

Committee: Development	Date: 10 th July 2012	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Mumtaz Shaikh	Ref No: PA/11/03785
	Ward: Bethnal Green South

1. **APPLICATION DETAILS**

Location: Site at 58-64 Three Colts Lane and 191-205 Cambridge Heath Road, London

Existing Use: Furniture showroom and storage plus temporary artists studio and architectural model makers

Proposal: Demolition of existing buildings and erection of two high density mixed-use developments in two blocks (i.e. Block A and B) with approximately 1224sqm. of retail and employment uses at ground and mezzanine levels, and 149 residential units in upper floors.

Both Block A and B comprises full 6-storeys and part 7-storey, and Block B comprises part 8-storey. Basement of Block A provides plant room and 14 car parking spaces. Basement of Block B provides a separate plant room with access and a stair from an entrance off Buckhurst Street.

Creation of service road to Block B with vehicular access from Buckhurst Street and Coventry Road and provision of 9 on-site parking spaces to side of service road.

Drawing Nos/Documents: Documents:

- Design and Access Statement by GLM Architects dated November 2011
- Planning Impact Statement prepared by Grainger Planning Associates Ltd dated November 2011
- Landscape Design Strategy Rev D. 21/11/11 by fabrik
- Drawing No. D1855.L.100 Revision D - Ground Floor Hard and Soft Landscape General Arrangement Plan
- Drawing No. D1855.L.101 Revision E - Roof Terraces Hard and Soft Landscape General Arrangement Plan
- Television and Radio Reception Assessment by GLM Architects dated 03 November 2011
- Transport Statement Prepared by Entran Ltd dated November 2011
- Air Quality Assessment Report by WSP dated November 2011
- Daylight and Sunlight report by GL Hearn ref: PAS/MKS/152077/01 dated 23 November 2011
- Assessment of economic viability by BNP PARIBAS Real Estate date March 2012
- Sustainability Statement and Energy Strategy Report
- Assessment of Economic Viability prepared by Evenleigh Ltd dated March 2012
- Schedule of Accommodation for "Option A" by Block ref: 3636/Accommodation dated 8 Feb 2012 - Rev C
- Summary of schedule of accommodation for Block A and B – 3636/Accommodation_01 dated 25th June 2012 –Rev D
- Schedule of Accommodation for "Option B1 – 3636/Accommodation by block _02 dated 25th June 2012 – Rev D.
- Duncan Henderson's e-mail dated 20/06/2012
- Duncan Henderson's e-mail dated 21/06/2012

Plan Nos:

3636/P1, 3636/P2, 3636/P3, 3636/P4, 3636/P5, 3636/P6, 3636/P7, 3636/P8, 3636/P9, 3636/P10, 3636/P11, 3636/P12, 3636/P13, 3636/P14, 3636/P15A, 3636/P16B, 3636/P17B, 3636/P18B, 3636/P19B, 3636/P20B, 3636/P21A, 3636/P22A, 3636/P23, 3636/P24A, 3636/P25A, 3636/P26A, 3636/P27B, 3636/P28B, 3636/P29B, 3636/P30B, 3636/P31B 3636/P32A, 3636/P33A, 3636/P34A, 3636/P35A, 3636/P36A, 3636/P37, 3636/P38, 3636/P39A, 3636/P40, 3636/P41A, 3636/P42, 3636/P43, 3636/P44, 3636/P45, 3636/P46, 3636/P47A, 3636/P48, 3636/P49, 3636/P50 and 3636/P51

Applicant:	Evenleigh Ltd
Ownership:	Roy Sandler; Lauren Sandler; Joanna Sandler; and Timothy Sandler
Historic Building:	N/A
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan 1998, (saved policies); associated Supplementary Planning Guidance, the London Borough of Tower Hamlets Interim Planning Guidance (IPG 2007); the adopted Core Strategy (2010), Managing Development: Development Plan Document (Submission Version 2012) as well as the London Plan (2011) and the National Planning Policy Framework (March 2012) and has found that:
- 2.2 The scheme will provide a residential led mix-use redevelopment with appropriate replacement of employment uses. The scheme would therefore provide opportunities for growth and change in accordance with the objectives set for Bethnal Green Area (LAP 2) as identified in the Core Strategy 2010.
- 2.3 The building height, scale, bulk and design (including access) is acceptable and will enhance the character and appearance of the existing streetscene, in accordance with Policies:
DEV 1 and DEV2 of the Council's Unitary Development Plan 1998; DEV1, DEV2 and DEV3 of Interim Planning Guidance 2007; SP10 and SP12 of Core Strategy 2010 and policies DM23 and DM24 of the Managing Development: Development Plan Document (Submission Version 2012) which seek to ensure buildings and places are of a high quality of design and suitably located.
- 2.4 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 policies 3.8, 3.10, 3.11 and 3.10 of the London Plan (July 2011), saved policy HSG7 of the Council's Unitary Development Plan 1998, policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development: Development Plan Document (Submission Version 2012) which seek to ensure that new developments offer a range of housing choices.
- 2.5 The scheme provides acceptable space standards and layout. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998, policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), policy SP02 of the Core Strategy (2010) and policies DM23 and DM24 of the Managing Development: Development Plan Document (Submission Version 2012), London Plan 2011 and Housing Draft Supplementary Planning Guidance (December 2011) to London Plan 2011 which seek to provide an acceptable standard of accommodation.
- 2.6 The proposed amount of amenity space is acceptable and in line with saved policy HSG16 of the Council's Unitary Development Plan 1998, policies HSG7 of the Council's Interim Planning Guidance (2007), policy SP02 of the Core Strategy (2010) and policy DM4 of the Managing Development: Development Plan Document

(Submission Version 2012), which seek to improve amenity and liveability for residents.

- 2.7 It is not considered that the proposal would give rise to any 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 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), policy SP10 of the of the Core Strategy (2010) and policy DM25 of the Managing Development: Development Plan Document (Submission Version 2012), which seek to protect residential amenity.
- 2.8 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 (October 2007), policies SP08 and SP09 of the Core Strategy (2010) and policies DM20 and DM23 of the Managing Development: Development Plan Document (Submission Version 2012), which seek to ensure developments minimise parking and promote sustainable transport options.
- 2.9 Contributions have been secured towards the provision of affordable housing; education improvements; public realm improvements; community facilities; health care provision and access to employment for local people in line with Regulation 122 of Community Infrastructure Levy; policy IMP1 of the Council's Interim Planning Guidance (October 2007); policy SP13 of the Core Strategy (2010), and as set out in the Planning Supplementary Document: Planning Obligation (2012) which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- 3.2 The prior completion of a legal agreement to secure the following planning obligations:

Financial contributions

A) Employment

- Construction Phase Skills and Training - £19,800
- End-User Phase Skills and Training - £9075

B) Community Facilities

- Libraries - £26,400
- Leisure - £92,400

C) Education

- Primary School - £158,400
- Secondary School – £95,700

D) Health – £146,025

E) Sustainable Transport - £3,300

F) Public Realm

- Street Scene - £103,950
- Open Space - £169,950

G) Affordable housing car parking spaces – £45,000

Total : £870,000

Non-financial contributions

- a) 27.6% affordable housing, measured in habitable rooms (social rented units set at target rents);
- b) Commitment to implement a Green Travel Plan;
- c) Car-free agreement;
- d) Access to employment provisions;
- e) Compliance with Considerate Contractor Protocol; and

Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

- 3.3 That the Corporate Director Development & renewal is delegated power to negotiate the legal agreement indicated above.
- 3.4 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the above matters.

Full Planning Permission Conditions

- 1) *Time Limit (3 years)*
- 2) *Building constructed in accordance with approved plans*
- 3) *External materials*
- 4) *External plant equipment and any enclosures*
- 5) *Hard and soft landscaping including; external lighting and security measures and details of child play space provisions*
- 6) *Demolition and Construction Management Plan*
- 7) *Land Contamination and Verification Report*
- 8) *20% Electric Charging Point Details*
- 9) *257 cycle parking space provision*
- 10) *Restriction to Delivery and servicing hours (between 10:00-16:00 and 19:00 to 20:00)*
- 11) *Scheme of highway works (s278)*
- 12) *Servicing and delivery plan for each individual units*
- 13) *Parking spaces – 23 in total with 4 disabled parking space*
- 14) *Servicing road have unrestricted access during servicing hours, i.e. doors to remain open*
- 15) *Details of the folding servicing doors – mechanical/and remote controlled.*
- 16) *Submission of BREEAM assessment; and Code for Residential units.*
- 17) *Full particulars of energy efficiency technologies required*
- 18) *Commercial use control (Use class B1 for Core B; and flexible A1/A2/A3 for Core A)*
- 19) *commercial units limited to 235m² in Block A*
- 20) *Access to all levels*
- 21) *Life time homes*
- 22) *Hours of construction*
- 23) *Hours of Operation for A3/A4 uses*
- 24) *Refuse and recycling provision for commercial units will be provided for within each unit as described in the same statement.*
- 25) *All the doors swing out within the site's boundary, does not swing out to any dedicated public highway*

- 26) *All private forecourt/areas to be drained within the site and not into the Public Highways*
- 27) *All bedrooms and living rooms should meet the "good standard" of BS8233.*
- 28) *Any other conditions(s) considered necessary by the Corporate Director Development & Renewal.*

Full Planning Permission Informatives

- 1) Associated S106
 - 2) Contact LBTH Building Control
 - 3) Separate licence required for any over-sailing structures on the Highway.
 - 4) Any other informative(s) considered necessary by the Corporate Director Development & Renewal
 - 5) S.278 Agreement
- 3.5 That, if within 3 months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. BACKGROUND

- 4.1 On 10th August 2010, the Council received an application (ref: PA/10/1757) for demolition of existing buildings and erection of two blocks comprising part 6, part 7 storey buildings plus basement; to provide 1690sq.m of commercial floorspace (Use Classes A1-A4 & B1) and 142 dwellings; provision of 26 parking spaces in basement and access onto Buckhurst Street. At the time when application was being considered and negotiations with the applicant were taking place to seek amendments to the scheme, the applicant lodged an appeal against non-determination as the Council had not determined the application within the statutory 13 week period. The appeal was to proceed by a way of a Public Inquiry and was scheduled for three days with commencement date 6th September 2011. Whilst the ability to decide this application ('**appeal scheme**') lay solely with the Planning Inspectorate, a separate report for this application was prepared and reported to the Development Committee on 27th July 2011 to seek the Committee's endorsement to appear at the public inquiry in September 2011 on the basis that the application would have been refused, had the Council had the power to determine.

The Committee Members endorsed the officers' recommendation to refuse the application at its meeting on 27th July 2011.

- 4.2 On 12th April 2011, the same applicant submitted a revised proposal (ref: PA/11/0885) which was also reported to the Development Committee on 27th July 2011 and was approved.

The application scheme approved under ref: PA/11/0885 was similar to the appeal scheme (ref: PA/10/1757) submitted on 10th August 2010. However, in this revised scheme the basement parking was omitted and it proposed 141 units together with the amendments, as sought initially for the appeal scheme. The approved application addressed the issues raised in the appeal scheme with minor changes incorporated for a determination by the Council.

- 4.3 Both applications (i.e. Ref: PA/10/1757 and Ref: PA/11/0885) were accompanied by viability assessment which concluded that neither the appeal scheme nor the Application Scheme could deliver a fully policy compliant affordable housing provision, nor could it deliver a policy compliant tenure split and full planning contribution.

- 4.4 Although the appeal scheme proposed 35% affordable housing measured by habitable rooms or 44 units, it could only provide 16 units in Social Rent (equates to 47%) and 28 Intermediate units (53%). In addition, the S106 offered was reduced to a total sum of £391,000. The proportion of Social Rent to Intermediate was not considered to be satisfactorily balanced. The proposed tenure split together with the inadequate s106 contributions would have been defended as part of the appeal process, given that the Development Committee endorsed officers' view on 27th July 2011. The appeal against non-determination of this application was withdrawn following the approval of the planning application ref: PA/11/0885 mentioned below.
- 4.5 The application scheme approved under ref: PA/11/0885 proposed 32% affordable housing measured by habitable rooms or 41 units, the number of Social Rented units were greater with 20 units (equates to 56%) being offered and 21 units (44%) as Intermediate. The application scheme provided higher proportion of family sized units within the Social Rent tenure, which is in needed in the Borough. Whilst the proposal fell short of being wholly policy compliant, the greater amount of social rented units addressed the identified need and appropriate level of s106 contributions (£586,000) which mitigated any additional impact as a result of the proposal. The Application Scheme was considered to provide an appropriate balance between delivering affordable housing, tenure split, dwelling mix and s106 contributions, based on the consideration of the viability of the scheme.
- 4.6 On 12th December 2011, the same applicant submitted a further revised proposal to the consented scheme approved under ref: PA/11/0885, the subject application. This proposal (ref: PA/11/03785) now seeks to increase the total number of units by 8 from 141 to 149, by one additional storey set-back on the western building (Block B) and an increase of total on-site parking provision from 9 to 23 car parking spaces (including increase of disabled parking from 2 to 4 spaces). The application was accompanied with "Economic Viability Assessment Report" and subsequently updated financial viability appraisal was submitted in order to take into account the Mayoral Community Infrastructure Levy which came into effect on 1st April 2012. Minor revisions were made to the proposal during the application process which include amendments to Entrance A to make it wider, changes to mix of Social Rented, Intermediate and Market Units, Core B2 units that were incorrectly coloured as intermediate are now corrected to Market Unit as scheduled and minor revision to fenestration.

5.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1 The proposal seeks planning permission for the demolition of existing buildings and erection of two buildings of part 6, part 7 and part 8 storeys in height. The proposal comprises:
- 149 Residential units (56 x 1bed; 66 x 2beds; 24 x 3beds; and 3 x 4beds);
 - A combined total space of 1,224sq.m of commercial use (A1/A2/A3/A4 and B1);
 - 23 on site car parking spaces (including 4 disabled spaces); and
- 5.2 - Creation of access onto Buckhurst Street and Coventry Road.

- The proposal provides a total of 149 housing units (comprising 27 Socially Rented, 9 Intermediate and 113 Market Housing units). The proposal therefore provides 36 out of 149 units as Affordable housing units and this amounts 27.6% affordable housing
- 5.3 (on habitable room basis).

The subject proposal in comparison to the consented scheme PA/11/0885 differs in the following respect:

- Block B is increased by one additional storey set-back.
 - The overall number of residential units increases from 141 to 149.
 - Provision of affordable housing reduced from 32% to 27.6%.
 - The total amount of commercial floor space is reduced from 1,762sq.m. to 1224sq.m.
 - Total amount of car parking provided is increased from 9 to 23 (including 4 disabled spaces) and these additional car parking spaces are provided in the basement of Block A.
 - Entrance A is made wider
 - Minor revision to fenestration
 - Change to mix of Social Rented, Intermediate and Market units and its sizes
 - Provision of Amenity space and Children Play Area.
- 5.4

The following has been considered in light of recent changes to the policy framework and changes to the proposal:

- Changes to Policy Framework –NPPF (March 2012), the London Plan (2011) and Council's policies in Managing Development: Development Plan Document (Submission Version 2012), and the Planning Obligation SPD
- Financial and non-financial contribution in light of viability
- Revised Housing Density
- Revised Affordable Housing including its location, mix and Social Rented/Intermediate Shared Ownership
- Provision of Wheelchair Housing and Lifetime Homes
- Minimum dwelling standards
- Amenity Space standards
- Additional Daylight/sunlight impact as a result of the additional storey

Site and Surroundings

5.5 The application site comprise of two parcels of land:

- 58-64 Three Colts Lane; and
- 191-205 Cambridge Heath Road

5.6 58-64 Three Colts Lane is bounded by railway viaduct to the south, Coventry Road to the west, Buckhurst Street to the east and Three Colts Lane to the north. The surrounding uses are mixed, with B1/B8 uses opposite Coventry Road; student housing opposite side of Three Colts Lane; and residential uses to the southern side of the railway viaduct. The site is currently occupied by a two 2 storey building and is currently used as a furniture warehouse with sales and display.

5.7 191-205 Cambridge Heath Road is bounded by Cambridge Heath Road to the east; Three Colts Lane to the north; Coventry Road to the west and railway viaduct to the south. The surrounding uses are also mixed, with small works shops under the railway arches, Bethnal Green Gardens opposite the site on the other side of Cambridge Heath Road; and commercial premises on the northern side opposite side on Three Colts Lane.

5.8 Whilst the application site does not fall within a Conservation Area, the nearby Bethnal

Green Gardens is within the Bethnal Green Gardens Conservation Area.

Relevant Planning History

The following planning history is relevant to the application:

- 5.9 PA/03/01698 Demolition of existing building and construction of new 11, 12 and 13 storey buildings comprising of 34 live/work units, 122 self-contained residential units together with 1156sqm of commercial space.

This application was withdrawn.

- 5.10 PA/07/01023 Demolition of all existing buildings on the site and erection of two new buildings: Block A being 17 storeys, Block B between 9 and 12 storeys. The use of the new buildings as 455 student accommodation bedrooms (15,762sqm), 343sqm of A1 (Land use Class) floorspace, 195sqm of A3 (Land use Class) floorspace and 1624sqm of B1/B2/B3 (Land use Class) floorspace and associated landscaping. This application was withdrawn.

- 5.11 PA/10/1757 Demolition of existing buildings and erection of two part 6, part 7 storey buildings plus basement to provide 1690sq.m of commercial floorspace (Use Classes A1-A4 & B1) and 142 dwellings; provision of 26 parking spaces in basement and access onto Buckhurst Street, together with public realm improvements.

This application was subject of an appeal against non-determination. The appeal was to proceed by a way of a Public Inquiry and was scheduled for three days with commencement date on 6th September 2011.

For the purpose of Members' endorsement, a separate Committee Report on this proposal was prepared with a recommendation that the application would have been refused, if the Council had power to determine it. This report was included in the agenda of 27th July 2011 Development Committee and it was refused by the Members as per officers' recommendation.

On 10th August 2011, the appeal against non-determination of this application was withdrawn.

- 5.12 PA/11/0885 Demolition of existing buildings and erection of two blocks comprising part 6, part 7 storey buildings plus basement for plant; to provide 1,785sq.m of commercial floorspace (Use Classes A1-A4 & B1) and 141 dwellings; provision of 9 parking spaces to side of service road and creation of access onto Buckhurst Street and Coventry Road.

This application was approved on 27th July 2011 by the Members of the Development Committee.

6 POLICY FRAMEWORK

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

Government Planning Policy Guidance/Statements

National Planning Policy Framework (NPPF) dated 27 March 2012

The following of the NPPF are relevant to the Consideration of this application:

4	Promoting Sustainable Transport
6	Delivering a wide choice of high quality homes
7	Requiring good design
8	Promoting Healthy Communities
11	Conserving and enhancing the natural environment

The London Plan Spatial Development Strategy for Greater London (July 2011)

2.9	Inner London
3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.6	Children and young people's play and informal recreational facilities
3.8	Housing Choice
3.9	Balanced and mixed communities
3.10	Definition of affordable housing
3.11	Affordable housing targets
3.12	Negotiating affordable housing on individual private residential and mixed use schemes
3.13	Affordable housing thresholds
4.4	Managing industrial land and premises
5.1	Climate change mitigation
5.2	Mitigating carbon dioxide emissions
5.3	Sustainable design and construction
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.8	Innovative energy technologies
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.15	Water use and supplies
5.21	Contaminated land
6.1	Integrating Transport and development
6.3	Assessing effects of development on transport capacity
6.9	Cycling
6.10	Walking
6.12	Road network capacity
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings

7.14 Improving air quality

Unitary Development Plan 1998 (as saved September 2007) (UDP)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use development
	DEV4	Planning Obligations
	DEV8	Protection of local views
	DEV12	Provision of Landscaping in Development
	DEV50	Noise
	DEV51	Contaminated Land
	HSG7	Dwelling mix & type
	HSG13	Impact of Traffic
	HSG16	Housing amenity space
	EMP1	Promoting Employment Growth
	EMP7	Work Environment
	T16	Traffic Priorities for new development
	T18	Pedestrian Safety and Convenience
	T21	Existing Pedestrians Route

Interim Planning Guidance for the purposes of Development Control (IPG)

Policies:	IMP1	Planning obligations
	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Sustainable Drainage
	DEV10	Disturbance from Noise Pollution
	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
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	DEV25	Social Impact Assessment
	EE2	Redevelopment /Change of Use of Employment Sites
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable housing provisions in individual private residential and Mixed –use schemes
	HSG4	Varying the Ratio of social rented to intermediate housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and adaptable homes

Adopted Core Strategy Development Plan Document (September 2010)

SP02 Urban living for everyone

SP03	Creating healthy and liveable neighbourhoods
SP04	Creating a green and blue grid
SP06	Delivering successful employment hubs
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
SP13	Planning Obligation
LAP2	Bethnal Green

Managing Development: Development Plan Document (Submission Version 2012)

	DM3	Delivering Homes
	DM4	Housing Standards and Amenity Space
	DM9	Improving Air quality
	DM10	Delivering open space
	DM11	Living buildings & biodiversity
	DM13	Sustainable drainage
	DM14	Managing waste
	DM15	Local job creation and Investment
	DM17	Local Industrial Locations
	DM20	Supporting a sustainable transport network
	DM21	Sustainable transportation of freight
	DM22	Parking
	DM23	Streets and the public realm
	DM24	Place-sensitive design
	DM25	Amenity
climate	DM29	Achieving a zero carbon borough and addressing
		change
	DM30	Contaminated land and development and storage of hazardous substances

Supplementary Planning Guidance/Documents

SPD	Planning Obligations Supplementary Planning Document (Adopted January 2012)
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Community Plan The following Community Plan objectives relate to the application:

- A Great place to live
- A Healthy Community
- A Prosperous Community; and
- Safe and Supportive Community

7 CONSULTATION RESPONSE

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

7.2 The following were consulted regarding the application:

NHS Tower Hamlets

- 7.3 NHS Tower Hamlets have sought a contribution of £985,342, comprising a capital funding contribution of £204,886 and a revenue contribution of £780,456. The amount sought is derived from an estimation of the additional new population arising as a result of the development and the per capita amount that the PCT would have received if this population had been included in the NHS funding stream from the outset.

[Officer's Comments: Health contributions have been secured under the s.106 agreement, however due to the viability of the proposal, the full amount cannot be delivered and officers consider that a pro-rata proportion of the capital contribution is appropriate.]

LBTH Education Development Team

- 7.4 The proposed dwelling mix has been assessed for the impact on the provision of school places. The mix is assessed as requiring a contribution towards the provision of 15 additional primary school places @ £14,830 which equates to £222,450 and 6 additional secondary school places @ £22,347 which equates to £134,082. Contributions are pooled to assist funding the Local Authority's wide programme.

[Officer's Comments: An Education Contribution sought under Section 106 contribution for the development to assist funding the Local Authority's wide programme.]

LBTH Waste Policy and Development

- 7.5 Waste storage arrangements are satisfactory as described in Design and Access Statement. Location and capacity of the bin stores are also satisfactory as shown on plans. The Refuse and recycling provision for commercial units shall be provided for within each unit as described in the same statement and should be appropriately conditioned.

[Officer's Comment: Appropriately worded condition will be imposed.]

LBTH Transport and Highways Team

- 7.6 Parking:

The site has a PTAL rating of 6b which demonstrates that an excellent level of public transport service. The site is suitable for a permit free agreement whereby future occupants of the residential units are to be prevented from obtaining parking permits. Permit Free agreement should be secured through s106.

A total of 23 car parking spaces are proposed at basement level of Block A and ground level rear service road of Block B. Whilst the parking ratio (0.15) may be compliant with the current adopted policy, additional on-site parking spaces is resisted as the site benefits from excellent PTAL rating.

In accordance with the guidance set out in the London Plan, a minimum of 20% of all on-site car parking spaces should be equipped with electric vehicle charging points. This can be secured by condition if necessary.

Section 4.10 of the submitted Transport Statement indicates that 2.4 metre by 25 metre visibility splays have been achieved although these have not been shown on

plan. Scaled drawings are required demonstrating the visibility splays.

[Officer's Comment: Visibility splays have been provided on plan and 20% electric charging points will be secured through appropriately worded condition]

Cycle Parking:

Details of the cycle parking area should be provided to ensure that the minimum number of cycle parking spaces can be provided.

[Officer's Comments: The proposal would provide 89 single tier and 84 double tier cycle parking spaces and this would make provision for a total of 257 cycle parking spaces. The proposed cycle parking provision would comply with the London Plan 2011 policy 6.13 and cycle parking standards sets out in Managing Development: Development Plan Document which requires a total of 176 spaces based on 1 per 1- or 2-bed unit and 2 per 3- or more bed unit. The applicant has provided the details of the cycle parking on the ground floor of proposed Block A and B (as was in the consented scheme) and this demonstrates that the storage space can cater for the number of proposed cycle parking spaces to be provided on site.]

Trip Generation:

The Trip generation section of the submitted Transport Statement (as consented scheme) demonstrates that the proposed development will result in an increase in the number of person trips over the existing use.

Council's Transportation (as consented scheme) has accepted that as the buildings are in current use albeit at a reduced rate, rate than vacant or dormant, the TfL requirement for a sensitivity test does not apply.

The proposed development (resulting in increase of further 8 units in comparison to consented scheme) would have no detriment effect on highway junction capacity and no material impact on the rest of the transport network.

Servicing Arrangements:

It is stated within Section 2.3.1 of the submitted Delivery and Servicing Plan that retail deliveries will be restricted to the hours between 0930-1600hours and 1800-0730hours. Whilst a restriction in the hours of servicing is welcomed, it is felt that the proposed hours should be amended so that servicing can only occur between the hours of 1000-1600 and 1900-0730 in order to avoid the highway peaks.

[Officer's Comment: Appropriately worded condition will be imposed to ensure appropriate delivery hours]

The proposal detail that all delivery and service activities for Block B will be facilitated from the service area to the rear of the block at ground floor level, as per the consented scheme.

Block A is to be serviced from Buckhurst Street and it should be noted that through further discussions with the Highway Improvement Works team a solution has been designed which provides a lay-by on Three Colts Lane in front of Block A.

Through the wider design aspirations for Three Colts Lane it will be possible to

provide a build out from the existing kerb line to provide a loading bay (ensuring that existing footway widths are maintained). This has been shown notionally on the submitted plans. However, all Highway works are to be done under S278 Agreement at the Applicant's expense and as such will be designed and implemented by LBTH. *[Officer's Comment: the loading bay now proposed off Three Colts Lane is in accordance with the Council's specification of works and the applicant has agreed for the works to be done under S278 Agreement.]*

Once the occupiers of the individual units are known and prior to occupation, unit-specific Delivery & Servicing Plans should be submitted to demonstrate that they are in line with the over-arching document that has been submitted in support of this application.

[Officer's Comment: Appropriately worded condition will secure unit-specific Delivery and Servicing Plans]

Other Comments:

The Ground Floor plan of the proposed non-residential units shows how the space has been split up into the separate units. A condition should be imposed to ensure that the proposed individual commercial units are not amalgamated to allow larger floorspace for a larger convenience food retail shop on the site which will require additional servicing and delivery requirements.

[Officer's Comment: A condition will be imposed limiting the size of each unit]

The submitted plans include details of public Highway works. However, all the Highway works will be designed and implemented by the Council's Highways Design team in connection with the wider Three Colts Lane Public Realm improvement works and this is therefore covered by S278 agreement.

The extent of public highway offered for adoption will also be dependent on the issue surrounding overhanging/projecting structures (including the building itself basements and balconies) as Highways have previously advised that they would not wish to adopt land as highway over/into which parts of the building may project.

There are still sections of the proposed building which will oversail the line of the existing footway. Highways have previously advised that such features are not supported and that the relevant licences and technical approvals will not be issued. The projecting features still form part of the development proposals and a justification for the projecting structures has been provided within Section 4.5 of the submitted Transport Statement. However Highways position on this matter has not changed and the Applicant is therefore requested to remove any parts of the building which overhang the public highway from the development proposals.

[Officer's Comment: As per consented scheme, the applicant has been informed and will need to apply for a separate licence under a separate legislation and therefore is not a matter to which significant weight is attached. There is a right of appeal to the Crown Court for anyone aggrieved by a refusal of a licence as long as the highways authority don't own the land that will be oversailed]

There are sets of doors which are shown on the submitted Ground Floor plan opening outwards. If the areas they open out onto are to be dedicated as public highway, then it must be noted that such arrangements are forbidden by Section 153 of the Highways Act, 1980, where possible they should either open inward or be embedded

within the building. The Applicant should amend the doors as they represent a danger to pedestrians walking along the pavement and consequently has implications for Highway safety.

[Officer's Comment: While the doors swing outwards on to public highways a condition is attached to ensure all the doors swing out within the site's boundary and therefore does not swing out to any dedicated public highway]

Strategic Transport and Development Implementation Major Projects

- 7.7 With respect to car parking, the additional on-site provision is not supported as the site is within an area with excellent level of public transport accessibility.

For cycle parking, the scheme does not comply with London Plan minimum standards, which were fully adopted in 2011. For this development (149, 26 3 bed +) the minimum number of spaces for residential use should be 175 plus 4 spaces for visitors.

[Officer's Comments: The proposal would provide 89 single tier and 84 double tier cycle parking spaces. Therefore the total amount of cycle parking provision on site would be for 257 cycle parking spaces and this would comply with the London Plan 2011 policy 6.13 and cycle parking standards set out in the Managing Development: Development Plan Document (submission version 2012) which requires a total of 176 spaces based on 1 per 1- or 2-bed unit and 2 per 3- or more bed unit. The applicant has provided the details of the cycle parking on the ground floor of Block A and B and this demonstrates that the storage space can cater for the number of proposed cycle parking spaces to be provided on site.]

LBTH Environmental Health (Noise and Vibration)

- 7.8 The development is likely to experience high noise and vibration levels from the railway in close proximity. There is also concern that high levels of ground borne noise may exist in the development. This hasn't but should be taken into account in the design to meet the council's rail noise policy limit of 35 dBA.

Other conflict of use may occur at the development between residential and commercial uses and any mechanical and electrical plant noise; servicing and delivery noise should also be taken into consideration.

The proposed development without adequate mitigation will be unsuitable for residential occupation. It is suggested that further guidance can be sought by the applicant from BS8233 and if you are minded to grant planning consent, then It is recommended that all bedrooms and living rooms should meet the "good standard" of BS8233.

[Officer's Comments: A condition will be added to ensure a commensurate level of protection against noise.]

LBTH Environmental Health (Contaminated Land)

- 7.9 The Environmental Protection Section is not satisfied that all the potential risks at the site have been adequately characterised from the submitted information.

A condition is required for the developer to carry out further works to investigate and identify potential contamination.

[Officer's Comment: A condition will be added]

Head of Planning Policy

- 7.10 The proposed change of use to Housing is acceptable provided the additional dwelling units don't adversely impact on the urban design and daylight/sunlight issues.

Policy SP02 of the Core Strategy 2025 requires 35% affordable homes (by habitable rooms), subject to viability. It further requires a tenure split of 70:30 as social rented: intermediate homes; and an overall target of 30% to be family homes, including 45% of social rented.

Policy SPO6 of Core Strategy 2025 encourages new and retaining of existing workspaces in main road locations. The emerging Managing Development: Development Plan Development (submission version 2012), Policy DM15 also requires no loss of employment uses unless a marketing exercise can demonstrate that the site has been vacant for at least a year and is unsuitable for the existing employment uses. The existing employment use (B1/ B2/ B8 uses) area is about 3750 sq.m, which is being replaced by 1224 sq.m of A1-A4/ B1 uses. But it is expected that 62 jobs will be replaced by more jobs. This is acceptable, provided it can be demonstrated that additional jobs are being created.

[Officer's Comments: The site has been granted planning permission under ref: PA/11/00885 for a similar mixed commercial and residential use. Therefore the principal of the change has already been established..

The proposal would create 89 jobs which is 27 more than the 62 approximated jobs currently on the application site].

LBTH Housing Strategy Group

- 7.11 The consented scheme approved under ref: PA/11/00885 includes 20 social rented units and 21 shared ownership units, equating to 31.7% habitable rooms with a 56:44 tenure split. This application is similar to the consented scheme approved under ref: PA/11/00885 and has given 4 options:

The Council Housing officers have reviewed the options submitted and have considered the revised Option B provides a more mixed a balance scheme as per the Council's policy requirement.

The Council's Consultant carried out the assessment of the viability report produced by the developers concludes that the proposed schemes are viable. However Option A would be able to support additional contribution of c. £0.332m while Option B is marginally viable and additional contribution are nominal. However, it should be ensured that affordable housing within all proposals for this application are maximised and Section 106 contribution is attributed in accordance with each of the above options.

All units are to be provided at social rent.

In the previous scheme, four bed social rented units had bedroom windows facing onto the railway line and therefore any possible noise nuisance to these units should be suitably minimised to the satisfaction of Environmental Health team.

The scheme is expected to deliver 10% wheelchair units across all tenures. This is acceptable provided they are fully wheelchair compliant.

The applicant states that all units will meet the Lifetimes Homes standards. All homes should meet with the Mayor of London design guide standards.

The roof area communal open space has also been revised and appears to be smaller in layout and size. However, it needs to be ensured that all residents have access to this communal space. Tower Hamlets Interim Planning Guidance CP25:- Housing Amenity Space States: 1. All new housing in Tower Hamlets will be required to provide high quality, useable amenity space, including private and communal amenity space, for all residents. 2. 5.37 Amenity space includes private amenity space and communal amenity space, including child play spaces should be of high quality, be designed to be safe for all users and be fit for its intended use.

[Officer's Comments: Whilst the consultant has advised on Option A and B, Option B1 is able to deliver a better package of affordable housing mix and contribution as detailed in the report. Option B1 is the acceptable option for this application. It is confirmed that all the affordable units would be at target rents. With regards to wheelchair housing, the Council's Corporate Access Officer has no objections. All units meet the Lifetimes Homes standards. The proposal complies with the Council's amenity space standards. Child Play space would be appropriately assessed in line with Council's policies.]

LBTH Landscape Section

- 7.12 Due to the increase in Habitation, new building and increase in corresponding heat island effect, there needs to be a corresponding increase in new tree planting to reflect the number of units at the rate of one tree per unit.

Due to the constraints of the site, this can be achieved through LBTH locating and planting trees at the developers cost, throughout nearby streets and open spaces.

[Officer's Comments: A Public Realm Contribution sought under Section 106 contribution for the development would cover the cost of planting new trees.]

Energy Efficiency Unit

- 7.13 In broad terms the proposed energy strategy follows the energy hierarchy and focuses on energy efficiency measures and use of CHP.

However, the following will need to be resolved through planning conditions:

-The proposals aim to reduce total site carbon emissions by 26.7% however Managing Development DPD policy DM29 which requires the development to reduce CO2 emissions by 35% above Building Regulations 2010. -A site wide CHP is required in accordance with the London Plan policy 5.6

-Core Strategy Policy SP11 which requires renewable energy technologies to be integrated into the scheme. Full details of how the technologies will operate in conjunction with each other should be submitted.

[Officer's Comments: Appropriately worded condition will be imposed]

CLC Strategy

- 7.14 Communities, Localities and Culture note that the increase in population as a result of the proposed development will increase demand on the borough's open spaces, sports and leisure facilities and on the borough's Idea stores, libraries and archive facilities. The increase in population will also have an impact on sustainable travel within the borough. Appropriate financial contributions are sought which is supported by the Planning Obligations Supplementary Planning Document (SPD).

The comments and requests for s106 financial contributions set out below are supported by the Appendix 1 of the Planning Obligations SPD outlines the Occupancy Rates and Employment Yields for new development.

[Officer's Comments: Appropriate contributions required are sought and secured through s106]

8. LOCAL REPRESENTATION

- 8.1 A total of 315 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. No comments have been received.

9. MATERIAL PLANNING CONSIDERATIONS

- 9.1 The main planning issues raised by the application that the committee must consider are:
1. Land Use & Employment
 2. Housing
 3. Design
 4. Amenity
 5. Transport
 6. Sustainability
 7. Section 106 Agreement

Land Use and Employment

- 9.2 The application site does not fall within any designation within the adopted Unitary Development Plan, 1998.
- 9.3 Within the adopted Core Strategy 2010 the site is identified within LAP 2 (Bethnal Green) which recognises opportunities for growth and change to be delivered by a number of industrial areas being redeveloped for residential, infill development in existing built areas and housing estate renewals.
- 9.4 The proposal would result in the demolition of existing 3750sq.m. of light industrial/warehouse (within Use Classes B1, B2 and B8) on site and erection of a residential-led mixed-use redevelopment with commercial on the ground floor. The applicant has confirmed that the existing number of employees is approximately 62. The proposal includes commercial floor space in the following order:

Table 1: Commercial Uses

Level	Block A	No. of Full time employment*	Block B (inc. Mezzanine Level)	No. of Full time employment*
Basement	-	-	-	-
Ground	225sq.m	12	179sq.m	15
	208sq.m	11	274sq.m	23
			338sq.m	28
Total	433sq.m	23	791sq.m	66
Total: Floorspace = 1224sq.m; Employees = 89				

* based on English Partnerships Employment Density Guideline (2010)

- 9.5 The scheme proposes a flexible use approach and includes A1/A2/A3/A4 and B1 Use Class.
- 9.6 The supporting planning statement further states that the ground floor commercial units are proposed to be within A1/A2/A3/A4 and/or B1 use. However, it outlines that the 3 commercial units located within Block B are anticipated for B1 use, while the 2 commercial units within Block A may take the format of a convenience food store (Use Class A1)'. The B1 use within Block B is suitable due to the proposed individual access to the servicing area to the rear, and the mezzanine level layout. Also, this provision would also re-provide employment uses within the site and is therefore welcomed.
- 9.7 Although the layout of commercial floorspace on the ground floor of both Block A indicates that there would be 2 separate units in Block A, a condition is attached to ensure these units are not amalgamated.
- 9.8 The acceptability of the proposed A1 use class within the format of a convenience food store can only be acceptable if servicing levels are known. Therefore, as the proposal is for flexible use classes, a condition will be added to ensure that appropriate servicing level can be achieved prior to occupation of that unit.
- 9.9 Policy EMP1 of the adopted UDP 1998 encourages employment growth through the re-use of vacant and derelict building by redevelopment and upgrading of sites already in employment uses. Policy EE2 of the IPG considers redevelopment and change of use of employment sites. Policy DM15 of the Managing Development: Development Plan Document (submission version 2012) supports upgrading and redevelopment of employment sites outside of spatial policy areas. Whilst the site is not entirely vacant, the site is under used. Although no marketing evidence has been produced for the loss of the employment floorspace, given that the proposal includes re-provision of employment use at higher employment densities (i.e. 89 jobs as opposed to the current 62) and employment opportunities will be re-provided on-site, the principle of redevelopment is in-line with the Core Strategy objectives. Therefore, there is no objection in relation to the proposed land use.

Housing

Density

- 9.10 Policy SP02 of Core Strategy seeks to ensure that new housing assists in the creation of sustainable places, by: optimising the use of the land; corresponding density levels of housing to public transport accessibility levels; and that higher densities are promoted in and around town centres.

- 9.11 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.
- 9.12 The site has a public transport accessibility level (PTAL) 6b which represents an excellent access to public transport and is within close proximity to Bethnal Green town centre. The proposed residential density would be 1,830 habitable rooms per hectare which is significantly higher than the suggested density range. However, the intent of the London Plan and Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity.
- 9.13 It should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Loss of outlook;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure.
- 9.14 It is considered that a higher density range would be acceptable in this location, given the excellent PTAL rating and its location very close to the Bethnal Green Town Centre. However, the proposal requires detailed assessment on other issues and consideration of any significant impact which may arise as a result of high density. As discussed later in the report, there are no significant material issues as mentioned above which would deem the proposed density unacceptable.

Affordable Housing

- 9.15 Policy 3.11 of the London Plan (July 2011) states that boroughs should seek to maximise affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the term of this plan. It further states that in order to give impetus to a strong and diverse housing sector, 60% of the affordable housing provision should be for social rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.
- 9.16 Policy SP02 of the Core Strategy 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 until 2025, with requirement of 35% - 50% of affordable housing provision on site providing 10 new residential units or more (subject to viability). The supporting text indicates that in case where affordable housing requirements need to be varied, a detailed and robust financial statement must be provided which demonstrates conclusively why planning policies cannot be met. It further goes on to state that there should be no presumption that such circumstances will be accepted, if other benefits do not outweigh the failures of a site to contribute towards affordable housing provision.

- 9.17 Policy DM3 of the Managing Development: Development Plan Document (submission version 2012) states that development should seek to maximise the delivery of affordable housing on-site. Development will be required to provide affordable housing in accordance with the Council's tenure split (70% Social Rent and 30% Intermediate) as set out in the Core Strategy. Affordable Rent will be acceptable where:
- a. the required proportion of 70% for Social Rent homes is demonstrated to be unviable
 - b. the provision of Affordable Rent homes alongside Social Rent homes ensures the delivery of between 35%-50% affordable housing; and
 - c. the delivery of larger family homes is prioritised for Social Rent.

Viability

- 9.18 The application is accompanied by a Viability Assessment of two options on the application site when compared with the viability of the Consented Scheme. **Option A** will provide a broadly comparable level of affordable housing provision, with 3 additional shared ownership units included. **Option B** will provide a policy compliant tenure split with 7 additional affordable units included, although there will be a 9 unit reduction in shared ownership units.
- 9.19 The Council appointed a consultant to independently review the submitted Viability Assessment comprising both Option A and Option B.
- 9.20 **Option A** includes 20 social rent (target rent) units and 24 shared ownership units. This equates to 33.3% affordable housing provision by habitable rooms, split 53:47 between rented and shared ownership. The agent states this option is "broadly comparable to the Consented Scheme in terms of affordable housing provision and it provides 3 additional shared ownership units".
- 9.21 **Option B** includes 27 social rent (target rent) units and 12 shared ownership units. This equates to 29.7% affordable housing provision by habitable room, split 71:29 between rented and shared ownership. This equates to a lower proportion of affordable housing than is provided by the Consented Scheme. However "the agent states that "only two fewer affordable units are included in Option B than in the Consented Scheme and significantly, seven additional socially rented (target rent) units are proposed, allowing the Council's policy target tenure split to be achieved."
- 9.22 The Council appointed consultant has confirmed that both the proposed schemes are viable and in agreement with the applicant that Option A generates greater value than Option B. Furthermore Option A is viable and able to support additional contributions of c. £0.332m. Option B is marginally viable and additional contribution are nominal.
- 9.23 However, given the greater number of socially rented units in Option B, officers sought to negotiate with the developers in order to retain the level of larger social rented units whilst securing an acceptable s.106 contribution so that the impacts of the proposal can be satisfactorily mitigated. The outcome is that Option B has been refined and still provide a mixed and balanced scheme as per the Council's policy requirement and is able to provide the same Section 106 contribution sought in the Consented Scheme and a further additional agreed amount of £284,00 to support infrastructure requirements.
- 9.24 Option B1 as amended would secure 30% affordable housing by habitable rooms with a tenure split of 77:23 between Social Rented and Intermediate. The scheme

provides 51% provision of 3bed and 4bed family units within the social rented tenure at target rents. This scheme would also be able to pay the £586,000 Section 106 previously agreed plus an additional £284,000 in section 106 Contribution (50% on implementation and 50% at prior to completion). This represents a total of 36 of the 149 residential units being affordable, 27 of which would be in the social rented tenure and 9 intermediates. Of the 27 social rented units 14 would be family sized comprising 12 x 3 bed and 2 x 4bed.

9.25 As there would be no Homes and Communities Agency grant funding available for the affordable housing, these units (including intermediate units) will be delivered without recourse to any public subsidy. The applicant has also stated that all of the social rented units will be set at target rents therefore ensuring that low income families are able to afford to occupy them.

Location of Affordable Housing

9.26 The proposal provides two separate buildings with four residential cores, Core A, B1, B2, and B3. Core A is the building which fronts Cambridge Heath Road, Cores B1, B2, and B3 fronts Three Colts Lane. All Affordable Housing units for Option B1 are located within Core B3. However, Social Rented units are located on floor 1 to 5 and intermediate units are located on floor 6 to 7. The proposed dwelling mix can be seen from Table 2 below.

		Affordable Housing						Market Housing		
		Social Rented			Intermediate			Private Sale		
Unit Size	Total Units in the scheme	Units	%	Target %	Units	%	Target %	Units	%	Target %
1 bed	56	8	30	30	4	44.5	25	44	39	50
2 bed	66	5	18.5	25	2	22.2	50	59	52	30
3 bed	24	12	44.5	30	2	22.2	25	10		
4 bed	3	2	7	15	1	11.1	0	0	9	20
Total	149	27			9			113		

Table 2 - Tenure Target taken from Council’s Managing Development DPD 2012

Housing Mix

9.27 National Planning Policy Framework (March 2012) states “To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes) and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.”

9.28 Pursuant to policy 3.8 of the London Plan 2011, the development should “...offer a

range of housing choices, in terms of mix of housing sizes and types, taking account of the housing requirements of different group and the changing roles of different sectors, including the private sector, such as students, older people, communities with large families, gypsies and travelers.”

- 9.29 Pursuant to Policy HSG7 of the Unitary Development Plan 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. Policy SP02 of the Core Strategy seeks to create mixed use communities. A mix of tenures and unit sizes assists in achieving these aims. It requires an overall target of 30% of all new housing to be suitable for families (3bed plus), including 45% of new social rented homes to be for families. In paragraph 3.6 of policy DM3 of the Managing Development: Development Plan Document states that “Different tenures should be mixed throughout a development, although it is recognised that separate cores may be required to enable effective management arrangements”.
- 9.30 The revised proposal provides family housing accommodation and the total amount of family units equate to 18%. However, the scheme would provide a higher proportion of family sized units (52%) within the Social Rented sector. The proposed amount of family sized dwelling is considered to be a well balanced proposal in the context of the site location and due to lack of private ground level amenity space provision.

Social Rented/Intermediate Shared Ownership and Housing Mix

- 9.31 The following Table 3 summaries the affordable housing social rented/intermediate split proposed against the London Plan, Core Strategy, Managing Development DPD and IPG.

Social Rent/Intermediate Split

Table 3

Tenure	The Proposal	IPG 2007	CS 2010	MD: DPD-2012	London Plan 2011
Social Rent	77%	80%	70%	70%	60%
Intermediate	23%	20%	30%	30%	40%
Total	100%	100%	100%	100%	100%

- 9.32 As it can be seen from the table above, there has been a change in the policy position in relation to tenure split over time.
- 9.33 The proposal provides 30% affordable housing with 77:23 split between the Social Rented and Intermediate housing.
- 9.34 The proposed scheme in relation to consented scheme (ref: PA/11/0885) overall reduces the number of affordable housing from total of 41 units to 36 units. However, within affordable housing units the number of Social Rented units has increased from 20 to 27 units while the intermediate units are reduced from 21 to 9. Overall the scheme retains the same number of family units (i.e. 14 units in Social rented, 3 units in Intermediate) within Affordable Housing allocation. However in Market Housing the number of family units is reduced by 1 unit (i.e. by deletion of 1 x 4bed unit).

- 9.35 Overall, in comparison to the consented scheme, although the total affordable housing allocation is slightly reduced from 31.7% to 30%, the proposal provides more Social Rented units and is considered to be a more mixed and balanced scheme with tenure split between Social Rent and Intermediate from 56:44 to 77:23.
- 9.36 The proposal (like the consented scheme) fails to meet the Council's affordable housing target of 35% and the required split of 60:40 in accordance with the London Plan 2011. However, the proposed split of 77:23 between social rented and intermediate is closer to the split of 70:30 required in accordance with the Council's Core Strategy 2010 and Managing Development: Development Plan Document (Submission Version 2012). However given the viability of the scheme and the delivery of the social rented provision, the proposed 30% affordable units with 77:23 split provides more mixed and balance scheme in providing affordable housing and appropriate amount of s106 contributions to mitigate against the impact of the development. The Council's Housing officers also support the proposed affordable housing provision.

Wheelchair Housing and Lifetime Homes

- 9.37 Policy HSG9: Accessible and Adaptable Homes of the IPG, Policy SP02, Paragraph 4.3 of Managing Development DPD and policy 3.8 of the London Plan 2011 require housing to be designed to Lifetime Homes Standards including 10% of all housing to be designed to a wheelchair accessible or 'easily adaptable' standards. A total of 15 units (10%) are provided, in compliance with these policies. The wheelchair units are located within Block B at 1st to 6th floor across all tenures (i.e. 4 social, 1 intermediate and 10 private) and unit sizes (i.e. 1 x 1bed, 12 x 2-bed and 2 x 4-bed). The access to all wheelchair units would be via lifts (i.e. one lift per each core in Block B) on the ground floor. The family sized accommodation has been designed to wheelchair accessible or 'easily adaptable' standards. All units have been designed to be capable of use as lifetime homes. Appropriate conditions will be added to ensure that this is delivered.

Floorspace Standards

- 9.38 Saved policy HSG13 'Conversions and Internal Space Standards for Residential Space' of the adopted UDP 1998, policy DM4 of the Managing Development DPD "Housing standards and amenity space" and London Plan 2011 set the most up-to-date minimum space standards for residential development.
- 9.39 The proposed flats have total floor areas and individual room areas that comply with the Council's minimum space standards.

Amenity Space

- 9.40 National Planning Policy Framework (March 2012) set out 12 Core land-use planning principles that should underpin both plan-making and decision-taking. One of the principles states that planning should "always seek to secure high quality design and a good standard of amenity".
- 9.41 Saved policy HSG 16 'Housing Amenity Space' of the adopted UDP 1998 requires schemes to incorporate adequate provision of amenity space. Policy HSG7 'Housing Amenity Space' of the IPG 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. Policy DM4 “Housing standards and amenity space” of the Managing Development: Development Plan Document states that “Amenity space and children play space will be protected and any new provision should be provided with the standards set out in the table 4.” Table 4 sets out Minimum private amenity space provision (e.g. gardens balconies and winter gardens), minimum communal amenity space provision, and Child play space.

Minimum Private amenity space provision states:

- A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant.
- Balconies and other private external spaces should have a minimum width of 1500mm.

Minimum communal amenity space provision states:

- All developments with 10 or more residential dwellings should provide 50sqm for the first 10 units, plus a further 1sqm. for every additional unit thereafter.

Child play space states:

- 10sqm. of play space should be provided for each child.

9.42 The redevelopment proposes to provide amenity space for all residents in the form of balconies, private terraces and roof top communal amenity space. The communal roof top amenity space is located on 7th floor of Block A and 8th floor of Block B and is available to all cores, therefore all residents will have access to on-site amenity space. The proposal would provide a total of 2387sq.m. of amenity space. Within this total there is 172sq.m. of dedicated children’s playspace accessible from each of the cores. The table below shows the type of amenity space provided within core of the development.

External Amenity Areas	Core A	Core B1	Core B2	Core B3	Total sq.m.
Private balconies	325	215	200	155	895
Private terraces	207	228	59	163	657
Communal amenity	373	170	100	192	835
Playspace	Included*	Included*	Included*	Included*	Included*
Total	905	613	359	510	2387

9.43 The above demonstrates a total provision of 1552sq.m. of private amenity space (i.e. Private balconies 895sq.m. + Private terraces 657sq.m.), 663sq.m. of communal amenity space at roof top level, and 172sq.m. of children’s play space.

9.44 However, given that each roof top amenity spaces is only accessible to those units within that particular Core, the amenity space standards also need to be assessed individually.

9.45 The communal amenity space and Child Play space standards of the IPG and Managing Development: Development Plan Document are summarised in Tables 4 and 5 below.

Table 4 - Amenity Space standards (Communal and Child Play spaces)

Cores	No. Units	Proposed (sq.m)	MD DPD Minimum Standard (sqm)*	IPG Minimum Standard (sqm)[†]
A	56	373	96	96
B1	42	170	82	82
B2	15	100	55	55
B3	36	192	76	76
TOTAL	149	835	309	309

*Calculation based on 50sqm for the first 10 units, plus a further 1 sq.m for every additional unit thereafter.

[†]Calculation based on 50sq.m for the first 10 units, plus a further 5sq.m for every 5 additional units thereafter.

- 9.46 Children’s play space for the Block B is positioned on the roof of core B3 and above core B2. The first is accessible only from within core B3, while the second is accessible from both cores B2 and B1. Both play areas are accessible by lift as well as stair.
- 9.47 Block A has an additional children’s play area accessed by lift and stairs from any unit within that block.
The development would generate a total of 31 Child Yield (comprising 10 (Early Year), 15 (Primary) and 6 (Secondary) School child yield))
- 9.48 Based on this child yield figure and Child Play Space standards set out in IPG and Managing Development: Development Plan Document the following table 5 is produced.

Table 5 - Child Play Space for Cores A, B1, B2 and B3

Cores	Proposed Sq.m.	IPG’s Min. Std. Sq.m.	MD DPD Min. Std.Sq.m.
A	70	106	353
B1	-		
B2	57		
B3	45		
TOTAL	172	106	353

*Calculation based on 3sq.m per child yield – IPG

Calculation based on 10sq.m per child yield – MD DPD

- 9.49 As it can be seen from the tables above, the proposal provides more than adequate amount of communal amenity space provision. Whilst the overall child play space in accordance with the Council’s most up-to-date minimum Child play space standards set out in Managing Development DMD falls below the required minimum standards there is ample space within the communal space which can make up the difference for the child play space. Nonetheless, because the amount of combined on-site usable space and with the site being within close proximity to public open space (Bethnal Green Gardens and Weavers Field) it is considered that the proposed levels of communal and child play space are acceptable. In addition, there are living rooms, and two private roof top garden terraces which will provide natural surveillance to these play areas. An appropriate condition will be required to ensure that the details of child play space are adequate and suitable.
- 9.50 Provision of private amenity spaces is expected for all residential development. Policy HSG7 of IPG sets out the minimum according to the dwelling sizes. Policy DM4 of Managing Development DPD sets minimum private amenity space provision (e.g. gardens balconies and winter gardens) and states that “Balconies and other

private external spaces should have a minimum width of 1500mm.” All proposed residential units in the current scheme provide private amenity space in the form of balconies or private roof terrace. All balconies and roof terraces are more than 1500mm wide and therefore meet the minimum balconies standards set out in Managing Development DPD. Majority of the balconies have access off living areas which is acceptable.

Design

- 9.51 Good design is central to all the objectives of the London Plan. Chapter 7 of the London Plan sets high design standard objectives in order to create a city of diverse, strong, secure and accessible neighbourhoods as well as a city that delights the senses. In particular, policy 7.2 seeks to achieve the highest standards of inclusive and accessible design; policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and scale, mass and orientation of buildings around it; policy 7.5 seeks to enhance the public realm by ensuring that London’s public spaces are secure, accessible, easy to understand and incorporate the highest quality landscaping, planting, furniture and surfaces; whilst policy 7.6 seeks to secure highest architectural quality.
- 9.52 Policies DEV1 and DEV2 of the UDP (1998) and the IPG (2007) and policies DM23, DM24, and DM25 of the Managing Development: Development Plan Document state that the Council will ensure development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV27 of the IPG (2007) sets out the tall buildings assessment criteria which ensure that tall buildings do not have significant impacts on transport, visual, microclimate and amenity. Tall buildings are generally supported as part of a cluster of tall buildings.
- 9.53 Policy SP10 of the Core Strategy (2010) seeks to ensure that developments promote good design to create high quality, attractive and durable buildings. 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.
- 9.54 Policy DM24 of the Managing Development DPD (submission version 2012) also seeks to ensure that development is designed to the highest quality standards incorporating principles of good design. Policy DM26 seeks to ensure that buildings heights are in accordance with the town centre hierarchy. It also states that “Proposals for tall buildings will be required to satisfy the 12 criteria listed and which ensures that tall building is of high quality, provide a positive contribution, does not adversely impact on the microclimate of the surrounding area, biodiversity or open spaces, provide inclusive communities comply with Civil Aviation requirements and demonstrate consideration of public safety requirements.

Massing and scale

- 9.55 The proposed massing is well distributed across the site and is in keeping with the recent developments within the area, immediately opposite and along Cambridge Heath Road. In addition, the application site is bounded by railway infrastructure and there is no real sense of an established streetscape to this end of Three Colts Lane for the proposed development to respond to. In this regard, the height, massing and scale are considered to be appropriate response to its immediate and wider context.

Streetscene

- 9.56 Currently, the existing two storey buildings on the application site lack in street presence and so do other existing industrial/commercial buildings along Three Colts Lane. Therefore, it is important for any new development to provide interaction and street presence along Three Colts Lane, Coventry Road, Buckhurst Street and equally along Cambridge Heath Road. This would also ensure that the vision as set out in the Core Strategy for LAP1 & 2 is also met. This is primarily in connection with improving connectivity between green spaces by improving environment which connects the green spaces; and to improve the built environment in Bethnal Green.
- 9.57 Both of the proposed Blocks A and B have commercial uses on the ground floor with residential above. The design and positioning of the residential entrances are more prominent in terms of the location and presence along the streetscene. This is considered to improve the appearance and character of the existing streetscene along the roads the application site fronts. The proposed design and position of the residential entrances are in line with the Design Officer's advice given at the consented application stage and is considered to be acceptable.
- 9.58 An in and out service area is proposed through the rear of proposed Block B which will enable on-site servicing and provision of car parking spaces. The proposed ground floor elevation along Buckhurst Street and Coventry Road, where entry and exit is proposed, provide folding doors to ensure security and suitable frontage to the streetscene. The details are required by condition and as part of the proposed conditioned, servicing will need to be submitted and approved. The proposal is considered to contribute to enhancing the streetscene, in accordance with Policies DEV1 of UDP, DEV2 of IPG, SP10 of Core Strategy, DM23 and DM24 of the Managing Development DPD.
- 9.59 The accompanied Design and Access Statement (DAS) states that the proposed external materials comprise of screen printed fire-cement rainscreen cladding. The rainscreen cladding is proposed to be screen printed to create a texture using green/blue and white coloured cladding. The texture is to be created through strips on each cladding panels. The Design and Access Statement indicates that the proposed buildings will be predominately green in colour, with subtle texture created by the stripes on each panel.
- 9.60 It is considered that more details on the cladding material are required to better understand the proposal in the context of the surrounding, in particular long views along Coventry Road from the southern side of the railway viaduct. Whilst there is no objection in principle to coloured claddings, there is a need for further consideration to the overall colour scheme and how they relate to the various streets the proposed building fronts. Therefore, the colour scheme and material panel will need to be agreed, and therefore as per usual practice the details of materials are proposed to be conditioned.

Safety and Security

- 9.61 In accordance with policy DEV1 of the UDP (1998), DEV4 of the IPG (2007) and DM23 of the Managing Development DPD, all development is required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments. In the proposed scheme, the residential entrances are more prominent in terms of the location and presence along the streetscene. The rear service road also has folding doors to ensure security and

suitable frontage to the streetscene. Both the design and position of the proposed entrances to the residential flats and folding doors to rear service road is considered to provide adequate security measures for the future occupants of the site and these are considered to be in line with the advice given by the Crime Prevention Officer from Metropolitan Police in the consented scheme.

Amenity

Daylight and Sunlight

- 9.62 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (second edition).
- 9.63 DEV2 of the UDP and DM25 of the Managing Development DPD seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 9.64 Policy DEV1 of the IPG states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. This policy is supported by policy SP10 of the Core Strategy 2010.
- 9.65 Policy 7.7 of the London Plan 2011 refers to the "Location and design of the tall and large buildings" and states that "Tall and large buildings should not have an unacceptably harmful impact on their surroundings."

Vertical Sky Component (VSC) and Daylight Distribution (DD)

- 9.66 VSC measures the Daylight striking the face of the window and Daylight Distribution measures amount of direct sky visibility penetrating into the room. The BRE target value for VSC is that the window should not receive less than 27% as a result of the proposed development and less than 0.8 times the former value.

DD is the amount of direct sky visibility penetrating into the room. The BRE target value for DD is that the amount of sky seen in the area of a working plane (i.e. within the room) should not be less than 0.8 times area before.

Average Daylight Factor (ADF)

- 9.67 ADF works out a mathematical value of the likely average internal lighting conditions in a room. ADF can be a more accurate measurement of average daylight in a room when dimension of a room is known. The British Standard sets out the minimum criteria of ADF and it recommends that if a predominately daylight appearance is required the following minimum standards should be achieved:

Kitchens = 2% *df (It can be argued that this should only apply to family kitchens)*

Living Rooms = 1.5% *df*

Bedrooms = 1% *df*

- 9.68 The application as in the consented scheme is accompanied by a Sunlight and

Daylight Report. The assessment analysed the effect of the proposed development on the daylight and sunlight amenity to the following properties as a comparison against the consented scheme.

- 179 Cambridge Heath Road
- 59a-63 Cudworth Street
- 41-65 Three Colts Lane (student accommodation)

- 9.69 The only affected property out of those tested, is 41-65 Three Colts Lane which is a student accommodation on the 1st – 5th floors with office space on the ground floor. This building is located on the opposite side of Three Colts Lane. As the office space is unlikely to have the same expectation for daylight and sunlight amenity, the Sunlight/Daylight study was concentrated on the 1st – 5th floors of the development.
- 9.70 Appendix F of the revised BRE Guide gives guidance on setting alternative target values for skylight and sunlight access when there is an extant planning consent for a site. The guidance states that *'In assessing the loss of light to existing windows nearby, a local authority may allow the vertical sky component (VSC) and annual probe sunlight hours (APSH) for the permitted scheme to be used as benchmarks.'*
- 9.71 In the submitted Sunlight/Daylight report, the principles outlined in Appendix F mentioned above have been applied and states that *'an obstruction angle from the lowest level of the student accommodation to the top of the consented scheme generates an angle of 42 degrees, which corresponds to a VSC of 17%.'*
- 9.72 Of the 84 windows on the 1st – 5th floors that were assessed, 83 (98.8%) would achieve the BRE target value. The only window which falls marginally short of the target value achieves a VSC of 15.85%, within 1.15% of the target value. It is suggested that this difference in light would be imperceptible to the occupant and as the vast majority of the windows tested would be left adequately lit, the effect on the daylight to this property would be acceptable.
- 9.73 In respect of "Sunlight", it is suggested that vast majority of windows would achieve the BRE target value for the annual sunlight hours. However, there will be some minor breaches, in terms of winter target value but these are very difficult to achieve in urban environment.
- 9.74 It should be noted that the rooms served by the tested windows are bedrooms, which BRE describe as 'less important' in sunlight and daylight terms, the minor winter transgression would not significantly affect the beneficial use of the accommodation.
- 9.75 Overall, it is considered that given the urban location of the site, the effect on daylight and sunlight amenity to this property would be acceptable. It should be noted that the overlooking windows serve bedrooms comprising study, sleeping and bathroom/dressing area and these are deemed to be 'less important' by the BRE report with regards to their requirement for daylight and sunlight. Also the BRE guidance is intended as set of guidelines and it also suggest other numerical values that should be considered in urban environment, such as the development site, and daylight should be considered against the other site constraints applicable to each individual site.
- 9.76 The purposed built accommodation for students is transient rather than permanent residents and any erosion of living condition to the accommodation would not be

permanent for its yearly changing residents. Overall it is considered that the affect on the daylight/sunlight to this property would be imperceptible to the occupants when compared to the consented scheme. It should be further noted that the benefit that the proposal would bring forward (for example the affordable housing and the general increase in housing stock within the borough), outweighs the impact on what is largely a transient student community.

- 9.77 With regards to the “Internal Daylight” within the proposed development, only a sample of rooms at 1st and 2nd floor within the proposed development have been analysed in terms of light levels received. It is suggested that rooms at lower level of the proposed development have been chosen for analysis as they will have lower light level than the accommodation on the upper floor. It is further suggested that out of the 87 rooms analysed 65 rooms would comfortably meet BS requirements. 9 of the 22 rooms which are below BS requirements are bedrooms which are considered to be less important. Even though, 6 bedrooms would achieve *df* greater than 0.70%. Further 13 rooms are lounges and kitchens. 6 out of the 11 lounges which are below BS requirements would achieve *df* equal or greater than 1%. Two analysed kitchens achieved *df* between 1.05% and 1.10%.
- 9.78 It is suggested that 14 of these room are served by balconies. The balconies provide additional alternative amenity, but are also responsible for the recession of the glazing underneath the balcony of the floor above. The balcony inhibits the daylight levels received to the windows below, thereby reducing the vertical sky component and, subsequent, the *df* value achieved by the room. This obstruction is primarily responsible for these rooms falling below the BS target value. Therefore, there is a clear trade-off in relation to the reduced daylight potential for these windows as a result of the balconies and the additional alternative amenity which they provide. A more flexible approach is therefore required to the levels of daylight for these windows and the rooms they serve.
- 9.79 It is also suggested that only rooms in the first and second floor of the development have been analysed as upper floors will receive significantly higher level of daylight and achieve a greater degree of compliance with the British Standard.
- 9.80 It is considered that given the urban location, scale and density of the development, that daylight levels within proposed development would be acceptable in accordance with the BS guidelines. It should be noted that given the urban context the application site is in, and because the majority of the units are capable of achieving the minimum daylight standards, the proposal would still provide satisfactory means of accommodation for future occupiers.

Air Quality

- 9.81 Paragraph 123 of the NPPF and Policy 7.14 of the London Plan (2011) seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality. Saved Policy DEV2 of the UDP (1998), Policy SP02 of the Core Strategy (2010) and Policy DM9 of the Managing Development DPD seek to protect the Borough from the effect of air pollution, requiring the submission of air quality assessments demonstrating how it will prevent or reduce air pollution in line with Clear Zone objectives.
- 9.82 The submitted Air Quality Assessment demonstrate that:
- there would be negligible impact during the construction phase subject to suitable mitigation measures;
 - The impact from the proposed two 30kW gas fired CHP plant is considered

- that the emissions to air on local air quality will be negligible due to its size.
- The impact of the proposed redevelopment is considered negligible for NO₂ and PM₁₀.

Therefore, it is considered that the proposed redevelopment will not have significant impact to the local air quality.

Noise and Vibration

9.83 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies, saved policies DEV2 and DEV50 of the UDP (1998), policies DEV1, DEV10, DEV12, DEV27 and HSG15 of the IPG (2007), and policies SP03 and SP10 of the Core Strategy (2010) seek to minimise the adverse effects of noise. Policy DM25 Managing Development DPD seeks to ensure that existing and future residential amenity is protected.

9.84 The National Planning Policy Framework states that in paragraph 27 that:

“Planning policies and decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;”

9.85 Paragraph 25.10 of the Managing Development: Development Plan Document states that:

“The Council will also seek to limit the impact of existing noise and vibration sources on new development and limit noise and vibration emission from new developments. The effect of noise and vibration can be minimised by separating uses sensitive to noise from development that generates noise and by taking measures to reduce any impact. For the purpose of this policy, developers should comply with the current best practice standards (British Standards). Where necessary, Acoustic reports to demonstrate compliance will be required.”

9.86 Appendix 2 of the Managing Development: Development Plan Document relating to the “Noise” states “Recommended limits for each noise exposure categories for dwellings and schools exposed to noise from road, air and rail traffic is given in Tables 1 of appendix 2 and is set out as below:

Noise Source	Noise exposure category for dwellings			
	A	B	C	D
Road traffic (07:00-2300)	<55	55-63	63-72	>72
Air traffic (07:00-2300)	<57	57-66	66-72	>72
Rail traffic (07:00-2300)	<55	55-65	65-74	>74
Mixed sources (07:00 -23:00)	<55	55-63	63-72	>72
All sources (23:00 -07:00)	<42	42-57	57-66	>66

Table A1: Noise Exposure category for dwellings –LaeqTdB Notes

9.87 The submitted Noise Assessment demonstrates that the noise level measured for the purpose of assessing the site is in accordance with Planning Policy Guidance 24 (PPG 24), although PPG24 has recently been replaced by NPPF. Nonetheless, the noise exposure category for dwellings as outlined in Appendix 2 of Managing

Development: Development Plan Document (submission version 2012) is in line with the superseded PPG24 and therefore noise assessed in accordance with PPG24 would provide a reasonably good indication as to whether the proposed development would be acceptable near the given noise source in accordance with the Council's policies.

The submitted Noise Assessment demonstrate that the noise level measured for the purpose of assessing the site in accordance with Planning Policy Guidance 24 (PPG 24), indicate that the locations nearest to the railway and Cambridge Heath Road falls within Noise Exposure Category (NEC) C and the eastern façade of Block A which falls within NEC D.

- 9.88 Noise exposure category C in Appendix 2 relating to "Noise" in the Managing Development: Development Plan Document (submission version) states that *"for proposals in this category there is a strong presumption against granting planning permission. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions will normally be imposed to ensure an adequate level in insulation against external noise."*
- 9.89 Noise exposure category D in Appendix 2 relating to "Noise" in the Managing Development: Development Plan Document (proposed submission version) states that *"for proposals in this category planning permission will normally be refused."*
- 9.90 The supporting information states that the objective is to provide an internal environment that achieves the World Health Organisation (WHO) guidelines whilst ensuring that appropriate rates of ventilation can be achieved without the need to open windows although the proposed design means that the facility to do so will remain as an option for residents.
- 9.91 To this respect, the proposal will provide the following noise attenuation measures.
- A double glazed aluminium framed window to the façade which incorporates a 10/12/6.4 double glazed unit consisting of a 10mm thick pane of glass and a 6.4mm laminated pane of glass separated by a 12mm air gap. A further internal single pane unit of secondary glazing separated from the external window by a 150mm acoustically lined air gap is proposed.
 - Background ventilation is proposed to be by way of a passive acoustic ventilator positioned above the window, but behind the rain-screen cladding and connected to a flat duct that runs above a 25mm plasterboard ceiling, the flat duct will be connected to a central fan unit and secondary attenuation, with air delivered via a supply grille in the ceiling.

The Council's Environmental Health Officer is satisfied with the mitigation measures. A condition is proposed to secure the details and to ensure appropriate noise level.

- 9.92 Whilst some of the areas would fall within NEC C and D the proposed mitigation measures are sufficient to ensure satisfactory level of residential amenity, in terms of noise.

Loss of Outlook and Overlooking

- 9.93 Core Strategy Policy SP10 seeks to ensure that buildings promote good design

principles to create buildings, spaces and places that are high-quality and protect amenity including preventing loss of privacy.

- 9.94 In terms of loss of outlook, 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. Nevertheless, in the opinion of officers, given the separation distances and roads separating the proposed development and the existing residential developments along Three Colts Lane; Buckhurst Street; Coventry Road; and Cambridge Heath Road and similarities in the heights of the buildings on Three Colts Lane, it is considered that the development would not create an unacceptable sense of enclosure or loss of outlook to habitable rooms near the site.

Micro-Climate

- 9.95 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) states that *Tall and large buildings should not have an unacceptable harmful impact on their surroundings*. It further states that *“Tall buildings should not affect the surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference*. 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.”

Policy DM26 (Building Height) of the Managing Development DPD states that *the proposed tall buildingshould not adversely impact on the microclimate of the surrounding area, including the proposal site and public spaces;*

- 9.96 Within the submitted Wind Assessment, the applicant has assessed the likely impact of the proposed development on the wind climate. The report demonstrates that the wind environment with regards to pedestrian comfort would be improved in some areas around the site like Three Colts Lane and near by Corfield Street as a result of the development. However, that the southeast corner of the building towards Cambridge Heath Road, some deterioration would be observed. Therefore, a mitigation measure will be required to address the pedestrian comfort level which includes landscaping. It is also suggested by the assessment that the location of entrances should be planned away from the south eastern corner of the building so as to avoid uncomfortable wind environments.
- 9.97 The proposal includes the residential entrance to building Core A located away from the worst affected area and is located fronting Three Colts Lane thereby improving the environmental conditions for the residential users significantly. The issue of planting/landscaping to reduce the impact will have to take place outside the red line boundary however Highway Officers have confirmed that the works can be done through S278 and/or S106 contributions, subject to sub-ground survey.
- 9.98 It is therefore considered that the proposed development would create acceptable microclimate conditions surrounding the development and the impact on the

pedestrian amenity and to the residential users would be mitigated.

Transport & Highways

- 9.99 The London Plan (2011) seeks to promote sustainable modes of transport, accessibility, and reduce the need to travel by car.
- 9.100 Saved UDP policies T16, T18, T19 and T21 require the assessment of the operation requirements of the development proposal and the impacts of traffic generation. They also seek to prioritise pedestrians and encourage improvements to the pedestrian environment. IPG policies DEV 16, 17, 18 and 19 require the submission of transport assessments including travel plans and set maximum parking standards for the Borough. Core Strategy policies SP08 and SP09 seek to deliver accessible, efficient and sustainable transport network and to ensure new development has no adverse impact on the safety and capacity of the road network, whilst ensuring that new developments have a high level of connectivity with the existing and proposed transport and pedestrian network. Policies DM20, DM21 and DM22 of the Managing Development DPD seek similar objectives and aims as the Core Strategy.
- 9.101 The NPPF states that *“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. Of the 12 principles set out in NPPF, one of the Core Principle in relation to transport states as follows:*
- *actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;*

NPPF also supports *“promotion of sustainable transport”* and 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.

Parking

- 9.102 Policies 6.13 of the London Plan 2011, Saved Policy T16 of the UDP, Policy SP09 of the Core Strategy and Policy DM22 of the Managing Development DPD seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 9.103 The site has a Public Transport Access Level (PTAL) of 6b which is the highest level demonstrating an excellent level of public transport service. The site is suitable for a permit free agreement, whereby future occupants of the residential units are to be prevented from obtaining on street car parking permits (subject to the operation of the Council's permit transfer scheme). The applicant has indicated in their TA that they are willing to enter into such agreement and will be secured through s106 agreement. The consented scheme was approved by Members without the requirement for the applicant to enter into a S106 permit free agreement. However, given the number of residential units proposed, it is officers' strong opinion that the proposal should be subject to s106 permit free agreement and in agreement with the applicant. Without it, it is likely that the proposed development will significantly impact upon the local highway network and on-street parking levels would be stressed. The Council's housing tenants benefit from permit transfer scheme and therefore would not be affected by this agreement.

- 9.104 The proposal provides a total of 23 car parking spaces, of which 14 car parking spaces (including 2 disabled car parking spaces) are provided in the basement of Block A and 9 car parking spaces (including 2 disabled car parking spaces) are provided in the rear service area at ground floor level of Block B.
- 9.105 The car parking spaces in Block A are reached by way of car lift off Buckhurst Street and also served by internal stairs and lift from the residential floors above. The car parking spaces in the rear service road of Block B are accessed directly from the residential units above by means of a rear access to and from the stair and lift cores at ground floor.
- 9.106 The consented scheme provided a total of 9 car parking spaces (including 2 disabled parking) however the subject proposal has now increased to 23 car parking spaces (including an additional 2 disabled car parking spaces).
- 9.107 Whilst the highways officer resisted the additional 14 car parking spaces proposed on the site, it should be noted that two of the 14 car parking proposed would be disabled car parking spaces. The proposed disabled car parking spaces amount to 14% of the total additional car parking spaces provided on the site. According to the Accessible Car Parking Standards Set out in IPG, "*Development with on-site car parking require a minimum of 2 spaces or 10% of the total parking which ever is greater, should be provided on site*". The proposed additional 2 accessible car parking spaces would therefore comply with the Accessible car parking standards set out in IPG.
- 9.108 With regards to the overall 23 car parking spaces (including the additional 14 car parking spaces) proposed for the whole of the development, the Transport Statement submitted with the application demonstrates that the site lies within an area with excellent public transport facilities with a PTAL rating of 6. The provision of 23 on-site parking for the whole development reflect that most of the journeys to and from the development will be made using non-car modes where public transport and walking will be the predominant modes. A travel Framework Plan is set out within the Transport Statement to further promote the use of non-car modes of transport.
- 9.109 The level of trip generation attributable to the site will have no discernible impact upon the existing infrastructure. It should be noted that as part of consented scheme proposed enhancement within the public realm will significant improve the existing pedestrian infrastructure around the site and will help to make walking even more attractive. Residents will not be eligible for on-street parking permits unless they are blue badge holders or the Council's permit transfer scheme applies. With these measures in place, the proposed development will have no adverse impact upon the free and safe operation of the public highway or the capacity of the public transport network serving the site. The development will therefore meet the aims and objectives of the Council's and London Plan policies.
- 9.110 In accordance with the guidance set out in the London Plan, a minimum of 20% of all on-site car parking spaces should be equipped with electric vehicle charging points. If planning permission is granted, this will be secured by condition.

Cycle Parking

- 9.111 The proposal would provide 89 single tier and 84 double tier cycle parking spaces and this would make provision for a total of 257 cycle parking spaces at ground floor level in four separate storage spaces corresponding to the cores of the building. The proposed level of cycle parking spaces would comply with the London Plan

2011 policy 6.13 and cycle parking standards sets out in Managing Development DPD which requires a total of 176 based on 1 per 1- or 2-bed unit and 2 per 3- or more bed unit. The applicant has provided the details of the cycle parking on the ground floor of proposed Block A and B (as was in the consented scheme) and this demonstrates that the storage space can cater for the number of proposed cycle parking spaces to be provided on site.

Servicing and Refuse Collection

- 9.112 The proposal as per the consented scheme proposes two separate commercial use within Block A which are to be serviced off Three Colts Lane by creating an on-street loading bay. The works will be subject to s278 works and Highways have accepted that on-street layby could be accommodated in this particular location. The works will be secured through s278 works together with the overall public realm improvement works along Three Colts Lane. The layby will not be designed to cater for articulated lorries, and therefore, amalgamation of the two commercial units into one larger food retail use will be restricted by a condition.
- 9.113 The commercial units within Block B will all be serviced from the proposed servicing road to the rear of the building. The height of the servicing road would also allow for refuse vehicles to enter and exit to collect refuse generated from residential units. Alternatively due to the proximity of refuse storage bins to Buckhurst Street and Coventry Road, the collection can also take place on the highway.

Public Realm Improvements

- 9.114 The Council has a programme of works to improve public realm mainly along Three Colts Lane. The works mainly consist of upgrading/new street furniture, road build outs, footway works, carriage way works, street trees along Three Colts Lane, Buckhurst Street and Coventry Road. S106 monies will be secured to contribute to the works programmed for the area. The proposal also contributes to the overall public realm by setting the building back at the ground floor level from the site's boundary which would improve the streetscape along Three Colts Lane.

Energy Efficiency and Sustainability

- 9.115 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the emerging Managing Development DPD Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 9.116 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).
- 9.117 The Managing Development DPD Policy DM29 includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Draft Policy DM 29 also requires sustainable design assessment tools to be used to ensure the development

has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all residential developments to achieve a Code for Sustainable Homes Level 4 rating and all non-residential developments to achieve a BREEAM excellent rating.

- 9.118 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.
- 9.119 The submitted sustainability statement and energy strategy report broadly follows the energy hierarchy as detailed above and proposes the use of energy efficiency and passive measures to reduce energy demand (Be Lean). A CHP system is proposed to supply the space heating and hot water requirements, however the current proposals are not considered in accordance with policy 5.6 of the London Plan, which seeks for a site-wide CHP network to be delivered, as currently two separate energy centres are proposed. Details of existing services should be provided to establish feasibility of a single energy centre linking the building across Buckhurst Street and providing a site wide solution. In addition, the size and location of the energy centres within each building should be provided together with the demand profile modelling to show the CHP have been sized to the appropriate thermal and electrical requirements of the development. This additional information is essential to ensure that the most appropriate energy strategy is delivered to maximise CO2 emission reductions.
- 9.120 Air Source Heat Pumps are proposed to provide a source of on site renewable energy (Be Green). In accordance with the Energy Hierarchy the decentralised energy system (CHP) should be maximised to supply the space heating and hot water requirements of the proposed development. The applicant should demonstrate that the proposed ASHP's do not conflict with the loads required for optimal performance of the CHP systems. The GLA Energy assessment guidance states that it is 'Important to demonstrate how they will work in tandem and, where applicable, how they will be integrated into a heat network (for heat generating technologies) and, where applicable, also how they will integrate with a cooling system/strategy. Where heat is already to be supplied by CHP, it is important that any technologies proposed do not compete with CHP'. Full details of how the technologies will operate in conjunction with each other must be submitted to the Council.
- 9.121 The applicant has broadly followed the energy hierarchy set out in policy 5.2 of the London Plan 2011. The proposals aim to reduce total site carbon emissions by 26.7%.
- The Managing Development DPD Policy DM29 includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. The applicant needs to demonstrate that the design has sought to achieve the current and emerging policy requirements. At present the proposed CO2 emission reductions are not supported by the sustainable development team.
- 9.122 In broad terms the proposed energy strategy follows the energy hierarchy and focuses on energy efficiency measures and use of CHP. However, the scheme is not supported by the Sustainable Development Team as it does not appropriately

respond to:

- Managing Development DPD policy DM29 which requires the development to reduce CO2 emissions by 35% above Building Regulations 2010
- London Plan Policy 5.6 which requires a site wide CHP

Core Strategy Policy SP11 which requires renewable energy technologies to be integrated into the scheme. Full details of how the technologies will operate in conjunction with each other should be submitted.

- 9.123 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 non-residential 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 and Policy DM29 of the London Borough of Tower Hamlets Draft Managing Development DPD.
- 9.124 The applicant has committed to achieving the required environmental assessment targets and this is supported by the Sustainable Development Team. It is recommended that the achievement of a Code Level 4 rating for all residential units and BREEAM Excellent rating for non-residential elements is secured through an appropriately worded Condition with the Code for Sustainable Homes and BREEAM Certificates submitted to the Council within 3 months of occupation.
- 9.125 It is considered that the proposed energy strategy is satisfactory, subject to a condition requiring a final energy strategy to be submitted and approved.

Section 106 Agreement

- 9.126 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 meet the following tests:
- (a) The obligation is necessary to make the development acceptable in planning terms;
 - (b) The obligation is directly related to the development; and
 - (c) The obligation is fairly and reasonably related in scale and kind to the development.
- 9.127 The general purpose of s106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure such as education, community facilities, health care and open space and that appropriate infrastructure to facilitate the development i.e. public realm improvements, are secured.
- 9.128 Policies 8.1, 8.2, 8.3 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 with developers where appropriate and where necessary for a development to proceed through their deliverance in kind or through financial contributions.
- 9.129 The Council has recently adopted Supplementary Planning Document on Planning Obligations in January 2012. This document; provides guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. In light of this, LBTH Officers have identified the below contributions to mitigate

against the impacts of the proposed development, which the applicant has agreed.

- 9.130 Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development would be approximately £1,156,696. This has been applied as follows through the SPD.

The proposed heads of terms are:

Financial Contributions

Employment

- Construction Phase Skills and Training - £27,655
- End-User Phase Skills and Training - £12, 784

Community Facilities

- Libraries - £36, 666
- Leisure - £129, 957

Education

- Primary School - £222, 450
- Secondary School – £134,082

Health - £204,886

Sustainable Transport - £4365

Public Realm

- Street Scene - £146,124
- Open Space - £237, 727

Total : £1,156,696

- 9.131 The applicant has submitted a viability toolkit as part of the application submission and the Council's appointed consultants have independently reviewed the toolkit. The submitted toolkit identifies that the proposal can only provide 30% affordable housing alongside planning obligations of £870,000. A proportion of the planning obligation, £45,000, is to be secured directly for the 3 affordable housing car parking spaces proposed to be created within the scheme, leaving £825,000 of planning obligations. The financial contribution is considered to be an acceptable offer in light of the viability of the scheme and the current economic climate and will still meet the test of the CIL regulations. The amounts have been apportioned appropriately and heads of terms are as set out below:

Financial Contributions

A) Employment

- Construction Phase Skills and Training - £19,800
- End-User Phase Skills and Training - £9075

B) Community Facilities

- Libraries - £26,400
- Leisure - £92,400

C) Education

- Primary School - £158,400
- Secondary School – £95,700

D) Health - £146,025

E) Sustainable Transport - £3,300

F) Public Realm

- Street Scene - £103,950
- Open Space - £169,950

G) Affordable housing car parking spaces – £45,000

Total : £870,000

Non-financial contributions

- A) Commitment to implement a Green Travel Plan;
- B) 27.6% affordable housing, measured in habitable rooms (social rented units set at target rents);
- C) Car-free agreement;
- D) Construction Plan;
- E) Access to employment provisions;
- F) Submission of and compliance with Construction Logistics Plan;
- G) Submission of and compliance with a Service Management Plan; and
- H) Compliance with Considerate Contractor Protocol.

Crossrail

9.132 Although the scheme is in the Rest of London Crossrail Charging Zone, the trigger for a s.106 payment would only be invoked if there is a 500sqm net increase in commercial floor space (B1 or A Class uses). Given that there is a reduction in the level of commercial floor space, it is considered that a crossrail contribution does not arise.

9.133 Localism Act (amendment to S70(2) of the TCPA 1990)

Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

Section 70(4) defines “*local finance consideration*” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

In this context “grants” might include:

- a) Great Britain Building Fund: the £400m “Get Britain Building” Fund and government-backed mortgage indemnity guarantee scheme to allow house buyers to secure 95% mortgages;
 - b) Regional Growth Funds;
 - c) New Homes Bonus;
 - d) Affordable Homes Programme Funding.
- a. These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

- b. (Officer Comment): Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. As regards local finance considerations, the proposed S.106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements. .
- 9.134 As regards Community Infrastructure Levy considerations, following the publication of the Inspector's Report into the Examination in Public in respect of the London Mayor's Community Infrastructure Levy, Members are reminded that the London mayoral CIL became operational from 1 April 2012 and will now be payable on this scheme. The likely CIL payment associated with this development would be in the region of £375,025 s.106 obligations.
- 9.135 With regards grants, the Great Britain Building Fund is part The government's housing strategy published on the 21 November 2011 designed to tackle the housing shortage, boost the economy, create jobs and give first time buyers the opportunity to get on the housing ladder. Officers are satisfied that the development provides the types of units in the form single occupancy flats within the private and intermediate tenure, and range of unit sizes to accommodate the differing financial constraints of future potential occupier and therefore the proposal supports this initiative .
- 9.136 The Regional Growth Fund (RGF) is now a £2.4bn fund operating across England from 2011 to 2015. It supports projects and programmers that lever private sector investment to create economic growth and sustainable employment. It aims particularly to help those areas and communities which were dependent on the public sector to make the transition to sustainable private sector-led growth and prosperity. Whilst there is no evidence to suggest that this development is directly linked into this initiative, officers are satisfied that through the £28,875 financial contribution toward Enterprise and Employment, and agreement to 20% local procurement during construction and 20% local labor in construction (referred to in the main committee report), there is likely to be a range of job opportunities, both skilled and un-skilled that would support the aim of the initiative to create economic growth and sustainable employment..
- 9.137 With regards to the New Home Bonus. The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 9.138 Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £155,573 in the first year and a total payment £933,441 over 6 years. There is no policy or legislative requirement to discount the new homes bonus against the s.106 contributions, and therefore this initiative does not affect the financial viability of the scheme.
- 9.139 The Affordable Homes Programme 2011-15 (AHP) aims to increase the supply of new affordable homes in England. Throughout 2011-15, Homes and Communities Agency (HCA) aims to invest £4.5bn in affordable housing through the Affordable

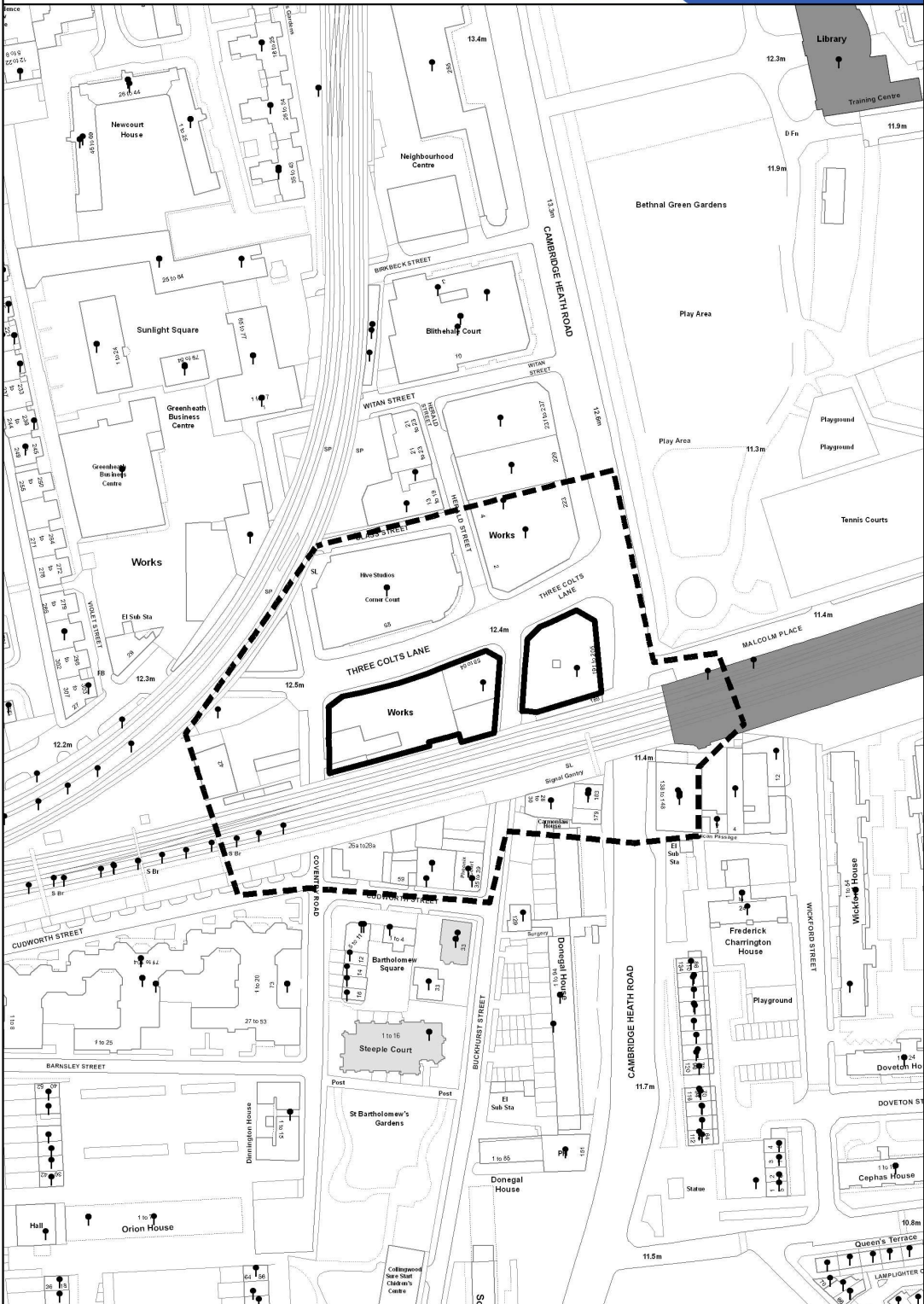
Homes Programme and existing commitments from the previous National Affordable Housing Programme. The majority of the new programme will be made available as Affordable Rent with some for affordable home ownership, supported housing and in some circumstances, social rent.







- 9.140 However developments that secure affordable housing through s.106 agreements (as is the case for this proposal) are highly unlikely to receive grant from the HCA as they seek to reserve funding for Registered Social Landlords who specialise in providing affordable housing.

Conclusions

- 9.141 All other relevant policies and considerations have been taken into account. The proposed development is considered to provide positive regenerative benefits to the local area; with delivery of housing (including affordable housing) and contributions towards improvements to services and infrastructure. The proposal meets the objectives as set out in the Council's Core Strategy which identifies that opportunities for growth and change to be delivered by a number of industrial areas being redeveloped for residential, infill development in existing built areas and housing estate renewals within Bethnal Green Area (LAP 1 & 2). Planning Permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



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

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