

<b>Committee:</b> Strategic Development Committee	<b>Date:</b> 19 <sup>th</sup> July 2006	<b>Classification:</b> Unrestricted	<b>Report Number:</b>	<b>Agenda Item Number:</b> 9.5
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Applications for Planning permission and Listed Building Consent.		
<b>Case Officer:</b> Scott Schimanski		<b>Location:</b> 397-411 Westferry Road , London E14		
		<b>Ward:</b> Millwall		

## 1. SUMMARY

### 1.1 Registration Details

**Reference No:** PA/05/1626 and PA/05/1627

**Date Received:** 29/09/2005

**Last Amended Date:** June 2006

### 1.2 Application Details

**Existing Use:**

**Proposal:**

Haulage yard and vacant steel fabrication (Use Classes B2 and B8). Demolition and conversion of existing buildings and redevelopment for mixed use purposes comprising 190 residential units and uses within Use Classes A1 (retail), A2 (Financial and professional services), B1 (Business), D1 (Non-residential institutions) and/or D2 (Gym/sports centre), parking (96 spaces), access and hard and soft landscaping including adaptation of the Forge building for office use.

**Applicant:**

**Ownership:**

**Historic Building:**

**Conservation Area:**

WFR Developments Ltd

WFR Developments Ltd

Yes – Grade II

Chapel House

## 2. RECOMMENDATION:

2.1 That the Strategic Development Committee **grants** planning permission subject to:

A. Any direction by the Greater London Authority

B The execution of a legal agreement under section 106 of the Town and Country Planning Act and section 278 of the Highways Act to secure:

- 1) Car free arrangements
- 2) Affordable Housing – 35% measured by floorspace
- 3) Contribution to education of £143,400
- 4) Contributions to health service provisions of £446,600
- 5) Local labour in construction
- 6) Repairs to the public highway
- 7) Phasing of the development to ensure that no residential accommodation is sold until the 'Forge' is fitted out for marketing for occupation business purposes.
- 8) Contribution to TFL for improvements to local bus stops of £10,000

C The conditions outlined below:

Full Planning Permission:

- 1 3 years time limit.

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

**Brief Description of background paper:** Tick if copy supplied for register  
Application case file, plans and  
& UDP

**Name and telephone no. of holder**  
Development Control 020 7364 5362

- 2 Details of external materials.
- 3 Details of hard and soft landscaping treatment to include any proposed walls, fences and railings.
- 4 The approved landscaping shall be implemented prior to the occupation of any part of the proposed development of any part of the development.
- 5 Details of refuse storage and collection.
- 6 A Code of Construction Practice.
- 7 Site investigation regarding any potential soil contamination to be carried out and the implementation of any necessary remedial work.
- 8 Details of sound insulation/attenuation measures, including windows.
- 9 Building, engineering or other operations including demolition shall be carried out only between the hours of 8.00am and 6.00pm Mondays to Fridays and between the hours of 9.00am and 1.00pm Saturdays and shall not be carried out at any time on Sundays or Public Holidays.
- 10 Any power/hammer driven piling/breaking out of material required during construction/demolition shall only take place between the hours of 10.00 am and 4.00 pm Monday to Friday and at no other time, except in emergencies or as otherwise agreed by the Council in writing.
- 11 Details of external lighting.
- 12 Development should not begin until a statement to minimise the impact on Air Quality is submitted to and agreed by the local planning authority.
- 13 No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water storage capacity during 1 in 100 year conditions has been submitted to and agreed in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details.
- 14 Development shall not commence until details of on site drainage works have been submitted to, and approved in writing by the local planning authority. No works which result in the discharge of foul or surface water from the site shall be commenced until the on site drainage works have been completed as approved.
- 15 All sleeping accommodation shall remain above a level of 4.8m AOD.
- 16 Hours of operation of retail/commercial units 8:00 am to 20:00 pm.

2.2 The Strategic Development Committee **grants listed building consent** subject to the following conditions:

- 1 Details of the installation of the mezzanine levels within the Forge building.
- 2 Details of the heat light and power systems to be installed within the Forge building.
- 3 Details of the replacement roof structure of the Forge building.
- 4 A survey and record of the industrial archaeology within the Forge building with details of what is to be retained and removed.
- 5 Details of the works proposed to the floor of the Forge including detailed justification.
- 6 Details of how the exterior of the Forge building is to be treated/cleaned/repaired.
- 7 Details of the new windows in the Forge facing Westferry Road.
- 8 3 year time limit for listed building consent.

### **3. BACKGROUND**

#### **Site and Surroundings**

- 3.1 The application site comprises 0.78 hectares lying on the corner of Westferry Road to the south and Harbinger Road to the west. The site lies within the designated Chapel House Conservation Area.
- 3.2 The site is occupied by an open transport haulage yard and a series of large industrial buildings which vary in age from 1860 to 1949. The haulage yard is fenced with large scale advertising hoardings. The buildings on the site vary in style and appearance with one, known as 'The Forge,' is Grade II listed. The Forge is located to the front of the site facing Westferry Road and has been listed for its historical use/association and not architectural merit as it is the only known surviving mid 19<sup>th</sup> century iron shipbuilders' forge in London.
- 3.3 The existing buildings facing both Westferry Road and Harbinger Road create an industrial and commercial frontage to the street scene which differs substantially from surrounding streets. To the north and east of the site are low density residential properties that vary in age from Victorian terraces in Harbinger Road, interwar housing in Hesperus Crescent to modern flats and townhouses in Transom Square. To the west is Harbinger Primary School and to the south, across Westferry Road is the recent development of Burrell's Wharf that consists of a combination of new build and conversions from a former ship building yard that was once served by the Forge on the application site.

## **Planning History**

- 3.4 In April 2004 applications for both planning permission and listed building consent (PA/04/500, PA/04/501, PA/04/502, PA/04/503) were submitted to the Council for two schemes for the redevelopment of the site for a mixed-use scheme comprising 275 residential units and commercial floor space over 9 levels together with parking. There were concerns about overdevelopment and impact on the listed building and the applications remain undetermined.

## **Proposal**

- 3.5 Application is now made for full planning permission for the partial redevelopment of the site by a scheme comprising 190 residential units, commercial floor space for use within classes A1 (retail), A2 (Financial and professional services), B1 (Business), D1 (Non-residential institutions) and parking (96 spaces), access and hard and soft landscaping including children's play space. The Forge building would be adapted to office use.
- 3.6 Listed building consent (PA/05/1627) has also been submitted for demolition of the existing large sheds on the site and alterations of the 'Forge' building to allow its conversion.
- 3.7 The proposal involves the construction of three buildings in a 'U' shape around the existing Forge building. The new buildings would range in height from five to seven storey's and would provide 4 studio flats, 45 one-bedroom flats, 98 two-bedroom flats, 34 three-bedroom flats and 9 four-bedroom flats. 38 of these units will be duplexes. Two commercial units with a total floor space of 356 sq. m would be provided on the ground floor of the new buildings fronting Westferry Road. Proposed materials include brickwork, render and metal infill panels to match existing surrounding frontages.
- 3.8 The building located on the northern side of the site would be allocated for affordable housing and includes a raised landscaped deck with parking spaces located below at ground level. Most units would have access to private open amenity space in the form of roof terraces or balconies.
- 3.9 The application is referable to the GLA under Category 1B of the Mayor of London Order being a development with a total floorspace of more than 15,000 sq m.
- 3.10 The application has been screened as required by the Environmental Impact Regulation and it has been determined that the scheme is not EIA development as it raises no exceptional environmental implications.

## **4. PLANNING POLICY FRAMEWORK**

### **Comments of Assistant Chief Executive (Legal Services)**

- 4.1 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted London Plan 2004, the Council's Community Plan, the adopted Unitary Development Plan (UDP) 1998, the Draft Local Development Framework and Interim Planning Guidance Notes.
- 4.2 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations.
- 4.3 Whilst the adopted UDP 1998 is the statutory development plan for the borough, it will be replaced by a more up to date set of plan documents which will make up the Local Development Framework (LDF). As the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 4.4 The report takes account not only of the policies in statutory UDP 1998 but also the emerging plan which reflect more closely current Council and London-wide policy and guidance.
- 4.5 In accordance with Article 22 of the General Development Order 1995 members are invited to agree the recommendations set out above which have been made on the basis of the analysis of the scheme set out in this report. This analysis has been undertaken on the balance of the policies set out below and any other material considerations set out in the report.

4.6 The following Unitary Development Plan **proposals** are applicable to this application:

Flood Protection Area

4.7 The following Unitary Development Plan **policies** are applicable to this application:

- |      |              |  |
|------|--------------|--|
| (1)  | Policy DEV1  | Urban Design                               |
| (2)  | Policy DEV2  | Environmental Requirements                 |
| (3)  | Policy DEV3  | Mixed Use Development                      |
| (4)  | Policy DEV4  | Planning obligations                       |
| (5)  | Policy DEV12 | Provision of landscaping                   |
| (6)  | Policy EMP1  | Encouraging new employment uses            |
| (7)  | Policy EMP2  | Retaining Existing Employment Uses         |
| (8)  | Policy EMP8  | Encouraging small business growth          |
| (9)  | Policy EMP10 | Development elsewhere in the borough       |
| (10) | Policy HSG2  | Location of New Housing                    |
| (11) | Policy HSG3  | Affordable Housing                         |
| (12) | Policy HSG7  | Dwelling Mix and Type                      |
| (13) | Policy HSG8  | Mobility housing                           |
| (14) | Policy HSG9  | Density                                    |
| (15) | Policy HSG16 | Housing Amenity Space                      |
| (16) | Policy T15   | Location of new development                |
| (17) | Policy T17   | Planning standards                         |
| (18) | Policy S6    | Requirements for new retail development    |
| (19) | Policy SCF4  | Location of Primary Health care facilities |
| (20) | Policy SCF6  | Location of facilities                     |

4.8 The following Draft Local Development Framework Preferred Options proposals are applicable to this application:

Isle of Dogs Area Action Plan - Site ID15 – Residential (C3). Housing density up to 100 dwellings per hectare.

4.9 The following Draft Local Development Framework **policies** are applicable to this application:

- |      |       |   |
|------|-------|---|
| (1)  | EE3   | Local Employment Locations  |
| (2)  | EE5   | Mixed-Use Development   |
| (3)  | EE6   | New Office Development  |
| (4)  | EE7   | Redevelopment/Change of Use of Employment Sites (Including office and industrial use) |
| (5)  | HSG1  | Housing Density   |
| (6)  | HSG2  | Lifetime Homes  |
| (7)  | HSG3  | Affordable Housing Provisions   |
| (8)  | HSG4  | Calculating Affordable Housing Provisions   |
| (9)  | HSG5  | Affordable Housing Social Rented/Intermediate Split                                   |
| (10) | HSG6  | Housing Mix   |
| (11) | HSG12 | Housing Amenity Space   |
| (12) | TR1   | High density development in areas of good public transport                            |
| (13) | TR2   | Parking   |
| (14) | TR4   | Travel Plans  |
| (15) | TR7   | Walking and Cycling   |
| (16) | C1    | Conservation Areas  |
| (17) | C2    | Heritage sites  |
| (18) | C3    | Demolition of Listed Building and buildings in conservation area                      |
| (19) | UD1   | Scale and Design  |
| (20) | UD5   | High Quality Design   |
| (21) | SEN1  | Disturbance from noise/vibration pollution  |
| (22) | SEN6  | Sustainable Construction Materials  |
| (23) | SEN7  | Sustainable Design  |
| (24) | SEN8  | Waste disposal  |
| (25) | SEN10 | Contaminated Land   |
| (26) | SEN11 | Flood Protection and Tidal Defences   |

4.10 The following Community Plan **objectives** are applicable to this application:

- (1) A better place for living safely

- (2) A better place for living well

## **5. CONSULTATION**

5.1 The following were consulted regarding this application:

(1) **Greater London Authority**

The Mayor has considered the application at Stage 1 referral. In strategic terms, the principle of a medium-density mixed-use development on the site is supported. The applicant was however asked to provide further justification for the affordable housing, tenure mix, unit sizes, provision of play space, life time home information, wheelchair accessibility, energy efficiency and renewable energy measure information, improvements to bus stops, training and employment details and a travel plan.

In response, the scheme has been amended by reducing the number of flats from 206 to 190, the dwelling mix has been altered, children's play space provided and the number of parking spaces reduced. The amended plans have been forwarded to the GLA but no further comments have been received at the time of writing.

(2) **Environment Agency**

No objection in principle providing that all sleeping accommodation shall be placed at or above a level of 4.8m above Ordnance Datum Newlyn to mitigate the residual flood risk to sleeping residents in the event of a breach of the flood defences. The imposition of conditions relating to flooding and water pollution has also been requested.

(3) **Transport For London**

No objection but requests a section 106 obligation of £10,000 to 'mitigate against additional trips generated by the proposed development'.

(4) **Education Building Development**

The development will impact on the supply of school places locally estimated at 29 school places. £316,390 to assist in mitigation measures is requested.

(5) **Environmental Health**

Daylight/sunlight conditions both within the scheme and adjoining developments would be acceptable. The premises would be exposed to high levels of external traffic noise and a survey and assessment in accordance with PPG24 with proposed mitigation measures is recommended. Contaminated land and Air Quality Assessment conditions are also recommended.

(7) **Tower Hamlets Primary Care Trust**

There is no excess capacity in this area of the borough and a health contribution of £996,690 or £4,838 per unit has been requested to mitigate the need for new health facilities.

(8) **English Heritage**

In principle the proposal is acceptable in terms of the installation of a light weight mezzanine in the Forge which will allow sufficient flexibility for the space and the modification could be reversed if required. Listed building consent should be conditioned to require further details of the alterations to the Forge regarding:

- The installation of the mezzanine levels
- The heat light and power systems to be installed
- The replacement roof structure
- A survey and record of the industrial archaeology within the Forge including details of what is to be retained
- The works required to the floor of the Forge with a detailed justification
- Details of how the exterior of the building is to be treated/cleaned/repaired

It is also recommended that the works for the conversion of the Forge should be undertaken prior to the residential units being sold

(9) **Head of Highways Development**

Requests a section 106 contribution to improve pedestrian and cycle provisions in the area and a section 278 agreement under the Highways Act to secure the carrying out of off site highway work on the adjacent road.

(10) **GLIAS – Greater London Industrial Archaeology Society**

The opening up of the blind panels into windows will destroy these important aspects and cause confusion with engineering workshops that required good lighting. The façade is a noted feature of the conservation area. The new buttresses on the western wall should be distinguished from the original brickwork. The proposed bay window is significantly narrower than the original 14 metre wide opening and the full opening needs to be expressed in the architecture.

(11) **The Victorian Society**

The proposed fenestration on the Westferry Road elevation is strongly opposed particularly the replacement of the six blind arches with windows. The blind arches provide rhythm and interest to a utilitarian structure. The Society sees no reason why this should not continue to be the case.

12) **SAVE Britain's Heritage**

Opposes the scheme due to the punching through of the blind windows to create new windows openings.

5.2 The proposal has been advertised on the site and in the press and consultation undertaken with owner/occupiers in the surrounding area. Responses from neighbours were as follows:

No. Responses: 15   In Favour: 0                      Against: 15                      Petition: 0

The objections received may be summarised as follows:

- Block A does little to complement the surrounding area
- Due to height and overall size, the development would result in a loss of privacy and sunlight
- Harmful to the character of the conservation area
- Insufficient parking
- Impact upon children/pedestrian safety
- Additional pressure on existing public transport
- Retail and food/drink units will cause anti-social problems in the area
- Disruption and mess as a result of the development
- Impact of structural stability of neighbouring properties
- Out of character with surrounding area

## 6. **ANALYSIS**

6.1 The key issues in this case are considered to be the acceptability of the proposed redevelopment in the light of the Council's employment policies, the physical impact of the proposals on the surroundings in respect of design and amenity, highways matters, the implications for the listed 'Forge' including its setting and whether the character of Chapel House Conservation Area would be preserved or enhanced.

### **Land Use**

#### **Employment**

6.2 The proposal involves the redevelopment of an employment generating site by a more intensive mixed use scheme. Although an employment generator, the site is not located within a designated employment area. The adopted UDP employment policies promote employment growth (EMP1) that meets the needs of local people (EMP6). The Council also opposes development resulting in a loss

of employment generating uses (EMP2).

- 6.3 The proposed development would provide 1962.4 sq. m of high quality employment generating floorspace. The new floorspace could accommodate a higher density and potentially greater diversity of employment opportunities than that of the haulage yard and previous industrial and use which employed (when last occupied) 10 to 15 people. Although the proposal would result in a reduction in employment floorspace, it would be capable of delivering a substantially higher number of jobs than the existing uses. The net loss of employment floorspace is therefore considered acceptable in terms of the Council's land use objectives (EMP2).

#### Housing

- 6.4 With regard to the introduction of housing, the Forge has remained vacant for over 4 years and the site as a whole is not allocated on the UDP Proposals Map for any designated use. However, the Isle of Dogs Action Area Plan within the LDF identifies the site as "Site ID15 – Residential (C3)" with a housing density up to 100 dwellings per hectare. In principle, residential use is therefore considered acceptable. Moreover, the redevelopment of previously used land to a more intensive level accords with national planning guidance (PPG3: Housing) which encourages redevelopment of brown field land with higher densities where appropriate. The development would deliver substantial regeneration benefits and the residential units proposed, including new affordable housing and family units would make a valuable contribution to local and strategic housing needs in keeping with Policy HSG1 and HSG2 of the Tower Hamlets UDP.

- 6.5 The proposed development would provide 190 residential units comprising 4 studios, 45 one bedroom units, 98 two bedroom units, 34 three bedroom units and 9 four bedroom units. The proposed mix is considered satisfactory in terms of UDP policy HSG7 which expects new housing developments to provide a mix of unit sizes where appropriate including a substantial proportion of family dwelling between 3 and 6 bedrooms

#### 6.6 Affordable Housing Component

The proposal would provide affordable housing at a rate of 35.5% of the residential floorspace which accords with policy. The affordable housing would be split in a ratio 80:20 between social rented and intermediate accommodation, producing figures of 50 units and 12 units respectively which again meets policy.

- 6.7 The affordable housing would comprise the following dwelling mix:

4 x 1	Bedroom	181sqm	6% of units
24 x 2	Bedroom	1597sqm	39% of units
25 x 3	Bedroom	1944sqm	40% of units
9 x 4	Bedroom	922sqm	15% of units

Combined, these figures accord broadly with the Basic Needs Assessment Model within the Council's Housing Need Study 2004 that identified an overall affordable housing requirement of 20% 1 bedroom units, 35% 2 bedroom, 30% 3 bedroom and 15% 4 bedroom.

#### Market Housing Component

- 6.8 The draft Local Development Framework requires that the unit mix for any market component of a residential scheme be 25% for 1 bedroom, 50% for 2 bedroom and 25% for 3 bedroom units. The market component proposed is 4 studios (3%), 41 x 1 bedroom (32%), 74 x 2 (58%) and 9 x 3 (7%) bedroom units. The proposed market component would provide an adequate range of unit sizes ranging from studios to family size units. The mix would provide a balanced housing mix to ensure adequate choice in housing size is available to all people in the Borough and as such meet the goals of HSG6 of the Draft LDF.

- 6.9 In summary, the proposed housing provision is considered to satisfy the Councils current and emerging housing policies and accords with Government guidance which seeks to create sustainable, mixed and balanced communities. The Greater London Authority has advised that on balance, the proposal is considered acceptable.

#### Density

- 6.10 The site has a PTAL score of 2 where both the LDF and the London Plan recommend a residential density in the range of 300 to 450 habitable rooms per hectare (hrph).

- 6.11 The proposed residential density based on a site of 0.78 hectares would be 729 hrph. Such a density is supported in this location by PPG3 and the London Plan that both seek to maximise development potential compatible with the surrounding context. In this case, the height and bulk of the development is considered to respect the surroundings in terms of scale within the both Harbinger Road and Westferry Road. In this instance, the proposed density is considered acceptable.

#### Design and built form

- 6.12 With the exception of the Forge, the existing buildings and associated areas of open hard standing at the site detract from the character and amenity of the area. The proposed redevelopment provides an opportunity to significantly enhance the Chapel House Conservation Area in urban design terms.
- 6.13 As mentioned, the proposed three new residential buildings form a 'U' shape development around the existing 'Forge' that would be retained. The new buildings would be predominantly five storeys with a seven-storey block addressing the corner of Westferry Road / Harbinger Road. It is considered that the proposed siting and massing of the new buildings would provide an appropriate setting for the listed 'Forge' while at the same time creating a contemporary residential development. The profile of the development on both Westferry Road and Harbinger Road is considered appropriate and would enhance the character and appearance of the Chapel House Conservation Area.

#### Impact on Residential Amenity

- 6.14 It is considered that the massing and layout of the proposed buildings respond positively to the site's urban context and would result in acceptable residential amenity standards in relation to privacy, sense of enclosure and daylight and sunlight implications both within the development and the surroundings. Internal and external privacy is considered acceptable as appropriate design measures have adopted to ensure any direct overlooking is minimised. The daylight and sunlight assessment submitted with the application demonstrates that the proposed development would not result in any unacceptable levels of natural light to either existing residential properties or the proposed new housing units.
- 6.15 Level access has been provided to all the buildings. There would be lift access to all floors within the new buildings. 10% of the new housing would be wheelchair accessible or easily adaptable for residents who are wheelchair users and accords with the Council's emerging Policy HSG2 in the LDF. The proposed residential units also all meet the Council's residential space standards as outlined in the Residential Space Supplementary Planning Guidance.

#### Amenity space

- 6.16 The development would provide communal amenity space in the form of hard landscaping between the Forge and proposed Building C to the east; children's play space (approximately 190 sq. m) between the Forge and Building A to the west. Further amenity space would be located at first floor level to the northern side of Building B to the rear of the site. This space would provide approximately 371sq. m and covers part of the undercroft parking area. Some of the upper level units also have access to balconies for private amenity space. The proposed amenity space would compliment existing areas of open space in the vicinity of the site. The total provision of amenity space is generally consistent with the Council's standards and is considered satisfactory. In addition, the application site is situated in close proximity to local parks - Mudchute Park, Millwall Park and Mast House Terrace Play Area.

#### Highways and parking

- 6.17 The development proposes 96 off street car parking spaces (50% provision). These would be within an undercroft car park accessed from Harbinger Road (68 spaces) and a further 28 parking spaces located between the new buildings and the Forge (also accessed from Harbinger Road). This level of provision meets the standards of the both the UDP and the emerging LDF. Servicing and access for refuse vehicles for the residential component would be via Harbinger Road with commercial refuse collected via Westferry Road. The Council's Highways Department advises that access arrangements are satisfactory.

#### Implications for the listed Forge

- 6.18 The adaptation of the Forge building to commercial use requires certain works to enable the building to be commercially viable. The most significant alterations proposed involve the lowering of the



existing cement slab to allow adequate support for proposed mezzanines and the opening of six blind windows on the façade facing Westferry Road.

- 6.19 The two mezzanine levels would be positioned away from existing internal iron work and the external walls. This would ensure that the works are carried out with the minimum amount of physical intervention to the architectural features within the building with the internal space being retained as a single space. The proposed modifications would therefore not impact on a central arcade within the Forge or internal cast iron columns, beams and spandrels.
- 6.20 The applicants say the opening up of the blind windows is essential to light the proposed office floorspace. Otherwise the only natural lighting would be from existing roof light and if the new windows are not permitted artificial lighting would be necessary. This would have marketing implications that could prejudice the viability of the project. It is claimed this is the most logical place to secure additional lighting is to open the existing blind windows which would also have the advantage of opening up views into the building so the heritage interior can be viewed from outside on Westferry Road.
- 6.21 Overall, it is therefore considered that the proposed alterations would preserve the most important internal historical elements of the building; the works would not have a detrimental impact upon those elements of the building that gave rise to its listing on historic rather than architectural grounds. English Heritage concurs, subject to conditions reserving details of some of proposed alterations as itemised above.
- 6.22 The proposal includes the demolition of warehouse buildings that surround the Forge. These buildings are later additions to the site and hold no historical importance. The removal of these buildings would improve the setting of the listed Forge building thereby enhancing and preserving the surrounding Chapel House Conservation Area.

#### Planning obligations

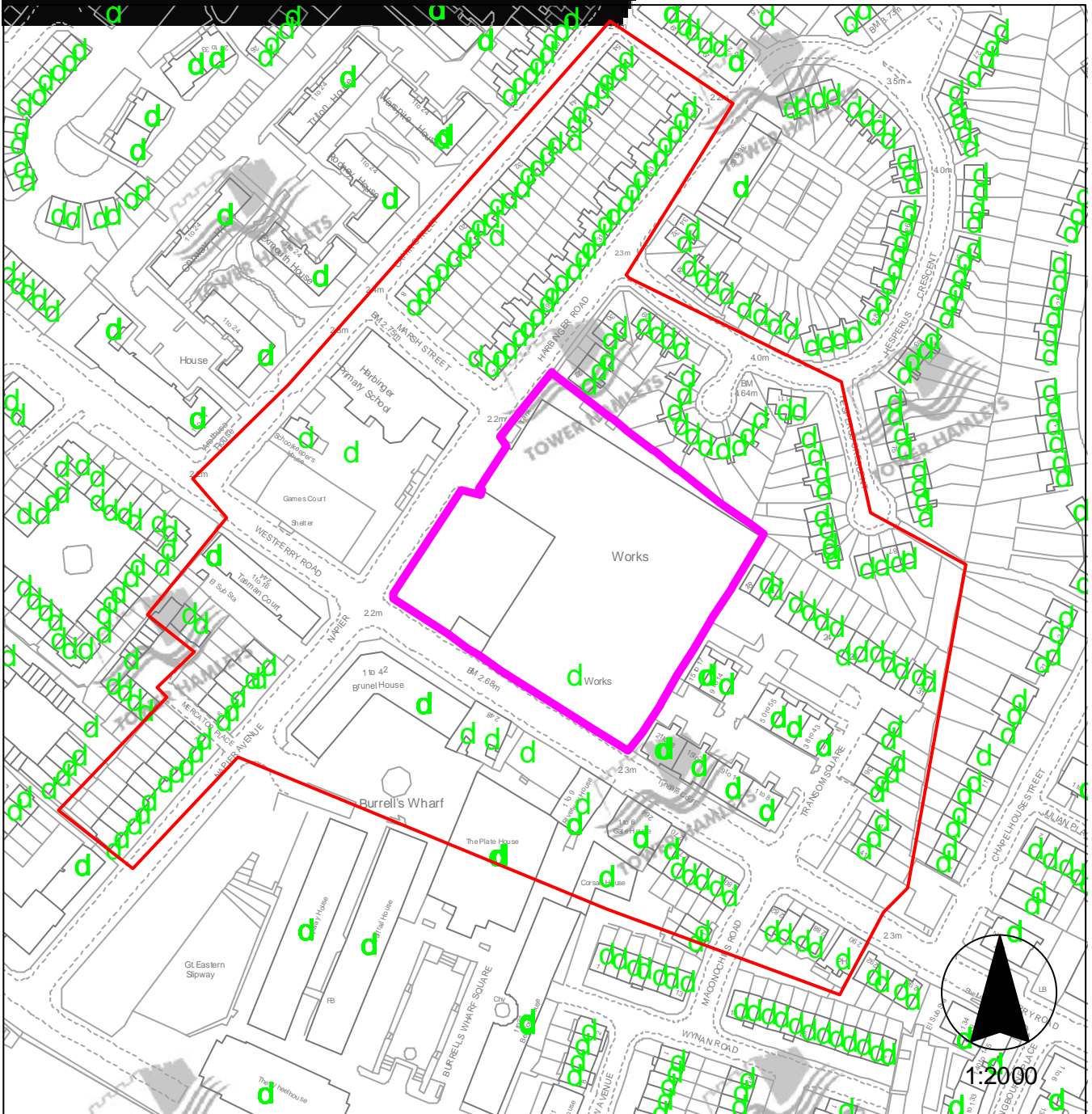
- 6.23 Policy DEV4 of the adopted UDP and Policy EM1 of the emerging LDF make clear that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.
- 6.24 Government advice on the use of planning obligations is set out in Circular 05/2005, which states that planning obligations can take the form of private agreements or unilateral undertakings given by a developer and are *'intended to make acceptable development which would otherwise be unacceptable in planning terms'*. Generally, they should be used in the following three ways: -
1. They may be used to prescribe the nature of the development to ensure it is suitable on planning grounds. For example by requiring a given proportion of housing is affordable;
  2. Secondly they may require a contribution to compensate against loss or damage that will result from a development. For example loss of open space; and
  3. Thirdly obligations may be used to mitigate against the impact of a development. For example through improvements to public transport provision, education and health facilities.
- 6.25 The Circular also makes clear that planning obligations should only be sought where they meet the following tests:-
1. Relevant to planning;
  2. Necessary to make the proposed development acceptable in planning terms;
  3. Directly related to the proposed development;
  4. Fairly and reasonably related in scale and kind to the proposed development; and reasonable in all other respects.
- 6.26 After consultation with both the Tower Hamlets Primary Care Trust and the Council's Head of Education Building Development, a combined financial contribution of £1,313,080 was requested. The education contribution was based on the estimated increased child yield of 29 that would ensue as a result of the development. The medical contribution was based on the population uplift and sought both capital and revenue funding.
- 6.27 After presenting this figure to the applicant, it was claimed that if a payment of such size was made, a significant reduction in the amount of affordable housing would have to be agreed. As such, a toolkit demonstrating costs was requested.
- 6.28 The GLA Affordable Housing toolkit that has been submitted demonstrates that with the costs of

converting the listed Forge building and with the provision of the required 35% affordable housing, a maximum financial contribution of £600,000 is possible. The applicant has broken this figure down by allocating £10,000 towards TFL, an education contribution of £143,400 and a health contribution of £446,000. These arrangements are considered reasonable and acceptable.

## **7. SUMMARY**

- 7.1 This mixed use proposal would regenerate an unsightly haulage yard that is detrimental to the character and appearance of the Chapel House Conservation Area and enable a vacant listed building to be converted to offices to secure its future. The proposal is considered acceptable in terms of land use and impact on the surrounding area. It would deliver increased employment opportunities and provide an appropriate mix of residential units, including high proportions of affordable and family housing. The affordable housing units would, in particular, make a valuable contribution to local and strategic need. The mix of unit sizes overall and in both the affordable and private sectors would be satisfactory.
- 7.2 The proposed development would be of an appropriate scale, height and density and represents a high quality scheme of contemporary architecture that is considered would successfully address the site's context. Officers consider that the proposed bulk and massing of the proposal is now satisfactory having gone through a process of design refinement.
- 7.3 Parking standards would be met and the implications for conditions of highway are also considered satisfactory.
- 7.4 No planning objections are raised and it is recommended that both planning permission and listed building consent be granted as set out in the recommendations at section 2 of this report.

# Site Map



## Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

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