units are sized between studio units and five-bedroom houses, 9 of which are proposed to be allocated as affordable housing.
- 4.3 Through a financial contribution to a Registered Provider (Tower Hamlets Community Housing or where necessary, such other Registered Provider approved by the Council), the scheme will deliver an additional minimum 445 affordable habitable rooms (circa 118 units) on two donor sites within the borough. These would be of a policy compliant mix of housing sizes and split of affordable rented to intermediate accommodation, as secured through the legal agreement.
- 4.4 This equates to an overall affordable housing provision of 36% by habitable room.
- 4.5 The proposed development includes the following:
- Development divided into two main blocks:
 - Block A – 14 storey building on the corner of Royal Mint Street and Mansell Street, accommodating a 236 room hotel, 33 serviced apartments, 86 residential units;
 - Blocks B, C and D – A building ranging from 3 to 15 storeys, accommodating 268 residential units;
 - Use of existing railway arches which front onto Chamber Street as community uses including sports and training facilities, neighbourhood police base and office space;
 - Use of units along central pedestrian route as flexible retail/financial services/restaurant/cafe/drinking establishment/community/business space;
 - New public open space providing a link between Royal Mint Street and Chamber Street; and
 - Coach drop off space on Royal Mint Street.
- 4.6 The applicants have also agreed to secure a pedestrian link through Block A to Tower Gateway DLR station, which is a priority for TfL and the Mayor of London.
- 4.7 The scheme proposes 24 car parking spaces for the residential units, and a min 1:1 cycle parking provision for residents.

Site and Surroundings

- 4.8 The subject site is roughly rectangular, situated on the corner of Royal Mint Street, Mansell Street and Chamber Street, and lies within the City Fringe.

- 4.9 Along the northern portion of the site lies the existing elevated railway viaduct carrying the main-line into Fenchurch Street Station, and DLR into Tower Gateway. The accompanying railway arches, accessible from both Chamber Street and the central section of the subject site, are currently used for parking, car wash and car repair workshops.
- 4.10 The southern section of the site accommodates a car park with space for up to 60 cars, with the DLR line into Bank station entering from the eastern boundary and dropping underground toward the centre of the site.
- 4.11 There is one notable existing building on the site, a late 19th to early 20th century hydraulic accumulation tower. This structure is not listed.
- 4.12 The ground level generally slopes down from the west by around 600mm.
- 4.13 Areas to the north and west of the site are mixed, comprising commercial, office and residential premises as well as educational facilities, with the English Martyrs Roman Catholic Primary School, City of London College, and the London College of Law and Management. Additionally, the Grade II Listed Church of the English Martyrs lies north of the site.
- 4.14 The uses immediately to the south of the site, across Royal Mint Street, comprise residential housing and office uses. The Grade II listed Artful Dodger public house is located on the southern side of Royal Mint Street, to the eastern extent of the site. Other notable structures to the south include the Grade I listed Tower Bridge and the Tower of London World Heritage Site.
- 4.15 The southern portion of the site falls within the Tower Conservation Area, and the western-most proposed building (Building A) falls within the backdrop of the Tower of London, as protected within views 25A.1, 25A.2 and 25A.3 of the London View Management Framework and the consultation draft.
- 4.16 The site has an excellent level of accessibility to public transport, with a Public Transport Access Level of 6b ('Excellent') where 1 represents the lowest and 6 the highest, in that it is situated in close proximity to the Tower Gateway Station (DLR), Tower Hill (District and Circle Lines), Fenchurch Street Station (Rail) and numerous bus services.

4.17 Site Location Plan



Relevant Planning History

4.18 The following planning decisions are relevant to the application:

TH/7661/WP/9 3/0193 Planning permission was granted by the London Docklands Development Corporation for the redevelopment of the site to provide a 71,755sqm mixed use development within a 10 storey building, incorporating office floorspace above Class A1 and A3 floorspace, together with 60 car parking spaces.

This consent was renewed in 2003 under ref: PA/03/00391, and subsequently implemented in 2008. Accordingly, this permission is extant and can be fully implemented at any time.

PA/08/1358 Permission granted under s73 for minor amendments to conditions of PA/03/00391 to allow enabling works to take place.

PA/10/1256 Planning application WITHDRAWN for a similar scheme to that being considered: Redevelopment of site for a mixed-use development. Withdrawn by applicant 29/11/2010.

This application was revised following advice from officers, due to concerns regarding housing quality, affordable housing, amenity impacts, massing, detailed design and servicing arrangements.

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 this application:

Spatial Development Strategy for Greater London (London Plan)

- 1.1 Delivering the strategic vision and objectives of London
- 2.5 Sub regions
- 2.13 Opportunity areas and intensification areas
- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and assessing health inequalities
- 3.3 Increasing housing supply
- 3.5 Quality and design for housing developments
- 3.6 Children and young people's play and informal recreation facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.12 Negotiating affordable housing
- 3.13 Affordable housing thresholds
- 4.1 Developing London's economy
- 4.2 Offices
- 4.3 Mixed use developments and offices
- 4.5 London's visitor infrastructure
- 4.12 Improving opportunities for all
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.6 Decentralised energy in new developments
- 5.7 Renewable energy
- 5.8 Innovative energy technologies

5.9	Overheating and cooling
5.11	Green roofs and development site environs
5.12	Flood risk management
5.13	Sustainable drainage
5.14	Water quality and waste water infrastructure
5.15	Water use and supplies
5.21	Contaminated Land
6.3	Assessing effects of development on transport capacity
6.5	Funding Crossrail and other strategically important transport infrastructure
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	Inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of large and tall buildings
7.8	Heritage assets and archaeology
7.9	Heritage-led regeneration
7.10	World heritage sites
7.11	London view management framework
7.12	Implementing the LVMF
7.13	Safety, security and resilience to emergency
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.19	Biodiversity and access to nature
8.2	Planning obligations

Unitary Development Plan 1998 (as saved September 2007)

Proposals: Central Activities Zone
Flood Protection Area

Policies:

CAZ1	Location of Central London Core Activities
DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Developments
DEV4	Planning Obligations
DEV8	Protection of Local Views
DEV9	Control of Minor Works
DEV12	Provision Of Landscaping in Development
DEV43	Protection of Archaeological Heritage
DEV44	Preservation of Archaeological Remains
DEV46	Protection of Waterway Corridors
DEV50	Noise
DEV51	Contaminated Soil
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV69	Efficient Use of Water
EMP1	Promoting economic growth and employment opportunities
EMP3	Change of use of office floorspace
EMP8	Encouraging Small Business Growth
EMP10	Development Elsewhere in the Borough
HSG7	Dwelling Mix and Type

HSG13	Internal Space Standards
HSG14	Provision for Special Needs
HSG16	Housing Amenity Space
T10	Priorities for Strategic Management
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrians Needs in New Development
S10	Requirements for New Shop front Proposals
OS9	Children's Playspace
U2	Development in Areas at Risk from Flooding

Interim Planning Guidance for the purposes of Development Control

Proposals: Development Site CF14 (B1 Office)

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV25	Social Impact Assessment
	DEV27	Tall Buildings Assessment
	EE2	Redevelopment/Change of Use of Employment Sites
	EE4	Serviced Apartments
	HSG1	Determining Housing Density
	HSG2	Housing Mix
HSG3	Affordable Housing	
HSG7	Housing Amenity Space	
HSG9	Accessible and Adaptable Homes	
HSG10	Calculating Provision of Affordable Housing	
CON1	Listed Buildings	
CON2	Conservation Areas	
CON3	Protection of World Heritage Sites	
CON5	Protection and Management of Important Views	
AAP Policies:	CFR1	Spatial Strategy
	CFR2	Transport and Movement
	CFR3	Health Provision
	CFR4	Education Provision
	CFR5	Public Open Space
	CFR6	Infrastructure and services
	CFR7	Infrastructure capacity

CFR8	Waste
CFR9	Employment Uses in the Aldgate and Spitalfields Sub-Area
CFR10	Residential Uses in the Aldgate and Spitalfields Sub-Area
CFR11	Retail and Leisure Uses in the Aldgate and Spitalfields Sub-Area
CFR12	Design and Built Form in the Aldgate and Spitalfields Sub-Area
CFR13	Local connectivity in the Aldgate and Spitalfields Sub-Area
CFR14	Site allocations in the Aldgate and Spitalfields Sub-Area

Supplementary Planning Guidance/Documents

London Housing Design Guide 2010
Residential Space Standards 1998

Core Strategy Development Plan Document (Adopted September 2010)

Policies:	SP01	Refocusing on our town centres
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP05	Dealing with waste
	SP06	Delivering successful employment hubs
	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 – Tower of London Vision, Priorities and Principles

Development Management - Development Plan Document (DPD) Engagement Document, May 2011

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS5	Planning for the Historic Environment
PPS4	Planning for Sustainable Economic Growth
PPS9	Biodiversity and Geological Conservation
PPS12	Local Spatial Planning
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPS25	Flood Risk

The Draft National Planning Policy Framework

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

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

6. CONSULTATION RESPONSE

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

LBTH Arboricultural Officer

- 6.3 The applicant should plant in the region of 100 trees in the surrounding area.

(Officer Comment: If planning permission is approved the applicants have agreed to a financial contribution towards public open space. This money will be directed toward the provision of open space in the surrounding area. Whilst it may not be used directly to plant 100 trees, it would address the impacts associated with the proposal in landscape terms. Additionally, new open space is proposed within the centre of the site, and an appropriate landscape condition will allow officers the opportunity to scrutinise the detailed landscape design and provision of trees prior to the implementation of the planning consent)

LBTH Biodiversity

- 6.4 No adverse impacts on biodiversity.

LBTH Building Control

- 6.5 Building Control have pointed out a number of technical directives, which can all be dealt with by an informative to encourage early discussions with the Council's Building Control section, post decision.

LBTH Corporate Access Officer

- 6.6
- Concern raised regarding positioning of through-the-floor lifts within the townhouses.
 - Landscaping should be re-thought

(Officer Comment: Revised plans address these points)

LBTH CLC

- 6.7 The following financial contributions are sought to mitigate the impacts of the proposal.

- Leisure, Community and Library/Idea Store facilities - £385,342;
- Open Space - £958,528 *(Officer comment, this has been reduced to £813,707 as discussed in section 8.220 of this report);*
- Smarter Travel - £9,690.

- 6.8 CLC supports the proposed development, provided that the community arches are included as a development cost, and are not off-set against the Council's standard community facilities contribution. The applicants have agreed to this.

LBTH Design and Conservation

- 6.9 No objection raised, on the basis that conditions are attached to secure detailed 1:50 or 1:20 drawings of the upper levels of Block A, sample sections, and details of materials, so as to ensure the development is appropriately muted to preserve the setting of the World Heritage Site. *(Officer Comment: Conservation Area Consent required by Grampian condition)*

LBTH Education

- 6.10 Based on the Council's Draft Planning Obligations SPD, the proposal would result in the need for 17 additional primary places at £14,830 per place, and 4 additional secondary school places at £22,347 per place. Accordingly, the total education financial contribution sought is £341,498.

LBTH Energy Efficiency

- 6.11 The Energy section noted that they are satisfied with the proposed 30% emission reductions on Building Regs 2010, through a single CHP system and PV panels. However, the applicant has proposed a BREEAM rating of 'Very Good' without adequate justification. Accordingly, the new build aspect of the scheme should achieve a BREEAM rating of 'Excellent'. The applicants have agreed to a condition to secure this.

LBTH Enterprise and Employment

- 6.12 Based on the Council's Draft Planning Obligations SPD, the council seeks a **£212,481** contribution towards the training and development of unemployed residents in Tower Hamlets, together with:

- 20% goods/services procured during the construction phase should be secured by businesses in Tower Hamlets;
- 20% of the construction phase workforce to be local residents of Tower Hamlets;
- 150 jobs within the hotel to go to Tower Hamlets residents; and
- 10 jobs within the community arches to go to Tower Hamlets residents.

LBTH Environmental Health

Air Quality

- 6.13 No response received, however condition to secure air quality management plan considered acceptable.

Noise & Vibration

- 6.14 The Environmental Health section are satisfied that the proposed construction methods would adequately mitigate against any noise/vibration concerns related to the train lines which run through and beneath the proposed building. However if planning permission is granted, post completion testing would be necessary. This can be secured through condition.

Land Contamination

- 6.15 The proposal is likely to result in the excavation of a large amount of contamination. As such, a condition requiring further contamination investigation and mitigation works should be attached if planning permission is granted.

LBTH Highways and Strategic Transport

- 6.16
- The site has a PTAL rating of 6b which demonstrates that a good level of public transport service is available within the immediate vicinity of the site;
 - The proposed level of parking provision (24 spaces) would be lower than the maximum standard, however the Highways section maintains that this should be reduced further, and the scheme should be car-free;
 - The proposal includes 2 disabled parking spaces, which the highways section accepts;
 - Applicants have agreed to 20% car-charging provision. This should be secured by condition;
 - A Car-Free Agreement is recommended;
 - Servicing arrangements are proposed via Chamber Street, however the Highways section are of the view that the arrangements are unacceptable due to the need for larger servicing vehicles to reverse into the public highway (*Officer comment: The applicants have agreed to the provision of a banksman to supervise all reversing onto*

the public highway. Plans were amended to include a 'Service Yard Manager Office' on Chamber Street for this purpose);

- Residential cycle parking provision (minimum 1:1) complies with policy and is therefore acceptable. 16 visitor spaces associated with the proposed commercial uses are provided within the public realm;
- The applicant should ensure that the cycle storage areas are secure;
- A coach loading space is proposed on the southern side of Royal Mint Street. This would result in the removal of 6 pay and display parking spaces. This is supported in principle by the Highways section;
- Vehicle trip generation used in the submitted Transport Assessment is acceptable;
- The proposed increase in passenger trips for buses, DLR and London Underground are within the respective capacities;
- A Section 278 Highway Agreement is required;
- A full travel plan is to be submitted for approval prior to the occupation of the proposed development;
- Contributions totalling £54,000 sought toward street lighting and accessibility improvements within the area;
- A Service Management Plan and Coach Management Plan to be secured by condition.

(Officer Comment: These comments are discussed in section 8 of this report)

LBTH Housing

6.17 Support the proposal for the following reasons:

- Principle of residential units on the site acceptable;
- Concept of townhouses along Royal Mint Street supported;
- Mix of housing considered acceptable;
- Rent levels appropriate;
- Approach to donor sites delivers the maximum reasonable amount of affordable housing.

LBTH Landscaping

6.18 No comments received.

LBTH Parks and Open Space

6.19 No comments received.

LBTH Waste Policy and Development

6.20 Supportive of the waste strategy, aside from the doorstep collection for the townhouses along Royal Mint Street. *(Officer Comment: Following extensive discussions on this point, it is the view of officers that the proposed arrangement represents the best approach, and the waste collection for the 9 houses twice a week would not have an unduly detrimental impact upon the safe and free flow of traffic)*

LBTH Primary Care Trust (PCT)

6.21 According to the HUDU model, the scheme would require a capital contribution of £385,342 to mitigate against additional impacts on health services.

Ancient Monuments Society

6.22 No response received.

British Broadcasting Corporation (BBC)

6.23 No comments received.

City of London Corporation

6.24 No objection raised.

Commission for Architecture and the Built Environment (CABE)

- 6.25
- Welcome the provision of public open space and re-activation of the arches on Chamber Street, however note that care is needed in the design and management of the public spaces;
 - Relationship with Tower of London World Heritage Site and the historic Royal Mint Courtyard has the potential to be appropriate;
 - Urban typology of the residential block with strong street frontages and finger blocks has been proven to work elsewhere. Entrances onto public spaces supported;
 - Terrace of townhouses along Royal Mint Street successfully creates a domestic frontage, however servicing needs to be carefully considered;
 - Technical challenges such as poor air quality, noise and vibration could be designed out;
 - Entrance to hotel in appropriate location;
 - Composition of the corner building is overly elaborate and required further refinement; and
 - Elevations would benefit from being moderated and toned down.

(Officer comment: Materials and detailed sections will be required prior to the commencement of superstructure works through condition, if planning permission is granted)

Council for British Archaeology

6.26 No response received.

Crossrail

6.27 No individual response received, however Crossrail is represented in TfL response.

DLR

6.28 No individual comments received in relation to the principles of the planning application, however they have liaised closely with TfL in formulating their comments.

English Heritage (Statutory Consultee)

6.29 Did not raise objection to the proposal, however noted that robust conditions regarding the materials should be attached to any approval of planning permission.

English Heritage Archaeology (Statutory Consultee)

6.30 No objection subject to conditions to secure further archaeological work.

Environment Agency (Statutory Consultee)

6.31 No objection subject to a condition to secure a surface water drainage scheme.

Georgian Group

6.32 No response received.

Government Office for London (Statutory Consultee)

6.33 No comments received.

Greater London Authority (GLA) (Statutory Consultee)

- 6.34
- The principle of a mixed-use redevelopment of the site is supported
 - The initial proposed affordable housing offer of £7.1 million (*based on original submission*) is unacceptable, as a donor site had not been identified. (*Officer comment: Subsequent to this, the applicants have explored the possibility of delivering affordable housing on donor sites, as discussed in section 8 of this report*);
 - The proposed mix of units is unacceptable, with a high proportion of studio units (13%) proposed. (*Officer Comment: The applicants revised the scheme to provide 11% studio units, to which the GLA have confirmed resistance to the level of studio accommodation. Officers consider the amount of studios acceptable on balance, which is discussed further within section 8 of this report*);
 - The proposed residential density is in line with London Plan policy, however the high proportion of studio units raises concern regarding the acceptability of the density;
 - The proposed play strategy is acceptable. The scheme provides 2,412sqm of recreational space for residents, which the GLA considers acceptable to meet the needs of the future children on site (noted as 69 children in the Stage 1 response);
 - In terms of housing quality, the Stage 1 response requested a further analysis of the scheme with relation to the Mayor's draft Housing SPG (EiP version);
 - The scale and massing of the proposed buildings are considered acceptable, and the design is considered to be of a high quality. However, concern was raised regarding the treatment of the eastern elevation of Block D, where the Bank DLR line drops underneath the building;
 - The design is considered acceptable with relation to the Protected Strategic Views, Assessment Vista's and Assessment Points as identified in the Mayor's London View Management Framework (LVMF);
 - Whilst the application details that 10% of the units will be wheelchair accessible, the submission did confirm that 10% of hotel bedrooms would be easily adaptable for wheelchair users. The applicant should provide this information (*Officer comment: This has been confirmed, and will be secured by condition if planning permission is granted*);
 - The energy strategy for the residential element of the scheme is acceptable in principle; however the hotel element of the proposal should be increased to exceed 2010 building regulations. Further information required regarding the justification of delivery of a single energy centre, the size of the CHP plant, and overall carbon savings expected.

Historic Royal Palaces

6.35 Worked closely with the architects to design the hotel building, and considered it would sit comfortably behind the Tower of London.

LAMAS (London and Middlesex Archaeology Society)

6.36 No objections in principle as there is unlikely to be an impact on nearby Listed Buildings including the Tower, however concern noted regarding the impact the scheme would have

upon individual buildings such as the water tower and the church to the north, and the more traditional buildings to the south and east (*Officer Comment: As discussed in section 8 of this report, officers and English Heritage are supportive of the scheme in this respect*).

London Borough of Southwark

6.37 No objection.

London Borough of Greenwich

6.38 No response received.

London City Airport (Statutory Consultee)

6.39 No objection.

London Fire and Emergency Planning Authority (Statutory Consultee)

6.40 Water supplies for fire service weren't specifically addressed in the submission documents. Proposals should conform to requirements of Section B5 of Approved Document B in regards to access and facilities for the fire service. These issues can be addressed via informative.

London Underground Ltd (Statutory Consultee)

6.41 No comment.

Metropolitan Police (Crime Prevention Officer)

6.42 Concern raised regarding the route through the arch up to Chamber Street – limited overlooking. Otherwise, the scheme benefits from significant overlooking onto public routes, security on entrances, and should be acceptable provided it complies with 'Secure by Design'. This will be conditioned if consent is granted.

National Air Traffic Services Ltd (NATS) (Statutory Consultee)

6.43 No objections raised.

Natural England (Statutory Consultee)

6.44 No comments.

Port of London Authority

6.45 No objections raised.

Society for the Protection of Ancient Monuments

6.46 No response received.

Thames Water

6.47 Thames Water have requested a number of conditions be attached to any planning permission, requiring the submission of an impact study, and a drainage strategy to be submitted and approved prior to the commencement of any development.

Tower Hill Improvement Trust

6.48 No response received.

Transport for London (TfL) (Statutory Consultee)

- 6.49
- Accepts the proposed level of parking is within the standards set out in the London Plan, however welcomes any reduction in the 24 spaces proposed. 5 of those spaces to be fitted with electric vehicle charging points;
 - Cycle parking at a ratio of min 1:1 supported;
 - Crossrail contribution of £1,201,522 sought;
 - Seeking for the applicant to provide a link from the development to Tower Gateway DLR station, through the extension of the Tower Gateway DLR platform;
 - Requested a financial contribution £132,000 toward a cycle hire docking station;
 - Requested a contribution of £50,000 toward Legible London scheme in Tower gateway/Tower Hill Area;
 - Requested contribution to mitigate against the impact on buses - £95,321;
 - Requested contribution toward real time information boards within the communal areas of the development - £20,000.

Twentieth Century Society

6.50 No response received.

Victorian Society

6.51 No response received.

7. LOCAL REPRESENTATION

7.1 A total of 722 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	245	Objecting:	31	Supporting:	213
		No formal comment:	1		
No of petitions received:	None				

7.2 The following issues were raised in representations that objected to the proposal and are material to the determination of the application. These are addressed in the next section of this report:

General

- The proposal constitutes overdevelopment of the site
(Officer comment: For the reasons outlined and expanded upon within section 8 of this report, it is not considered that the proposal constitutes over-development)
- If the scheme is approved it should safeguard jobs for LBTH residents
(Officer comment: If planning permission is granted the legal agreement seek to provide provisions to secure employment for local people)
- Density figures inaccurate
(Officer Comment: The density calculations as clarified in section 8 of this report are

considered accurate)

- Proposal would result in over-crowding
(Officer comment: As discussed in section 8 of this report, the density is considered acceptable with relation to policy, and officers are not of the view that the scheme would lead to overcrowding)
- Site is within a Preferred Office Location and unsuitable for residential
(Officer comment: As discussed in section 8 of this report, the site is considered suitable for residential)
- Query raised regarding the need for new hotel accommodation
(Officer comment: The applicant has identified an end-user for the hotel, which demonstrates there is capacity for the proposed hotel. Additionally, large –scale hotels are supported by policy in this location)
- Community benefits proposal only meets the needs of specific sectors of the community
(Officer comment: This relates to the use of the arches for community activities. This use is not being proposed at the expense of the Council's Community priorities, as the full CLC community financial contribution has been secured by officers. The arches are being provided as a development cost by the developer, and are not required to grant planning permission)
- Strain on local resources
(Officer comment: With the appropriate financial contributions, it is considered that impacts on local resources would be mitigated against)

Housing

- Insufficient family social housing proposed on the site – resulting in transient population and lack of community cohesion
(Officer comment: On balance, the mix of housing on this site is considered acceptable, as discussed in section 8 of this report)
- Insufficient information to properly assess the developments on the donor sites, together with difficulties in providing a quality scheme on the Repton Street site
(Officer comment: Since the initial submission details of the donor sites were submitted, officers have entered into formal pre-application discussions with Tower Hamlets Community Housing regarding the feasibility of developing out the donor sites. Following these discussions, officers are of the view that the two sites could deliver the 445 habitable rooms agreed, and would be able to provide quality affordable housing schemes)

Design and Conservation

- Inappropriate relationship with the Tower of London
(Officer comment: As discussed in section 8 of this report, the relationship with the Tower of London is considered acceptable by officers, English Heritage and Historic Royal Palaces)
- Possibility of Archaeological remains on the site
(Officer comment: This is a real possibility, and a condition to ensure archaeological assets are appropriately dealt with will be necessary if planning permission is granted)
- Height of the development is out of character with the surrounding area
(Officer comment: As discussed in section 8 of this report, the height of the development is considered acceptable in design terms)
- Poor design

(Officer comment: As discussed in section 8 of this report, the proposal is considered acceptable in design terms)

- Concern raised regarding the loss of the railings surrounding the site, noting these were handmade by art metalworker Hillary Cartmell, and contain portraits of local people.

(Officer comment: If planning permission is approved these would need to be re-sited, either within the development as art work, or within the vicinity of the site. The applicants have agreed to a condition in this respect)

- Visuals submitted with the application are inaccurate

(Officer comment: Some of the views submitted by the applicants are confirmed as 'Accurate Visual Representations', or AVR's. Others are 'Computer Generated Images', or CGI's. The AVR's are just that – accurate representations of the final build, and the CGI's provide a guide whilst not necessarily being a wholly accurate visual. Officers are able to assess both types of image, taking into account perspectives. The submission is considered acceptable in this respect)

Amenity

- The building will obstruct daylight and sunlight to neighbouring residential flats (query raised regarding the way in which the daylight and sunlight results were presented in the applicants submission)

(Officer comment: The Council has had the daylight and sunlight report reviewed by a specialist consultant. The findings of the report were presented in a way which could be interpreted and assessed by officers of the Council and the consultant, and the submission is therefore considered sound in this respect. On balance the impacts are not considered to outweigh the benefits of the proposal, as discussed in section 8 of this report)

- Increased energy bills due to loss of light

(Officer comment: This is not considered to outweigh the benefits of the proposal)

- The proposal would result in unacceptable levels of over-shadowing

(Officer comment: As discussed in section 8 of this report, over-shadowing is considered acceptable)

- Loss of privacy

(Officer comment: As discussed in section 8 of this report, separation distances between habitable room windows are considered acceptable)

- Insufficient amenity space and open space for existing and future residents

(Officer comment: Amount of amenity space considered acceptable on balance, as discussed in section 8 of this report)

- The proposal will result in noise disturbance

(Officer comment: Any noise disturbance during the operational phase would be conducive to that expected in the mixed-use context of the surrounding area. As discussed within section 8 of this report, noise associated with the construction phase would be closely monitored by the Council's Environmental Health section. Noise impacts for future residents of the developments are considered acceptable, as expressed in paragraph 6.14 of this report)

- The proposal will result in pollution

(Officer comment: Air quality would be dealt with by condition to ensure that the proposal would not result in an unduly detrimental impact on air quality)

- Impacts of demolition and construction will include dust, noise and traffic

(Officer comment: This phase of the development would be closely monitored through an Environmental Management Plan and Construction Management Plan, thus this concern would be dealt with if planning permission were granted)

Transport

- Detrimental impact on the highway network

(Officer comment: As discussed within section 8 of this report, it is not considered the proposal would have a detrimental impact upon the highway network)

- Parking difficult to accommodate on site

(Officer comment: The amount and location of parking on site is considered acceptable, as discussed further in section 8 of this report)

- Pressures on existing on-street parking

(Officer comment: It is not considered the proposal would result in unacceptable pressures on existing on-street parking. No residents spaces will be lost through the implementation of the scheme, and if the application were to be approved, it is recommended that the development be permit-free, aside from those spaces proposed on the site)

- Coach drop off facilities inadequate

(Officer comment: This is discussed within section 8 of this report, and the drop off space on Royal Mint Street is considered acceptable by the Council's highways section)

Other

- Concern raised regarding access to the Bank line in case of emergency

(Officer comment: Significant discussions have been ongoing between the applicants and the DLR in order to ensure that emergency exits are acceptable. The enabling works associated with the proposal take account of this, and accordingly officers are satisfied that if planning permission is granted, the emergency access would be acceptable)

- Detrimental impact on tourist perception

(Officer comment: The proposal is considered acceptable in design terms, and in respect of the relationship with the Tower of London. The application is therefore considered acceptable with relation to tourist perception)

7.3 The following issues were raised in support of the proposal:

- Improvement in amenity in the area for local residents and visitors;
- Commercial activity welcomed;
- Improved job opportunities;
- Community facilities supported;
- Social housing is needed;
- Improvement to railway arches supported;
- Proposal will create a more aesthetically pleasing skyline.

7.4 The following issues were raised in representations, but they are not significant to the determination of the application:

- Amenity concerns regarding the construction of the proposal, as well as the cumulative

impacts of construction considering other planning proposals being considered, and impacts on Olympic Marathon Route during construction
(Officer Comment: Construction impacts, including provision for the Olympics would be controlled via the Construction Management Plan, which would be conditioned should Members be minded to approve this application)

- Impacts on property values

(Officer Comment: This is not a matter which can be considered in the determination of the planning application)

- Insufficient public engagement by the developer

(Officer Comment: The applicant carried out public engagement prior to submitting the planning application, in the form of a leaflet drop, a public exhibition, meetings with community stakeholders and ongoing communication through the publication of email and telephone contact details. The consultation carried out by the developer is considered acceptable)

7.5 The following procedural issues were raised in representations, and are addressed below:

- The public consultation by the Council was too short, and took place during the holiday period

(Officer Comment: The Council consulted on this proposal four times, with press notices, site notices and letters to neighbours. When contacted by members of the public, the case officer agreed extensions of time to submit representations, and further comments can be accepted up until midday on the day of the Strategic Development Committee)

8. MATERIAL PLANNING CONSIDERATIONS

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

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

Land Use

8.2 National, regional and local policy promotes a mixed use development approach on this site, subject to the following considerations.

8.3 In respect of national policy, PPS 1 'Creating Sustainable Development', promotes the more efficient use of land with higher density, mixed-use schemes. It suggests using previously developed, vacant and underutilised sites to achieve national targets. The effective use of land and the range of incentives/interventions to facilitate this are also encouraged in PPS3 'Housing'.

8.4 Planning Policy Statement 12 'Local Spatial Planning' iterates the importance of spatial planning in creating strong, safe and prosperous communities. It promotes spatial planning through the allocation of strategic sites, through masterplanning using an area action plan or through a supplementary planning document.

8.5 In respect of regional policy, the site lies within the City Fringe Opportunity Area and the

Central Activities Area (CAZ), as identified in policies 2.1 and 2.13 of the London Plan (2011). The London Plan notes that the City Fringe Opportunity Area has the capacity to deliver 70,000 new jobs and 7,000 new homes. Policy 2.11 'Central Activities Zone – Strategic Functions' refers to promoting a mix of uses including office. Policy 4.1 'Developing London's Economy' seeks to support the economy of London by promoting a range of premises of different types and sizes thereby encouraging mixed uses.

Loss of Office Use

- 8.6 The site is currently used as a car park and car wash, however it does have an extant consent for a circa 71,000sqm office-led development. This is therefore a material planning consideration, and one must consider the acceptability in policy terms of the loss of this potential office floorspace.
- 8.7 In the LBTH Core Strategy (2010) the site is designated as lying within the Preferred Office Location (POL). However, this boundary was further defined as part of the Council's Site and Placemaking DPD Engagement Document (2011), which was consulted on from May to June of 2011. In this document the boundary was moved north, and now only encompasses those arches which sit north of the Tower Gateway DLR line.
- 8.8 UDP policy EMP3 considers the change of use and redevelopment of outmoded or surplus office floorspace. The following factors are taken into account by the Council:
- The length of time that surplus office floorspace has been vacant;
 - The level of vacant floorspace and unimplemented planning permissions for office floorspace in the surrounding area;
 - Whether the development would involve the loss of premises built to a standard which provides adequate loading and servicing facilities for the full range of B1 uses
- 8.9 Policy EE2 of IPG Core Strategy states that proposals that seek to reduce employment floor space may only be considered where:
- The applicant has shown that the site is unsuitable for continued employment use due to its location, accessibility, size and condition;
 - There is evidence that there is intensification of alternative employment uses on site;
 - There is evidence that the possibility to reuse or redevelop the site for a similar or alternative business use, through active marketing, has been fully explored over a period of time or there is recent evidence that the site is suitable for ongoing employment use.
- 8.10 Whilst the London Plan (2011) places significant emphasis on office uses within the CAZ, and the site is identified in the Council's City Fringe Area Action Plan (2007) as a development site to provide office floorspace, the site itself lies at the periphery of the main office area of the City. Development immediately to the east of the site is not possible due to the bank railway lines, and immediately to the south of the site on Royal Mint Street the character of the area is increasingly residential.
- 8.11 The application has been supported with an employment land study which outlines the challenges in the office market in peripheral CAZ locations. The report justifies the mix of uses proposed, together with the fact that the extant office consent is not viable, given the site's location outside of the main office area of the city.
- 8.12 The scheme proposes 1172sqm of flexible commercial space, which can be used as office space if the market demands it.
- 8.13 It is therefore concluded by your officers and the GLA, that the proportion of non-office based uses would not undermine the strategic provision of office floorspace within the CAZ. Thus, given that the proposed mix of uses present opportunities for employment, on

balance the proposal is acceptable in this respect.

Hotel Use

- 8.14 Policy 4.5 of the London Plan (2011) seeks to deliver 40,000 net additional hotel bedrooms by 2031, and also notes that hotel provision should be focussed within the opportunity areas of the CAZ. Policy SP06 of the Council's Core Strategy (2010) notes that large scale hotels should be delivered in the City Fringe Activity Area (CFAA), within which the site sits. The LBTH UDP (1998) saved policy CAZ1 states that a balance of central London core activities, of a scale and type that is compatible with London's role as a financial, commercial and tourist centre, will be encouraged
- 8.15 The applicant has been engaging with Swissotel to become the 5 star end user of the development, thus demonstrating the local demand for a hotel of the calibre of that proposed.
- 8.16 Whilst the northern slither of the site falls within the Preferred Office Location, the scheme includes the potential to accommodate B1 office floorspace, and the proposal for a hotel accords with other CAZ and CFAA objectives. A hotel use is therefore considered acceptable in this location.

Serviced Apartments

- 8.17 Policy EE4 of the IPG notes that serviced apartments will only be considered acceptable where it can be demonstrated that they can and will be managed as short-term accommodation.
- 8.18 Serviced apartments are generally considered acceptable as a use within the CAZ, as well as the north and central parts of the Isle of Dogs. They provide a form of short-term accommodation specifically servicing business tourism.
- 8.19 The principle of serviced apartments is considered acceptable on the subject site, provided that a condition is attached to ensure the apartments will not be occupied for more than 90 days at one time.

Other Flexible Uses

- 8.20 The application proposes flexible commercial space, to include retail, together with SME's and office space. The provision of these uses will assist in activating the ground floor, and in policy terms would provide additional uses suitable within the CAZ, and are therefore considered acceptable in the context of the overall development
- 8.21 The scheme also proposes flexible community and office space, with plans showing space for boxing and training facilities, a gym and police hub within the arches on Chamber Street. Policy SP01 of the Core Strategy (2010) directs community uses towards the Tower Hamlets Activity Areas, Major Centres and District Centres. The subject site falls outside of these areas, and thus a financial contribution toward community facilities is supported in favour on the provision of the community uses on site. The applicants have agreed to the standard s106 community contribution.
- 8.22 Nevertheless, the applicants advise that they intend to deliver the "community arches" as part of the scheme, and have offered an undertaking to the Council to secure the delivery of the arches, with £1,000,000 toward the set up of a 'Community Interest Company' to refurbish and run them. This is separate from the planning obligations which are secured by the s106 Agreement, because the inclusion of the community arches are not considered necessary to secure planning permission. The £1,000,000 is not part of the scheme

viability, but comes from a separate funding stream. The board of this company would include at least one member from LBTH, and it is envisioned by the applicants that the Community Interest Company would provide services to dovetail with existing LBTH initiatives.

Residential Use

- 8.23 The site sits within the City Fringe Opportunity Area (CFOA) as identified in the London Plan (2011). Opportunity Areas across London have the capacity for 233,600 additional homes. The Council's UDP (1998) makes no reference to residential development in the Central Area Zone. Policy SP02 of the Council's Core Strategy (2010) states that the borough will seek to deliver 43,275 new homes (borough wide) from 2010 to 2025 in line with the housing targets set out in the London Plan. Policy SP06 of the Core Strategy (2010) notes that the POL is not appropriate for housing, although as already clarified in paragraph 8.7, the majority of the site lies outside of the POL.
- 8.24 National, regional and local policy indicate that there is a presumption in favour of considering residential development within mixed use schemes in this area. Although the UDP implies that land uses other than residential development take priority in the CAZ, there is an emphasis on seeking compatible uses rather than omission of any particular one. Thus, whilst a small part of the site falls within the POL, the proposal for a mixed use scheme with residential accords with other CAZ and CFOA objectives. Accordingly, the incorporation of residential units on this site is considered acceptable, given that the applicant has demonstrated that a large-scale office use on this site is not sustainable given the current market and the established residential-led mixed-use character along Royal Mint Street.

Density

- 8.25 Policy HSG1 of the IPG specifies that the highest development densities, consistent with other Plan policies will be sought throughout the Borough. The supporting text states that, when considering density, the Council deems it necessary to assess each proposal according to the nature and location of the site, the character of the area, the quality of the environment and type of housing proposed. Consideration is also given to standard of accommodation for prospective occupiers, microclimate, impact on neighbours and associated amenity standards.
- 8.26 London Plan (2011) policy 3.4 seeks to optimise housing potential, having regard to local context, design principles and public transport accessibility.
- 8.27 The site has a public transport accessibility level (PTAL) of 6b, and its immediate setting is central in character. For central sites with a PTAL range of 6, both the IPG and London Plan density matrix suggest a density of between 650 and 1,100 habitable rooms per hectare. The proposed density would be 841 habitable rooms per hectare, and is within the guidance range of the London Plan and IPG
- 8.28 However, in considering the acceptability of the density, a wide range of factors are relevant. An overly high-density development may have an unacceptable impact in the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure for neighbouring properties;
 - Loss of outlook;
 - Detrimental increased traffic generation; and
 - Impacts on social and physical infrastructure.

- 8.29 As detailed within this report, officers consider that on balance the subject site can accommodate a high density development in line with the suggested PTAL range, and the above symptoms of over-development are not prevalent in this case.

Employment

- 8.30 The existing site is used for parking and car-wash services, and an indication of the number of existing employees has not been given by the applicants. The development being considered proposes a 236 room hotel, 33 serviced apartments, and 2917sqm of A1, A2, A3, A4, D1, D2 and B1 floorspace. The application details that the proposal will provide the equivalent of 270 full time jobs. Although there is an extant office permission on the site, this is unlikely to come forward as a viable proposal, and current employment levels on the site are likely to be significantly lower than this.
- 8.31 The applicant has advised that a minimum 150 jobs can go to local people if planning permission is approved. A commitment to seek to secure best endeavours to achieve this level of local employment can be secured through the s106 legal agreement.
- 8.32 The application is supported by an employment land and office report which outlines the challenges in the office market in peripheral CAZ locations and concludes that the future direction of office growth within London is focused on reinforcing the two internationally important business destinations of Canary Wharf and the City. The bulk of private development is focused in these areas, as is demand for office space. Officers have no reason to doubt this evidence.
- 8.33 It is considered that the submitted employment and office report adequately addresses the viability issues of office supply in this location, and the Council's Employment and Enterprise section support the proposal on the basis of securing employment and training for local people through the legal agreement. Therefore the loss of extant office floorspace is justified in accordance with policies EMP3 of the UDP 1998, EE2 of IPG Core Strategy and also policy SP06 of the Core Strategy DPD (2010) which promotes a range and mix of employment uses, particularly in Activity Areas such as this.

Housing

Affordable Housing

- 8.34 The Draft National Planning Policy Framework notes that "...where affordable housing is required, (local authorities should) set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities"
- 8.35 Policy 3.11 of the London Plan seeks the maximum reasonable amount of affordable housing, and to ensure that 60% is social housing, and 40% is intermediate housing. Policy 3.9 seeks to promote mixed and balanced communities, with a mixed balance of tenures.
- 8.36 Policies SO7 and SO8 of the Core Strategy (2010) seek to ensure that housing growth is delivered to meet housing demand in line with the London Plan, and ensure that housing contributes to the creation of socially balanced and inclusive communities, through delivery of housing reflecting the Councils priorities.
- 8.37 Policy SP02 of the Core Strategy (2010) states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought. This policy seeks a split of 70% social rent to 30% intermediate housing

provision.

- 8.38 Under a new national planning policy statement, PPS3, issued in June 2011, the definition of affordable housing has changed and now includes social rented, a new product called affordable rented, and intermediate housing.
- 8.39 Social rented housing is defined as: Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.
- 8.40 Affordable rented housing is defined as: Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80% of the local market rent.
- 8.41 Intermediate affordable housing is defined as: Housing at prices and rents above those of social rent, but below market price or rents, and which meet the criteria set out above. These can include shared equity products (e.g. HomeBuy), other low cost homes for sale and intermediate rent but does not include affordable rented housing.
- 8.42 The supporting text for Policy 3.12 of the London Plan notes at paragraph 3.74 that affordable housing is normally required on-site, unless in exceptional circumstances, where it could be provided off-site to secure delivery of new affordable housing on identified sites elsewhere.
- 8.43 The London Plan also notes within paragraph 3.74 that such exceptional circumstances include those where they would deliver a higher provision of affordable housing; better address priority needs with specific reference to affordable family housing; secure a more balanced community; and better sustain strategically important clusters of economic activities.
- 8.44 Policy HSG3 of the Council's IPG (2007) notes that consideration of off-site affordable housing will be given where an appropriate alternative site for development has been identified, and it is demonstrated that this site can accommodate the off-site provision. It should also be demonstrated that this approach would result in a better outcome than if the affordable housing was provided on site (the off-site provision should accommodate a 50% affordable housing provision across the three sites). It also needs to be demonstrated that the approach produces a better outcome in providing housing which is more appropriate to the needs of households in housing need than could be provided if the affordable housing was delivered on site.
- 8.45 A total of 9 of the 354 residential units within the proposal would be affordable rent, which represents a total on-site provision of 5% based on habitable rooms. Acceptable rental levels (below the 80% target) have been agreed with the applicants.
- 8.46 However, the applicant has proposed an off-site provision of affordable housing, through the delivery of housing on two donor sites within the Borough. Through a contribution of £9,625,081, the proposal will deliver an additional 445 habitable rooms, or 36% affordable housing across all three sites.

Housing Mix on the subject site

- 8.47 Planning Policy Statement 3 states that "key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different

households such as families with children, single person households and older people”.

8.48 Pursuant to policy 3.8 of the London Plan, the development should “...offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups’. Table 1 below shows the proposed unit mix on the RMS Site. Table 2 shows the mix on the two donor sites.

8.49 Pursuant to saved policy HSG7 of the LBTH UDP (1998), new housing development should provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms. On developments of 30 dwellings or more, family dwellings should normally be in the form of houses with private gardens.

8.50 Policy SP02 of the Core Strategy Development Plan Document (2010) seeks to create mixed communities. A mix of tenures and unit sizes assist in achieving these aims.

8.51 According to policy HSG2 of the IPG, the family housing provision in the rented, intermediate and private sale components should be 45%, 25% and 25% respectively. Table 1 below sets out the proposed mix on the Royal Mint Street Site.

Table 1: Unit Mix – Royal Mint Street

8.52

Unit size	Total units in scheme	Affordable Rent			private sale		
		units	%	LDF %	units	%	LDF %
Studio	41	0	0	0	41	11.75	0
1 bed	131	0	0	20	131	37.54	37.5
2 bed	121	0	0	35	121	34.67	37.5
3 bed	53	4	100	45	49	16.04	25
4 bed	8	5			3		
5 Bed	0	0			0		
TOTAL	354	9	100	100	345	100	100

8.53 The subject site is proposing 100% affordable rented family units (9 units) and 16% family housing in the private sale units. The Council’s Housing section support the provision of affordable family houses.

8.54 The provision of family sized accommodation within the private tenure on the Royal Mint Street site falls short of the 25% policy requirement, however on balance, given the central character of the site and the fact that the 16% achieved exceeds the average achieved in the 2008-2009 monitoring (being 3%), the proportion of family units could be considered acceptable.

Rent / Intermediate Shared Ownership and Housing Mix

8.55 No intermediate housing is proposed on the Royal Mint Street site, however this would come forward on the donor sites at a policy compliant split. The approach is therefore considered acceptable.

Donor Sites

- 8.56 There are specific and unique constraints associated with the subject site, due to the extraordinary costs involved with building over the Bank and Tower Gateway DLR lines. This means that the actual cost of delivering housing on this site is much higher than would normally be expected. This accordingly has an impact on the level of affordable housing the scheme can deliver, whilst being viable.
- 8.57 Furthermore, with DLR and train lines running through it, the site itself is not ideal for the provision of family housing. Whilst the designers have achieved good quality townhouses with private gardens and front doors onto Royal Mint Street (these are the 9 affordable units), the constraints of the site make it difficult to secure quality family housing elsewhere within the development.
- 8.58 Accordingly, the logic behind the approach taken in delivering housing on donor sites lies in the fact that the same amount of investment could deliver more, quality affordable housing units on the donor sites, with a higher provision of family housing, than could be achieved on the Royal Mint Street site.
- 8.59 The applicants submitted a financial viability appraisal with their planning application, which has been reviewed by Allsop Property Consultancy on behalf of the Council. Allsop have interrogated the appraisal, in order to ensure that the assumptions made regarding land and build costs, values and returns are acceptable. After significant negotiation, the Council and the Applicants have agreed that the scheme can afford to contribute £9,625,081 to off-site affordable housing, which equates to 445 habitable rooms on the donor site, or a 36% aggregate provision.
- 8.60 Officers have been engaging with Tower Hamlets Community Housing (THCH) regarding the two donor sites, located on Repton Street and Pedley Street. Through these pre-application discussions it has been established that the donor sites have the capability of accommodating the minimum 445 habitable rooms being proposed, whilst being directly linked to the delivery of the Royal Mint Street proposal.
- 8.61 Officers have had two meetings and many exchanges of indicative massing documents and floor plans with THCH regarding both of the donor sites.

Pedley Street

- 8.62 This site lies on the southern side of Pedley Street, is owned by Network Rail, and includes land within the ownership of Spitalfields Housing Association.
- 8.63 The main site is currently in use as a car park, has a rail line on its southern boundary, and is adjacent to the Fournier Street Conservation Area. The site has a PTAL of 3-4, and is designated within the City Fringe Area Action Plan to deliver a mixed use residential-led scheme.
- 8.64 The site within the ownership of Spitalfields Housing Association lies within the Fakruddin Estate. This site is currently occupied by pre-fabricated buildings in community use, and kick-about space. Indicative proposals on this site show a new community facility to replace the existing pre-fabricated buildings, together with re-provided amenity space and some low-scale residential.

Repton Street

- 8.65 This site is at the eastern-most extent of Repton Street, and lies between a rail line and the Regents Canal. The site is owned by Network Rail, and does not lie within a Conservation Area, or contain any Listed Buildings.

8.66 At present the site is in use for car parking, and it has a light industrial planning history. The site has a PTAL of 5, and falls within the identified place of ‘Stepney’ in the Council’s Core Strategy (2010), for which an identified priority is to provide family housing.

8.67 This site is considered to present an opportunity for good quality housing, with private gardens and aspect over the Regents Canal.

Delivery on the Donor Sites

8.68 Through the pre-application discussions, officers gave guidance regarding amenity, accessibility, massing, highways and land use. Officers are satisfied that across the two sites the 445 habitable rooms will be able to be delivered, whilst ensuring that the sites will deliver quality housing schemes, and preserve the amenity of neighbouring residential occupants.

8.69 The donor sites do not benefit from planning permission at this stage and will require separate consideration through the normal application process. However, if consent is granted for the Royal Mint Street site, the s106 Agreement will require the applicant and Tower Hamlets Community Housing to ensure that the housing is delivered on these sites in tandem with the Royal Mint Street site. The Royal Mint Street scheme will not be able to occupy more than 50% of the private residential units until 50% of the off site affordable housing has been provided, and no more than 90% of the private units until 100% of the off site affordable housing has been provided.

8.70 If it is established through the application process that the sites are unable to accommodate the full 445 habitable rooms (for example due to design or amenity impacts), the s106 Agreement will require a financial contribution per habitable room to be paid to the Council, to be used to deliver affordable housing within the Borough.

8.71 The tables below set out the levels of housing which would be delivered through providing the affordable housing on-site vs off-site. Officers have based the donor site figures in Table 2 on a 35% affordable housing provision, however it is possible that this would not be achieved in the current climate, where housing grant is no longer attainable. Therefore, the 20% aggregate provision represents a ‘best case’ scenario.

8.72 **Table 2: Estimated position if the sites were developed separately**

	Units	Habitable Rooms	% by habitable room
Royal Mint Street Only	30	125	13%
Donor Sites Only	41	155	35%
Aggregate Total	74	271	20%

Table 3: Proposed position

	Units	Habitable Rooms	% by habitable room
Royal Mint Street	9	49	5%
Donor Sites	118	445	100%
Aggregate Total	127	494	36%

8.73 It is clear that the proposed approach of developing the sites together will deliver a higher number of affordable units than if the sites were to be developed separately. Whilst the proposed approach does not meet the 50% aggregate IPG policy target, it does secure a

better outcome over all three sites in terms of the overall quantum of affordable housing being delivered.

- 8.74 The s106 legal agreement will be structured to ensure that the donor sites deliver a policy compliant mix and split between affordable rented and intermediate accommodation. This ensures that these schemes will deliver a good level of affordable family units.
- 8.75 The rented homes will be delivered in line with the government's recent changes to PPS3, at Affordable Rents. Tower Hamlets Community Housing (THCH) – who would be developing out the affordable housing acknowledge that 80% of market rent would not be affordable to residents on the Council's waiting list.
- 8.76 With that in mind THCH have agreed to set the rents in line with recent research undertaken by an organisation called POD, on behalf of the Council. This research concluded that to increase affordability, rents should be charged at 65% of market rents for 1 beds, 55% of market rents for 2 beds, and 50% of market rents for 3 beds and larger.
- 8.77 As market rents fluctuate in different parts of the borough and the sites are located in 2 different postcode areas (E1 and E14), the percentage figures above will be applied to borough average markets rents, as identified by POD.
- 8.78 The actual affordable rents (including service charges), as identified by the POD research, should not exceed:
- 1 beds at £180.70 per week;
 - 2 beds at £203.50 per week;
 - 3 beds at £231.50 per week;
 - 4 beds at £258.00 per week.
- 8.79 It is confirmed that the rents for the proposed affordable housing units on both the donor sites and subject site will not exceed these figures.
- 8.80 The agreement will also ensure that the donor sites are developed out at the same time as the Royal Mint Street site, thus ensuring that in planning terms the housing impacts associated with the proposed development will be mitigated at the appropriate time.
- 8.81 The housing offer therefore accords with policies 3.9, 3.11 and 3.12 of the London Plan, Policy HSG3 of the IPG, and policy SP02 of the Core Strategy, in that it delivers the maximum reasonable amount of affordable housing, delivering a better outcome by developing in conjunction with donor sites, as opposed to providing the affordable housing on site. Both the Royal Mint Street site and the donor sites will deliver a mix of housing tenures, and thus officers are satisfied that the proposal is delivering mixed and balanced communities.

Wheelchair Housing and Lifetime Homes

- 8.82 Policy HSG9 of the Interim Planning Guidance requires housing to be designed to Lifetime Homes Standards including 10% of all housing to be designed to a wheelchair accessible or "easily adaptable" standard. The application incorporates these principles.
- 8.83 If planning permission is approved, appropriate conditions should be attached to secure the delivery of accessible residential units, hotel rooms, and parking spaces.

Floorspace Standards

- 8.84 Saved policy HSG13 'Conversions and Internal Space Standards for Residential Space' of the adopted UDP 1998 and Supplementary Planning Guidance 'Residential Space'

(adopted 1998) set the minimum space standards for residential developments.

- 8.85 Policy 3.5 of the London Plan seeks to ensure that the design and quality of housing developments are of the highest standard internally, externally and to the wider environment. This includes new space standards from the London Housing Design Guide.
- 8.86 Within the GLA's stage 1 response, concern was raised regarding the internal floor areas, and they requested a detailed assessment of the scheme in this respect. The applicants have submitted an updated planning statement which provides further discussion regarding the floor areas.
- 8.87 The applicants have advised that there are shortfalls within the studio and 1 bedroom units, and have justified these shortfalls on the basis of market demand and the fact that they do not consider the shortfalls are substantial. Given the site's location within the City Fringe, and that the shortfalls are not experienced by the larger family units, on balance the internal floor areas of the proposed units are considered acceptable.

Amenity Space

- 8.88 Pursuant to PPS3, paragraph 16 states that the matters to consider, when assessing design quality in housing developments, include the extent to which the proposed development *"provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies"*. Further still, paragraph 17 of PPS3 states that *"where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space"*.
- 8.89 Saved policy HSG16 'Housing Amenity Space' of the adopted UDP (1998) requires schemes to incorporate adequate provision of amenity space. The Residential Space SPG (1998) sets the minimum space criteria. Similarly, Policy HSG7 'Housing Amenity Space' of the IPG (2007) sets minimum criteria for private as well as communal and children's playspace. It should be noted that the policy states that variation from the minimum provision of communal space can be considered where the Council accepts the provision of a high quality, useable and public accessible open space in the immediate area of the site. The amenity space standards of the UDP and IPG are summarised in tables 4 and 5 below.
- 8.90 **Table 4: Amenity Space and 1998 SPG standards**

Tenure	Proposed	SPG Requirement	Total (m ²)
Family Units	61	50sqm of private space per family unit	3,050
Non-family units (Communal Space)	293	50sqm plus an additional 5sqm per 5 non-family units;	340
Child Bed spaces (Based on the Tower Hamlets Planning for Population Change and Growth Capacity Assessment 2009)	52	3sq.m per child bed space	156
Overall Total			3,546sqm

8.91 The table below indicates the amenity space required in accordance with policy HSG7 of the Interim Planning Guidance:

8.92 **Table 6: Interim Planning Guidance 2007 standards (Policy HSG7)**

Tenure	Proposed	IPG Requirement	Total (m ²)
Ground Floor Family Units	9	50sqm of private space per family unit	450
1 bedrooms or Studios	172	6sqm private space per unit	1032
2 bedrooms of more	173	10sqm private space per unit	1730
Total Private	354		3212
Communal Amenity Space	354 units	50sqm for first 10 units; 5sqm each 5 units thereafter	390
Child Bed spaces (Based on the Tower Hamlets Planning for Population Change and Growth Capacity Assessment 2009)	52	3sq.m per child bed space	156
Total			3,602sqm

Private Amenity Space

8.93 The scheme proposes 3400sqm of private amenity space.

8.94 The majority of one and two bedroom units, and all of the family units benefit from private space in the form of either a balcony or private terrace. Additionally, as noted below the scheme provides a substantial amount of communal amenity space for the use of residents, which is considered an appropriate response given the urban nature of the site.

Communal Amenity Space

8.95 2142sqm of communal amenity space is proposed on roof terraces within the development, which is considered acceptable.

Public Open Space

8.96 Approximately 260sqm of public open space (this increases to around 800sqm if including the pedestrian route within the arches and circulation space outside the building entrances) is proposed within the centre of the development, within the north-south pedestrian link between Royal Mint Street and Chamber Street. According to the Council's CLC section, based on the Council's Draft s106 SPD, the development generates an overall need for 14,923sqm of open space.

8.97 Given the urban nature of the development site, provision of communal amenity space substantially in excess of Council policy, and proximity of several parks within 15 minutes walk of the subject site, with appropriate mitigation through a financial contribution towards the delivery of open space, the proposal is considered acceptable in this respect.

Play Space

- 8.98 Based on the Tower Hamlets Planning for Population Change and Growth Capacity Assessment 2009 the proposed mix would result in a child yield of 52 children. This yield calculation is evidence based and Tower Hamlets specific, and is therefore considered a more accurate representation than the yield used by the GLA as outlined within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation'.
- 8.99 The Councils UDP (1998) seeks a minimum 3sqm play space per child, however the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' seeks 10sqm per child. Accordingly, a figure between the 3sqm and 10sqm threshold should be accommodated.
- 8.100 Informal play provision is proposed within the areas of public and communal amenity space within the development (total 2142sqm).
- 8.101 The applicants have submitted a play strategy which demonstrates that there are no existing facilities for play for children under 11 years within 100 metres of the site, although there is a play ground within 400m. Whilst the scheme doesn't include designated, enclosed playspace for smaller children, the applicant's Landscape Strategy proposes the incorporation of creative landscaping and features – such as level variation and play boulders
- 8.102 There are three existing areas for play within 800 metres of the site, including a multi-use games area, which will provide facilities for older children. Additionally, the arches along Chamber Street are proposed to provide indoor sporting facilities which would accommodate all ages.
- 8.103 The GLA support the proposed approach to playspace, although they have raised concern regarding the lack of access for residents of the affordable units to the communal amenity areas. This concern is shared by your officers, and if consent is granted, these areas should be accessible to residents of the affordable units, which can be secured by condition.
- 8.104 As detailed above, the application proposes 2142sqm flexible communal and play space areas, with a new area of public space within the centre of the site. On balance, with appropriate mitigation, it is considered that the proposal satisfies the requirements of the Interim Planning Guidance, UDP and the London Plan.

Design

Introduction

- 8.105 PPS1 promotes high quality and inclusive design, creating well-mixed and integrated developments, avoiding segregation, with well planned public spaces. The PPS recognises that good design ensures attractive, useable, durable and adaptable places and is a key element in achieving sustainable development.
- 8.106 Policy 7.1 of the London Plan 'Building London's Neighbourhoods and Communities' sets out over-arching design principles for London. Policy 7.8 of the London Plan requires developments to be sympathetic towards to heritage assets, Policy 7.6 seeks to ensure that new buildings are of the highest architectural quality. These principles are also reflected in policies DEV1 and DEV2 of the UDP and the IPG.
- 8.107 Policy 7.11 sets out the principles associated with the Mayor of London's View Management Framework.

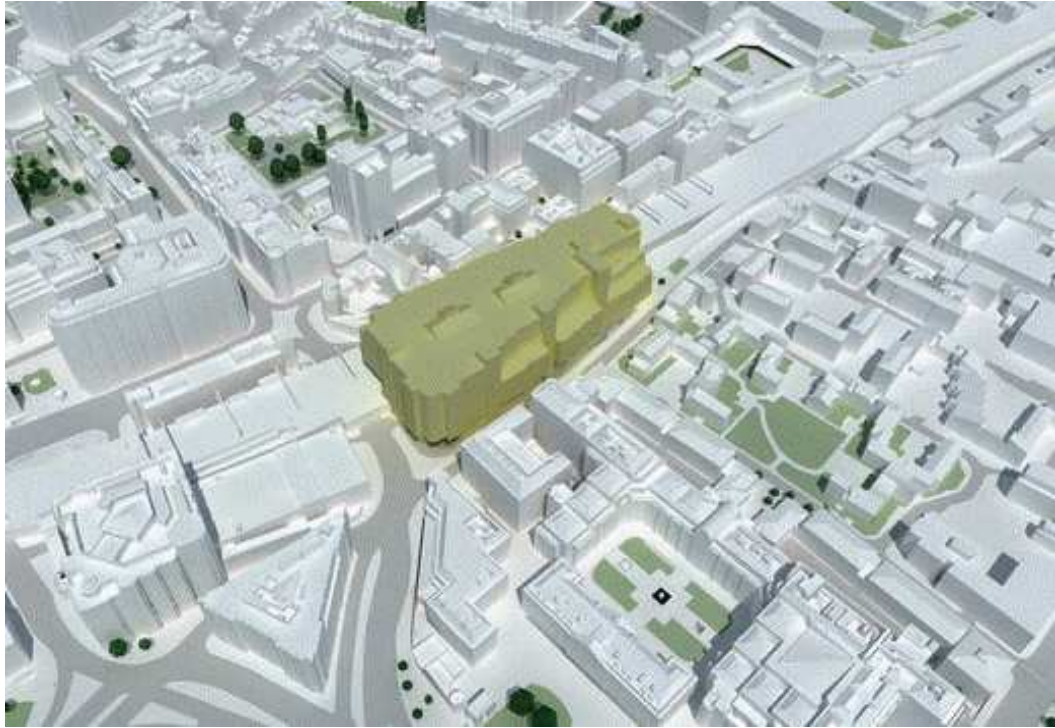
- 8.108 Policy SP10 of the Core Strategy DPD (2010) seeks to promote and implement placemaking across the borough to ensure that the locally distinctive character and context of each place is acknowledged and enhanced. The policy also seeks to ensure that buildings and neighbourhoods promote good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well-integrated with their surrounds. The policy lists 8 criteria against which development proposals will be assessed in order to ascertain whether they achieve this.
- 8.109 Policies CON1 and CON2 of the IPG seek to ensure that new development does not have an adverse impact on the character of Conservation Areas or Listed Buildings. Policy CON3 notes that new applications will be assessed against their impact on the setting, character, fabric and identity of World Heritage Sites.

Analysis

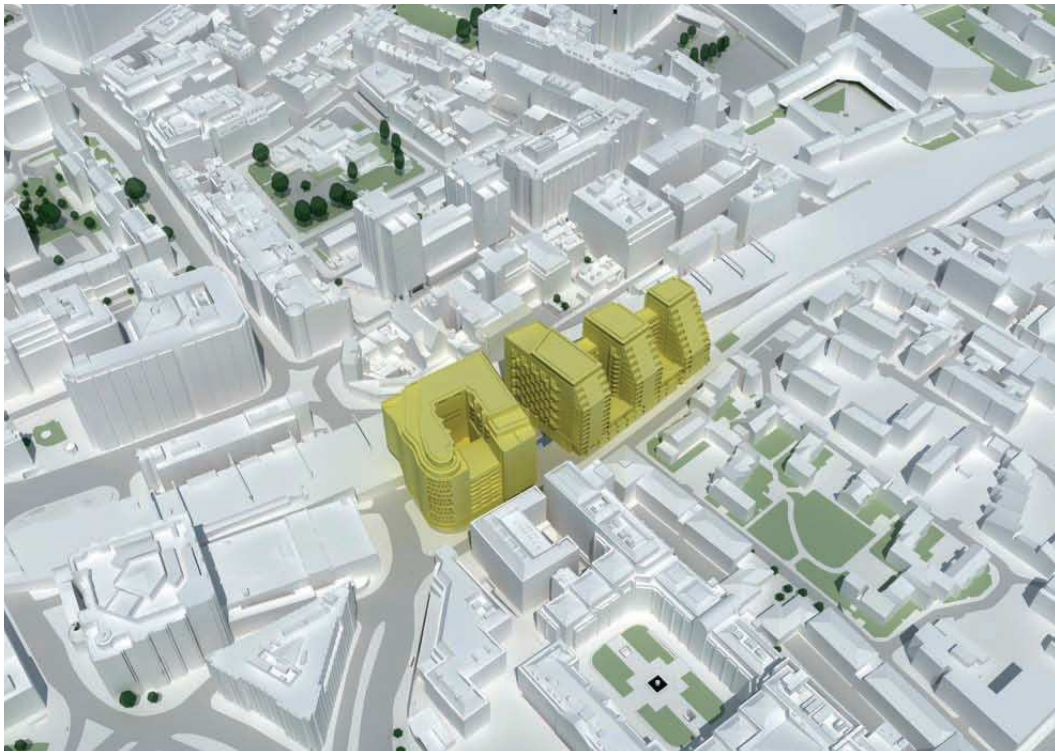
- 8.110 The application site is roughly rectangular, with an area of approximately 1.1 hectares. The Tower of London Conservation Area lies to the southeast of the application site, with the frontage of the site on Royal Mint Street falling within this.
- 8.111 The surrounding area includes a mix of land-uses and built form, including the high density commercial built form of the City of London to the west and north, historic landmarks comprising the Tower of London (World Heritage Site), Tower Bridge and the Royal Mint (both listed buildings/structures) and St Katherine's Dock to the south, and an increasingly more residential surround and domestic scale to the east.
- 8.112 The proposed development is divided into two elements, by a new north-south pedestrian plaza. The orientation of this allows views through the site to the Grade II Listed Church of the English Martyrs to the north. The hotel element of the scheme is located to the west of this space, with the residential on the upper west floors, and within the building to the east.

Scale, massing and layout

- 8.113 Below are massing diagrams comparing the extant office consent, which was originally granted permission in 1998 by the LDDC, and subsequently commenced through the implementation of enabling works in 2008, with the proposed scheme.
- 8.114 Massing diagram of the extant 1998 scheme



8.115 Massing diagram of the proposed scheme



8.116 Block A, comprising hotel, serviced apartments and an element of the residential sits in the backdrop of the Tower of London. When the PA/10/1256 planning application was submitted for this site, objection was raised by Historic Royal Palaces, English Heritage, the GLA and the Council's Conservation officer, due to the impact the proposed building would have on the Tower of London. Subsequently, the applicant entered into extensive pre-application discussions with all parties, and following this process it is considered that the revised design responds positively to it's surrounding context. The mass of the building has been reduced, and the design now incorporates recessed upper floors, with a resulting

scale and massing which is appropriately sensitive to the iconic landmarks surrounding the subject site.

- 8.117 The remaining residential component has been split into three separate blocks (Blocks B, C and D), which are linked by a three storey podium. The blocks are designed with a cut back on their southern aspect, in response to the lower scale residential properties on Royal Mint Street and the height of the blocks decrease as the site moves away from the larger scale context of the City.
- 8.118 The scheme proposes 9 houses at the base of the residential blocks along Royal Mint Street, with a series of set back front doors providing defensible space, which responds to the somewhat residential character of development on the southern side of the street.
- 8.119 Ground floor flexible commercial space fronts the pedestrian plaza, and the railway arches on Chamber Street are also proposed to be brought into use as community facilities. These ground floor units provide a variety of uses, activating the street edge and the new public north-south route.
- 8.120 Plans indicate that single aspect north facing residential units have been largely avoided, which is supported.

Design and Appearance

- 8.121 The proposals are considered to be well designed and of a high quality.
- 8.122 Block A is designed to respond positively to its location within the setting of a World Heritage Site, by ensuring it recedes into the background behind the Tower of London. The undulating vertically hung rain screen cladding system provides depth and articulation, whilst the high quality cladding creates a rhythm in the façade. High quality materials are proposed, including oxidised copper panels, louvers and brise soleil, ceramic tiles and composite panels. The ground floor treatment and entrance to Block A ensures an appropriate human scale, and a legible entrance.
- 8.123 Blocks B, C and D adopt a simpler design approach, although there is more of an emphasis on the verticality of design. Winter gardens for residential units on the southern elevation have been achieved through chamfering the façade along Royal Mint Street. Similar high quality materials are pulled into this building.
- 8.124 Securing high quality materials is imperative to the success of this proposal, hence it planning permission is approved, a condition securing the submission of full details including samples of conditions is necessary. Assessment of these details will involve consultation with English Heritage and Historic Royal Palaces.
- 8.125 The eastern elevation of the building has been revised during the application process, to create a feature of an elevation which is highly unlikely to be obscured due to the positioning of the DLR lines. The approach is welcome by the Council's Design and Conservation section, in that it provides additional visual interest. The tunnel entrance itself is also considered to make for an improvement and renders this part of the development visually acceptable. Nevertheless, it is recommended that a condition is attached to ensure detailed drawings of this elevation are submitted to ensure this elevation delivers on design quality. This element was of particular concern for the GLA.

Heritage

- 8.126 Concerning the hydraulic accumulator tower which currently exists on site, further information regarding the demolition of the tower was submitted through the course of the application to satisfy the Council's Design and Conservation section's requirements with

relation to PPS5. There are three Listed accumulator towers near to the site, on Tower Place, Tower Bridge Road and in Stepney. The tower on the subject site is not protected by Conservation Area status, nor is it statutorily Listed. Accordingly, it can be demolished at any time. Considering the justification put forward by the applicants, which notes that the tower is not an early example of its type, and does not display particular architectural merit, the Council's Conservation section raises no objection to the demolition of this unlisted heritage asset.

8.127 Historic Royal Palaces have made comments on the application, noting the following:

“Historic Royal Palaces welcomes the development of this long vacant site, and the use of its western end as an hotel, which will contribute to both the facilities and the animation of the street frontages in the vicinity of the Tower of London World Heritage Site.

There are two principal ways in which development of this site will affect the setting of the World Heritage Site. First, in views of the Tower from Queen's Walk, where HRP is content that it would fit comfortably into the background context, being, indeed, barely visible from the vicinity of LVMF view 25. Second, in views from the east wall walk, along which visitors move from south to north; from it they therefore tend to be looking towards the proposed development. HRP is of the opinion that it would provide an appropriate closure to this vista, masking the backs of other buildings, without being over-dominant; the proposed ceramic panel cladding and 'deep skin' would be a welcome change from the locally predominant glass, steel and marble”

8.128 The design, scale and treatment of the buildings are considered acceptable with relation to the Tower Conservation Area, and nearby Listed Buildings.

Strategic Views

8.129 The site falls within Townscape View 25: The Queens Walk to Tower of London, as identified within the London Mayor's London View Management Framework (July 2010). The view is protected to ensure that new development respects the setting of the Tower of London and should not dominate this World Heritage Site, especially the White Tower. New buildings in the background of this view must be subordinate to the Tower of London, and respect its historical significance.

8.130 The GLA have advised within their Stage 1 report that *“The building will not adversely impact on this strategic view, and crucially will not change the horizontal silhouette of the White Tower, or breach the existing tree line, of the Tower of London”*. It is therefore considered the proposal accords with policy 7.12 of the London Plan and the Mayor's View Management Framework.

Design Conclusions

8.131 In terms of height and massing, the proposed development is considered acceptable given the surrounding context. The proposal has been designed in a manner which ensures that the special historic attributes of the Tower of London are preserved, and the relationship in relation to the surrounding buildings is acceptable. The scheme is a significantly more appropriate approach than the extant office consent, and the proposal is therefore supported by officers in design terms.

Amenity

Daylight and Sunlight

8.132 Policy DEV2 of the UDP seeks to ensure that adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting

paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment.

- 8.133 Policy DEV1 of the IPG states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. This is supported by policy SP10 of the Core Strategy.
- 8.134 The submitted Environmental Statement details that several residential developments are within range of the proposed development, so as to be considered 'sensitive receptors', which contain habitable rooms*. The Council appointed independent daylight and sunlight consultants to review the information submitted by the applicants. Through this assessment the sensitive receptors were broken down into two categories.

Neighbouring residential properties classed as 'primary receptors', due to their proximity to the application site being:

- 1-20 Royal Mint Street
- 15-18 Royal Mint Street
- 21 Royal Mint Street
- 23-29 Royal Mint Street
- 31-37 Royal Mint Street
- 39 Royal Mint Street
- 41 Royal Mint Street
- 43 Royal Mint Street
- 45 Royal Mint Street
- 47 Royal Mint Street

Those other residential properties which are more remote from the application site but could nonetheless be affected by the development, and hence are 'secondary receptors' are:

- 1 Cartwright Street
- 3 Cartwright Street
- 5 Cartwright Street
- 7 Cartwright Street
- 11/15 Cartwright Street
- 1 John Fisher Street
- 1-24 Block F, Peabody Estate
- 1-24 Block G, Peabody Estate
- 15 Prescott Street
- 23 Prescott Street
- 30 Prescott Street
- 87 Mansell Street

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

- 8.135 Daylight is normally calculated by three methods - the vertical sky component (VSC), Daylight Distribution (NSL) and the average daylight factor (ADF). BRE guidance requires an assessment of the amount of visible sky which is achieved by calculating the VSC at the centre of the window. The VSC should exceed 27%, or not exhibit a reduction of 20% on the former value, to ensure sufficient light is still reaching windows. In the event that these figures are not achieved, consideration should be given to other factors including the NSL and ADF. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value.

The ADF calculation takes account of the size and reflectance of a rooms surfaces, the size and transmittance of its window(s) and the level of VSC received by the window(s). This is typically used to assess the quality of accommodation of new residential units, as opposed to neighbouring units.

- 8.136 British Standard 8206 recommends ADF values for residential accommodation as:
- 2% for kitchens;
 - 1.5% for living rooms; and
 - 1% for bedrooms.
- 8.137 A further material consideration in considering daylight and sunlight is the extant office permission for the redevelopment of the site. This permission could be built out at any time, and it is therefore appropriate to consider the impact of this current proposal against the impact of the extant scheme. It would not be appropriate to expect future development to be fully compliant with the guidelines set out in the BRE Guidance, given the undeveloped nature of the site at present, the urban context, and the extant consent.

Daylight Results: Impacts on Neighbouring Properties

- 8.138 75 out of 88 of the windows on Royal Mint Street will experience a loss in VSC (the amount of sky visible from the window) in excess of 40%, and in the majority of cases this loss will be in excess of 60%. They will therefore experience a major/adverse impact. The results of the daylight distribution (NSL) and average daylight factor tests show a similar pattern in terms of both the number and magnitude of failures.
- 8.139 These results have been considered against the impacts of the extant office consent.

Comparison with Extant Consent

- 8.140 The proposed development would result in some small technical improvements to most rooms in 1-12 Royal Mint Street when compared to the extant consent. There are rooms within 21-47 Royal Mint Street which would be “slightly worse” off than the extant consent.
- 8.141 The submitted Environmental Statement summarises a comparison of the losses between the proposed development and the extant office consent on the site. When using the extant consent as a baseline, the submission concludes the following:
- 24% of surrounding windows would either experience no worse or improved levels of sky visibility;
 - 70% of surrounding rooms would see no change or an improvement in the area of the room which can benefit from direct skylight at working plane height due to the gaps between the blocks of the proposed development;
 - 71% of surrounding windows would either experience no worse or improved levels of sunlight amenity; and
 - Transient overshadowing results show that the gaps in the proposed development would result in a reduction in the general level of shadow cast compared to the extant consent.
- 8.142 The construction of the proposed development instead of the extant consent would result in seven additional neighbouring windows being unable to meet the VSC criteria (176/277 pass). Two additional rooms would meet the NSL criteria (150/220 pass), and an additional 4 windows would benefit from compliant levels of sunlight amenity (99/105 pass).
- 8.143 Officers have considered the daylight and sunlight implications in terms of both the baseline as an undeveloped site, and the baseline of the extant office consent. The BRE

'Site Layout Planning for Daylight and Sunlight' notes that

"The advice given...is not mandatory and the guide should not be seen as an instrument of planning policy...Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design".

- 8.144 Given the urban context of the area within which the development sits, together with the unique challenges associated with developing this site, on balance officers consider that the impacts in terms of loss of daylight and sunlight do not outweigh the benefits the overall scheme will deliver as a whole – being development of an under-utilised site, housing, employment and a scheme of high design quality.

Daylight Results: Quality of Proposed Units

- 8.145 868 out of 970 (90%) of habitable rooms within the proposed development achieve the minimum design standard for ADF. The majority of those which fail are private studio units.
- 8.146 It is reasonable for some rooms to fail the BRE guidelines on urban developments such as that being considered. Family sized units, in particular the affordable rented units along Royal Mint Street would experience acceptable levels of daylight. On balance, the levels of daylight and sunlight for the proposed units are therefore considered acceptable.

Sunlight Assessment

- 8.147 Sunlight is assessed through the calculation of the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for windows within 90 degrees of due south.

Sunlight Results: Impacts on Neighbouring Properties

- 8.148 The majority of neighbouring residential properties do not have principle elevations facing within 90 degrees of due south. Accordingly, they do not fall within the assessment criteria.
- 8.149 For those properties that do fall within the criteria for assessment, the impact on sunlight will be relatively minor. One significant failure relates to 30 Prescott Street, where the loss of sunlight will fall within the major/adverse category. However, on balance, and in the context of the whole development, the overall impact on sunlight is considered acceptable.

Shadow Analysis

- 8.150 The BRE report advises that for spaces to appear adequately sunlit throughout the year at least half of gardens or amenity areas should receive at least two hours of sunlight on the 21st of March. If this is not achieved, the result should not be more than 80% of it's former value.
- 8.151 There are no notable areas of surrounding designated amenity space at ground level, which would be affected by this development.
- 8.152 Within the development itself, the all but one of the new public and communal amenity areas will experience acceptable levels of overshadowing. This is aside from a terrace within Block A, however this is confirmed within the application documents as a 'Visual Amenity Area', and is not expected to be used by occupants for general enjoyment. Accordingly, the shadow impacts of the proposal are considered acceptable.

Air Quality

- 8.153 A condition is necessary to require the submission and approval of a further Air Quality Management Plan, to detail measures to reduce dust escaping from the site. Such matters are also covered by separate Environmental Health legislation.

Noise and Vibration

- 8.154 The Councils Environmental Health section reviewed the submitted information, and advised that the application is acceptable in terms of noise and vibration, provided conditions are attached should planning permission be approved, to secure the following:
- That all residential aspects of the development should meet the "Good standard" of BS8233. Post completion testing would be necessary;
 - The reradiated noise/ structure borne noise should not exceed 35dB;
 - The vibration level should meet with the requirements of BS6472 and not regularly exceed ppv of 1mm/s. This assessment should be carried out at the foundation level, and agreed with Environmental Health prior to any further works.

Sense of Enclosure/Loss of Outlook and Privacy

- 8.155 Policies SP10 of the Core Strategy, DEV2 of the UDP and DEV1 of the IPG seek to ensure that new development protects amenity, preventing the loss of privacy. This impact cannot be readily assessed in terms of a percentage or measurable loss of quality of outlook. Rather, it is about how an individual feels about a space. It is consequently difficult to quantify and is somewhat subjective.
- 8.156 In the opinion of officers, the separation distances between the proposed development and directly facing neighbouring properties is considered acceptable given the urban context of the surrounding area.

Micro-Climate

- 8.157 Planning guidance contained within the London Plan 2011 places great importance on the creation and maintenance of a high quality environment for London. Policy 7.7 (Location and Design of Tall and Large Buildings) of the London Plan, requires that *"tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence.."* Wind microclimate is therefore an important factor in achieving the desired planning policy objective. Policy DEV1 (Amenity) of the IPG also identifies microclimate as an important issue stating that:

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

- 8.158 Within the submitted Environmental Statement, the applicant has assessed the likely impact of the proposed development on the wind climate, by placing an accurate model of the proposed building in a wind tunnel. The assessment has focused on the suitability of the site for desired pedestrian use (i.e. leisure walking at worst, with standing conditions at entrances and in retail areas, and sitting/standing conditions in public realm areas during summer) and the impact relative to that use.
- 8.159 The pedestrian level wind microclimate at the site was quantified and classified in accordance with the widely accepted Lawson Comfort Criteria.
- 8.160 Overall, the residual effect of the proposed development, with required mitigation

measures in place, is expected to be minor adverse to moderate beneficial. The mitigation measures include soft planting at street level around the proposed area of public realm, perimeter screening around the roof terraces at upper levels, and recessing or lateral screening at one site entrance.

- 8.161 It is therefore considered that the proposed development would be acceptable in terms of the impact upon microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site.

Transport

- 8.162 In consideration of national policy, PPG13 'Transport' seeks to integrate planning and transport from the national to local level. Its objectives include: promoting more sustainable transport choices; promoting accessibility using public transport, walking and cycling; and reducing the need for travel, especially by car. Both PPS1 'Delivering Sustainable Development' and PPS3 'Housing' seek to create sustainable developments.
- 8.163 London Plan Policy 6.3 seeks to ensure that new development does not adversely affect safety on the transport network. Policies 6.8, 6.9 and 6.10 seek to ensure that new developments make appropriate provision for coaches, cycles and the pedestrian environment. Policies 6.12 and 6.13 seek to ensure that new developments provide an appropriate level of car parking, whilst ensuring new developments result in a net benefit on road network capacity.
- 8.164 In respect of local policy, UDP saved policy T16 states that the consideration of planning applications will take into account the requirements of the proposed use and any impact posed. Policy T18 indicates that priority will be given to pedestrians in the management of roads and the design and layout of footways. Improvements to the pedestrian environment will be introduced and supported in accordance with Policy T19, including the retention and improvement of existing routes and where necessary, their replacement in new management schemes in accordance with Policy T21.
- 8.165 Having regard to the IPG, policy DEV17 states that all developments, except minor schemes, should be supported by a transport assessment. This should identify potential impacts, detail the schemes features, justify parking provision and identify measures to promote sustainable transport options. DEV18 requires a travel plan for all major development. DEV19 sets maximum parking levels. Policies SP08 and SP09 of the Core Strategy DPD (2010) seek to deliver an accessible, efficient and sustainable transport network.
- 8.166 The PTAL rating for the site is excellent (level 6b), given it's proximity to Tower Gateway DLR station, Tower Hill underground station and several bus routes.
- 8.167 The proposal includes a total of 24 residential car parking spaces, 2 of which will be for disabled parking use and 5 to have vehicle charging facilities, and a maximum 489 cycle parking spaces proposed for residents, employees and visitors.

Vehicular Parking

- 8.168 Whilst the Council's Highways section would prefer to see a lower provision, the proposed 24 spaces comply with policy in numerical terms, and TfL have confirmed they also accept the proposed provision. The proposed 24 car parking spaces are considered acceptable on balance.
- 8.169 The parking spaces are proposed within the arches on Chamber Street, with private vehicles able to enter and egress the site in a forward gear.

- 8.170 2 disabled parking spaces are proposed within these arches, which is considered acceptable by the Highways Section. If there is further demand for such spaces by residents of the development, blue badge holders are able to contact the Council's Parking section directly, in order to arrange an on-street parking space associated with their individual permit.
- 8.171 It is therefore considered that the vehicular parking provisions would be in accordance with policies 6.9 and 6.13 of the London Plan. A S106 legal agreement should be entered into in order that the Traffic Management Order can be amended to exempt occupiers of this site from obtaining parking permits. This will ensure no overflow parking on the public highway.

Cycle Parking

- 8.172 The application proposes a scheme whereby a maximum of 489 secure cycle parking spaces can be provided, using a mix of Sheffield stands and a two-tier system. This represents a provision in excess of 1 space per residential unit, and is therefore compliant with Planning Standard 3: Parking and policy DEV16 of the IPG. Commercial cycle spaces are proposed at ground level.

Servicing and Refuse Collection

- 8.173 Plant, delivery and servicing spaces within the proposed development are located within three of the arches on Chamber street.
- 8.174 *Residential Refuse*
The scheme proposes the incorporation of space within each residential unit for general waste, mixed recyclables and organic waste. Residents can deposit their waste in segregated chutes which terminate on the ground floor of Block A, and the mezzanine floor of Blocks B, C and D. The private maintenance organisation will be responsible for replacing bins and transporting the bins by service lift to the collection areas within the railway arches on Chamber Street.
- 8.175 The remainder of the residential refuse collection would be doorstep collection from Royal Mint Street, for the 9 townhouses. Each house has space designated for individual wheelie bin storage.
- 8.176 *Hotel Refuse*
The hotel waste storage area is located within the chambers on Chamber Street, separate from the residential refuse area. Recycling and general waste bins would be provided, and transported by management to the general collection area at the base of Block A.
- 8.177 Serviced apartment collection would take place from the units by management, and transferred to a storage area at the base of Block A.
- 8.178 *Leisure, Retail and SME Refuse*
The refuse arrangements for the retail, leisure and SME units comprise of storage areas, with twice weekly collection taking place from Chamber Street.
- 8.179 The majority of refuse collection would take place from here, as well as general servicing for the development.
- 8.180 Three servicing bays are incorporated into the scheme. The eastern and western-most bays are to accommodate any size vehicle, and the central bay is only to accommodate vehicles up to a box van in size.

- 8.181 The Council's highways section have raised concern regarding the servicing arrangements, whereby larger servicing vehicles would need to reverse out of the western and eastern bays onto the highway. Highways would prefer to see adequate manoeuvring space provided to ensure that all vehicles servicing the site are able to access and egress from the site in a forward gear.
- 8.182 To address these concerns, the applicant has proposed the incorporation of a banksman to supervise the reversing of larger vehicles. At present servicing for the businesses along Chamber Street often takes place on-street, and the proposed arrangement removes the need for on-street servicing. However there would be one to two pre-arranged manoeuvres involving larger vehicles (7.5T and larger) per day, requiring the vehicle to reverse onto the highway. On balance, given the constraints of the site, it is considered that officers have secured the 'best case' available, with highway safety maintained through the incorporation of the banksman. This arrangement can be secured by condition.
- 8.183 The Council's Waste section have raised concern regarding the doorstep collections for the townhouses on Royal Mint Street, in that the collection vehicle would be required to stop on the highway, and the bins/sacks would need to be walked across the cycle superhighway. Officers have liaised with the applicants and the Council's Waste section, and there is no other alternative to this arrangement. On balance, given that this arrangement is only proposed for the 9 townhouses, and collection would be infrequent, it is considered that the impact of doorstep collection would not be unduly detrimental, and is therefore acceptable.

Coach Parking

- 8.184 A coach pick up/drop off bay is proposed on the southern side of Royal Mint Street. Swept path drawings have been submitted which demonstrate that a large luxury coach can access and egress the space without difficulty, and vehicles will be able to pass the parked coach unobstructed.
- 8.185 This arrangement would result in the loss of six pay and display parking bays on Royal Mint Street, however an additional four spaces could be accommodated on Chamber Street as part of the development proposal if agreement over suitable locations can be reached with the Council's Parking Services team. These would be considered as part of the necessary highway works (known as s278 works) which would be completed as part of the development. No residents parking bays would be lost.
- 8.186 The proposed approach is considered acceptable by the Council's Highways section.

Delivery service plan and construction logistics plan

- 8.187 TfL have requested the submission of a delivery service plan and a construction logistics plan. Should permission be granted, conditions which secure the submission of a Construction Management Plan and a Delivery and Service Plan would satisfy this request.

Travel Plan

- 8.188 TfL have requested that additional detail is required from the submitted Travel Plan, including how to promote sustainable transport measures, the inclusion of a site management office and the provision of a travel plan for the commercial element of the development. Should permission be granted, the travel plan could be secured by way of the s106 agreement to the satisfaction of the LPA and TfL, together with future monitoring of the Travel Plan.

Link through to Tower Gateway DLR Station

- 8.189 The applicant is also proposing a new point of access to Tower Gateway station from the eastern side of Mansell Street. This will consist of a stairwell and lift, CCTV, signage, a ticket machine and an Oyster Card reader.
- 8.190 Whilst the principle and feasibility of this link is agreed between the developers and TfL/DLR, the detailed drawings will be finalised post-decision.
- 8.191 The s106 Agreement will secure the delivery of the link prior to occupation of Block A, and it has been requested by TfL that a condition requiring approval of the detailed drawings prior to the implementation of superstructure works be attached to the planning consent.

Energy Efficiency and Sustainability

- 8.192 At a national level, PPS22 and PPS1 encourage developments to incorporate renewable energy and to promote energy efficiency.
- 8.193 The London Plan sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 8.194 The London Plan 2011 includes the target to achieve a minimum 25% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2).
- 8.195 Saved Policy DEV2 of the UDP (1998), DEV 6 of the IPG (2007) and SP02 of the Core Strategy (2010) seek to incorporate the principle of sustainable development, including use of energy efficient design and materials, and promoting renewable technologies. The London Borough of Tower Hamlets Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.
- 8.196 The submitted energy strategy follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean). The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine to supply the space heating and hot water requirements in accordance with policy 5.6 of the London Plan will also reduce energy demand and associated CO2 emissions (Be Clean).
- 8.197 Photovoltaic cells are proposed to provide a source of on site renewable energy (Be Green). The technologies employed would result in a 1.5% carbon savings over the baseline. Through the maximisation of the CHP system to deliver space heating and hot water it is acknowledged that achieving a 20% reduction in CO2 emissions through renewable energy technologies is not feasible. The applicant has demonstrated that the proposed CO2 emission reduction through PV's (1.5%) is the maximum that can be achieved from renewable energy technologies for the site. Whilst the proposed development is not meeting Core Strategy Policy SP11, the Council's Sustainable Development Team support the application as the development is in compliance with the London Plan (Policy 5.2) through achieving a cumulative 30% reduction above Building Regulation requirements.
- 8.198 The anticipated 30% reduction in carbon emissions through energy efficiency measures, a CHP power system and renewable energy technologies is considered to be acceptable and in accordance with the above mentioned development plan policies. It is recommended that the strategy is secured by Condition and delivered in accordance with

the submitted Energy Statement dated July 2011.

- 8.199 In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 rating and all commercial development to achieve a BREEAM 'Excellent' rating. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan 2011 dated and Policy DEV 5 of the London Borough of Tower Hamlets Interim Planning Guidance which seek the highest standards of sustainable design and construction principles to be integrated into all future developments.
- 8.200 The applicant has submitted a Sustainability Statement that sets out the commitment to achieving a Code for Sustainable Homes Level 4 rating and targets a BREEAM Excellent rating. It is recommended that the achievement of these ratings is secured through an appropriately worded Condition.

Other Planning Issues

Biodiversity

- 8.201 The application site is of negligible biodiversity value, to the extent that ecology was scoped out of the EIA. There is almost no vegetation on the site. There are, therefore, no adverse impacts on biodiversity. The proposals include some soft landscaping at ground level, and more on a series of roof terraces. There are a few areas of naturalistic planting, including a meadow area on the 13th floor roof, which will provide some wildlife habitat. Overall, the proposed development would lead to very minor gains for biodiversity, which is considered acceptable by the Council's Biodiversity officer.

Environmental Statement

- 8.202 The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Land Use Consultants and Council Officers.

Demolition & Construction

- 8.203 With regards to the objections received on the grounds of impacts during demolition and construction, this matter was covered within the submitted Environmental Statement. Some of the construction to be carried out in close proximity to the DLR and Network Rail infrastructure would need to be undertaken overnight when no trains are running. This would be on a limited basis, the actual hours of work would need to be approved by the Council's Environmental Health team post decision. The typical hours of work, which would be secured by condition would be 08:00 – 18:00 weekdays; 08:00 – 13:00 Saturdays; and no working on Sundays or bank holidays.
- 8.204 In addition, the applicants agree to the provision of an Environmental Management Plan (EMP) to be secured by condition. This plan would cover various operational aspects of the development phase, including air quality, noise, dust and vibration, as well as monitoring of impacts. The EMP would be reviewed by the Environmental Health section, and allow the Council to work with the developer to ensure that impacts associated with the build are closely monitored.

Section 106 Agreement

- 8.205 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should be:

- (i) Relevant to planning;
- (ii) Necessary to make the proposed development acceptable in planning terms;
- (iii) Directly related to the proposed development;
- (iv) Fairly and reasonably related in scale and kind to the proposed development;
and
- (v) Reasonable in all other respects.

8.206 More recently, regulation 122 of the Community Infrastructure Levy Regulations 2010 brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

8.207 Policies 8.2 of the London Plan (2011), Saved policy DEV4 of the UDP (1998), policy IMP1 of the IPG (2007) and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations through their deliverance in kind or through financial contributions.

8.208 The Council has recently published a draft Supplementary Planning Document on Planning Obligations in August 2011. This document which is currently out on public consultation; provides guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. Within the document, the standard obligations area set out under the following headings:

Key priorities are:

- Affordable Housing
- Employment, skills, training and enterprise
- Community facilities
- Education

Other Tower Hamlets Priority Obligations are:

- Health
- Sustainable Transport
- Public Realm
- Environmental Sustainability

In light of this, LBTH Officers have identified the following contributions to mitigate against the impacts of the proposed development, which the applicant has agreed. As such, it is recommended that a S106 legal agreement secure the following Heads of Terms:

Affordable Housing

2.209 Delivery of 9 affordable rented residential units (49 habitable rooms) on the Royal Mint Street Site, together with 445 habitable rooms (policy compliant housing mix and split) to be delivered on the donor sites. The off-site contribution equates to **£9,625,081**.

2.210 Not to occupy more than 50% of the Open Market Units on Royal Mint Street until 50% of the Off Site Affordable Housing has been provided, and not to occupy more than 90% of the Open Market Units on Royal Mint Street until 100% of the Off Site Affordable Housing has been provided.

Highway and Transport Contributions

8.211 Provide the following towards transport infrastructure and local pedestrian environment improvements.

TFL -

- Crossrail - **£1,201,522**
- Link through to Tower Gateway Station
- Improvements to the Bus network - **£95,321**
- Legible London - **£50,000**
- Cycle Hire Docking Station - **£132,000**
- Real Time Information Boards within the communal areas of the development - **£20,000**

LBTH Highways -

- **£31,000** street lighting improvements in the surrounding area;
- **£22,000** accessibility improvements in the surrounding area.

Education

8.212 Increased residential development impacts on the demand for school places within the borough. Where there is a child yield output from a development, the Council would seek contributions towards additional primary and secondary school places across the borough. Financial contributions towards Education would be pooled in line with Circular 06/2005. This would allow expenditure on Education to be planned on a Borough wide basis to meet the Education need for its residents. Based on the Council's Draft Planning Obligations SPD, the proposal would result in the need for 17 additional primary places at £14,830 per place, and 4 additional secondary school places at £22,347 per place. Accordingly, the total education financial contribution sought is **£341,498**.

Health

8.213 The Tower Hamlets Primary Care Trust have requested a contribution of **£385,342** towards the development of health and wellbeing centres.

8.214 Where the residential population in the Borough is increased through new development, there is further pressure upon existing Health facilities and a consequent demand for new ones. The Council would mitigate that impact by securing contributions from new residential developments towards Health Facilities in the Borough.

8.215 Due to the Borough wide impact, financial contributions towards Health Facilities would be pooled in line with Circular 05/2005. This would allow expenditure on health to be planned on a Borough wide basis to meet the need for its residents.

Leisure and Community Facilities, together with Library/Idea Store Facilities

8.216 Community facilities provide the space for community groups within the Borough to meet and carry out activities and include, but not limited to, community centres, Idea Stores, libraries and leisure centres. Community facilities provide the space for community groups within the Borough to meet and carry out community activities. The Borough has a range of facilities but their condition means they are not always able to cope with demands upon these groups and potentially new community groups emerging in Tower Hamlets. This new residential development would bring additional people and there would be an increased demand on existing community facilities. Officers consider that the proposed financial contributions towards community facilities would sufficiently mitigate against the development. The Cultural Services team have requested a contribution of **£391,722**.

Employment and Training

8.217 In terms of non-financial obligations, the applicant has also been asked to use reasonable endeavours to ensure:

- 20% Local procurement at construction phase

This requirement would be captured in the S106 requiring the developer to include a 'local procurement clause' for their subcontracting supply chains. The developer would provide LBTH with a list detailing a package of works/trades, so that LBTH can match these requirements with appropriate suppliers within the Borough.

The Skillsmatch Service would also assist in local procurement through advertising upcoming contracts in the East London Business Place and facilitating an integrated consultation event with a number of developers to enable them to meet with prospective local suppliers.

8.218 • 20% Local labour in construction phase

This requirement would also be captured in the S106 where by Tower Hamlets would provide a full job brokerage service. The Skillsmatch team would have access to a database of entry-level operatives, experienced trades people and site managers and the team would develop a complete skills solution based on the developer's labour requirements.

This can also include pre-employment training for local jobseekers (e.g. Construction Skills Certification Scheme (CSCS) cards, Traffic Marshall certificates, Plant training tickets and other accreditations).

A sum of **£149,711** has been secured to achieve this.

8.219 • Local jobs in end-phase

The owner/operator will use best endeavours to ensure that no less than 150 of the jobs created in end-user hotel phase, and 10 of the jobs created in the end-user community arches of new development, will be taken up by local residents of Tower Hamlets and as a separate obligation, the same proportion of such jobs in this phase will be advertised exclusively to local residents through the Council's job-brokerage service before general release on the open market.

A sum of **£62,770** has also been secured for training and development of unemployed Tower Hamlets residents.

Public Realm Improvements and Open Space Provision

8.220 An open space contribution of **£958,528** has been calculated based on the Council's draft Planning Obligations SPD which requires a contribution per resident/employee and hotel guest towards Public Open Space. Nevertheless, the application scheme can afford to contribute a total of **£3,707,283** toward financial contributions, whilst maintaining a 36% aggregate affordable housing provision. Accordingly, officers have taken the view that it is appropriate to reduce this amount to **£813,707**, in order to ensure that the key priorities as outlined in the draft S106 SPD are protected.

Smarter Travel

8.221 A total contribution of **£9,690** is required towards Smarter Travel. This contribution is based on the draft Planning Obligations SPD to contribute toward sustainable travel initiatives within the Borough such as cycle training.

Total

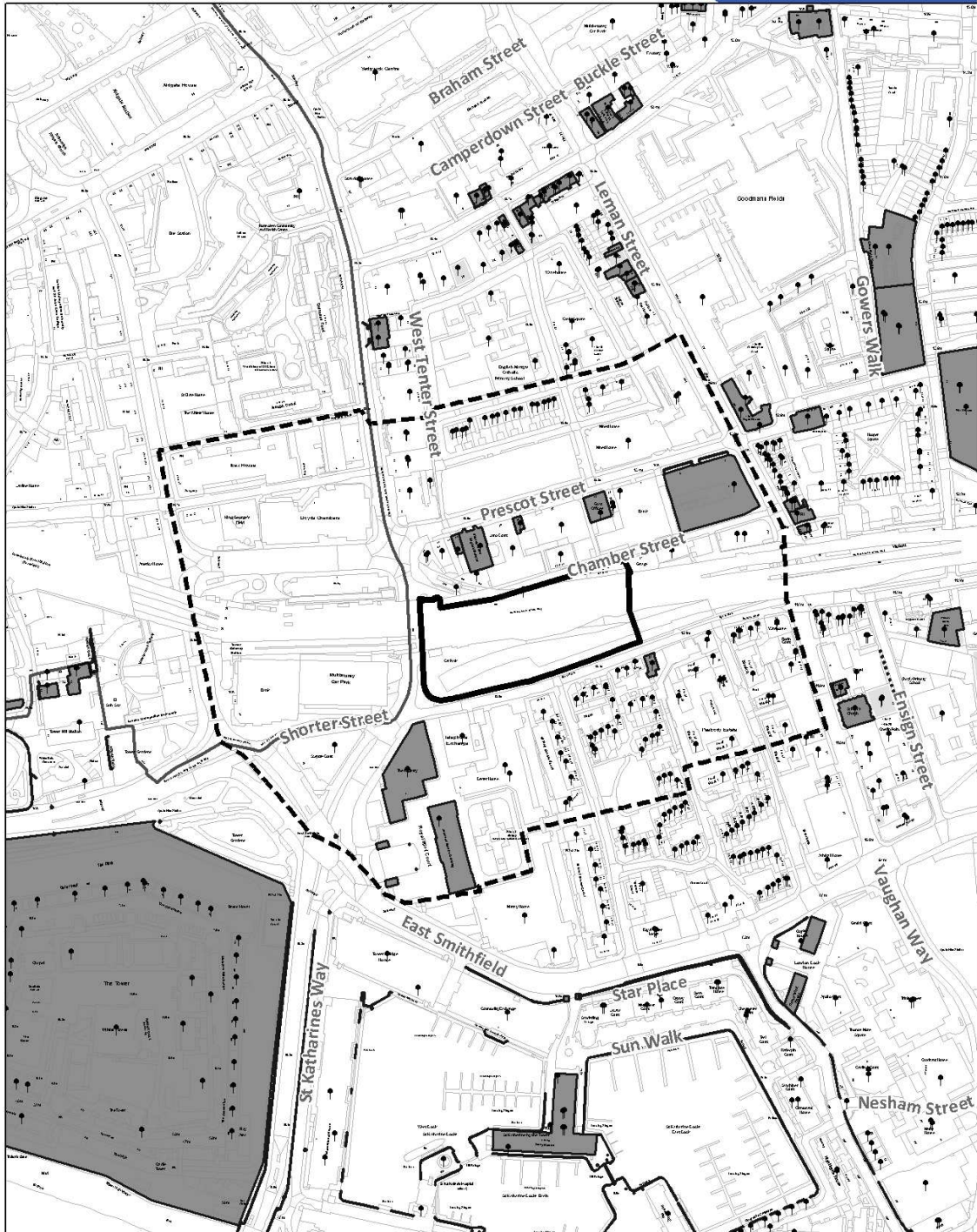
8.222 A total financial contribution of **£13,332,634** is therefore sought.

8.223 The Council has had a financial consultant review the toolkit submitted by the applicants for review. Through the Council's assessment of the viability it was found that the assumptions in this respect were acceptable. Officers consider that the proposed Section 106 offer would not compromise the viability of the scheme and ensures that the impacts associated with the development would be mitigated.


9 Conclusions

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


Planning Application Site Map





 Planning Application Site Boundary

 Locally Listed Buildings

 Land Parcel Address

 Consultation Area

 Statutory Listed Buildings

 Borough Boundary

0 30 m



1:4,000

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

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