

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

5th July 2012

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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Agenda item no	Reference no	Location	Proposal
7.1	PA/10/00373	Stroudley Walk market, Stroudley Walk, London, E3 3EW	<p>Outline application for the demolition of Warren House and 30-49 Stroudley Walk, and redevelopment of the site in the form of five buildings reaching between 3 and 16 storeys to provide 380 sq m retail space (Use Classes A1, A2 and A3), up to 127 sq m community space (Use Class D1) and 130 new dwellings comprising 45 x one bedroom flats, 44 x two bedroom flats, 27 x three bedroom flats, 10 x four bedroom flats and four x five bedroom flats, plus opening up of Stroudley Walk one way to vehicles, associated landscaping and car parking.</p> <p>Matters to be determined: Access, Layout and Scale.</p>
7.2	PA/10/00374	Stroudley Walk market, Stroudley Walk, London, E3 3EW	<p>Full Planning Application for erection of a part 3, part 5 storey building to accommodate 19 residential units comprising 10 x one bedroom, seven x two bedroom, one x three bedroom and one x four bedroom units.</p>

Agenda Item number:	7.1
Reference number:	PA/10/373
Location:	Stroudley Walk market, Stroudley Walk, London, E3 3EW
Proposal:	Outline application for the demolition of Warren House and 30-49 Stroudley Walk, and redevelopment of the site in the form of five buildings reaching between 3 and 16 storeys to provide 380 sq m retail space (Use Classes A1, A2 and A3), up to 127 sq m community space (Use Class D1) and 130 new dwellings comprising 45 x one bedroom flats, 44 x two bedroom flats, 27 x three bedroom flats, 10 x four bedroom flats and four x five bedroom flats, plus opening up of Stroudley Walk one way to vehicles, associated landscaping and car parking. Matters to be determined: Access, Layout and Scale.

1.0 FURTHER REPRESENTATIONS

- 1.1 Since the writing of the main report, further representations have been received. On 25th June 2012, the Council received photocopies of a petition with 156 signatures and 26 letters of support. These are re-produced copies of the letters and petition that have already been received previously and therefore have already been addressed in the main report.
- 1.2 A petition with 56 signatures was also received in support of the proposal.
- 1.3 On 4th July 2012, a letter with three signatures was received in support of the proposal. The signatories are retail traders from Nos 30, 33 and 37 Stroudley Walk and state that the petitions which were generated by them initially should be made void as now they have worked closely with the applicant (Poplar HARCA). Whilst their individual support of the proposal is acknowledged, the petitions cannot be made void due to the number of signatories on the submitted petitions.
- 1.4 On 5th July 2012, a letter from a shop trader representing residents and businesses objecting to the proposal was received. Photocopies of a petition and letters objecting to the proposal were also attached to the letter. These petition and letters have already been received previously and therefore already have been addressed in the main report.
- 1.5 Representation has been received from the Applicant (Poplar HARCA) and has commented on relevant paragraphs of the Officer's main report. Whilst it is considered that all the points raised were satisfactorily addressed throughout the main report, the following provide individual responses.
- a) In response to Paragraphs 8.26 & 8.28: The scheme provides 40% affordable housing overall and replaces social rented units with social rented family homes. The scheme achieves a wider regeneration of the local area with significant investment in environmental works and better quality spaces. As such the scheme cannot be compared to an empty, brownfield site and its regeneration necessitates a balanced be struck with the level of affordable homes.

[Officer's comment: Paragraph 8.25 of the main report states that the scheme provides 39.6% of affordable housing overall. Paragraphs 8.37, 8.40 and table 6 show the proposed dwelling mix and it acknowledges that there are high proportion of family sized units within the Social and affordable rent sector. As set out in the report, it is considered that, in the officers' view, the regenerative benefits of the scheme do

not outweigh the shortfalls of the proposal, on balance.]

- b) In response to Paragraph 8.26: The reason why the scheme provides fewer social rented units than is currently on the site is because it replaces the existing 1 and 2 bed units with 3, 4 and 5 bedroom homes. As such, the proposal has deliberately chosen to create family homes to match the housing need of the area.

[Officer's comment: Paragraph 8.26 clarifies that the proposal results in the loss of 1 habitable room.]

- c) In response to Paragraph 8.11: The Applicant prepared and submitted a planning application for the refurbishment of Fairlie Court. This is supported by planning officers and should be determined as a delegated application within the next few days.

[Officer's comment: Paragraph 4.11 acknowledges the application received by the Council for the refurbishment of Fairlie Court, and Paragraph 8.11 explains Bromley By Bow Masterplan's vision.]

- d) In response to Paragraph 8.40: The scheme exceeds the Council's policy target to achieve 30% family homes overall and provides 94% family units in the affordable tenures. The Applicant has chosen to over-provide' family units within the affordable tenure where there is greatest needs.

*[Officer's comment: The Council's policies seek for developments to provide a **balance** of housing types within different tenures in accordance with most up to date housing needs assessment].*

- e) In response to Paragraphs 8.55 and 8.56: Paragraphs 8.55 and 8.56 contradict each other but conclude that the building height is acceptable. The proposed replacement tower lies between the existing 11 storey and 25 storey towers within the Bromley Estate and the Crossways Estate respectively. This site has an excellent PTAL rating where high density is desirable.

[Officer's comment: The two paragraphs sets out the building height in the context and the location and comes to a conclusion that, on balance, the proposed height on the tower is considered to be acceptable in this instance.]

- f) In response to Paragraph 8.60: This relates only to a portion of the Phase 1 west phasing façade which has been deliberately design to preserve the privacy of existing dwellings in Regent Square. The façade is not readily visible from the street but the building that results provides an important edge to Stroudley Walk.

[Officer's comment: The flank facades relate to various elements of the proposal. That is, Northern and western elevations of Phase 3 development; and west elevation of Phase 1 development as mentioned. These elements are likely to create sense of enclosure as explained in Paragraph 8.97.]

- g) In response to Paragraph 8.131: The Applicant can progress the scheme but not with the additional contributions sought by the Council. However this regeneration project is dedicated to transforming a poorly performing neighbourhood centre and replacing obsolete one and two bed flats that are not compatible with the housing needs defined by the Council. As such, it achieves significant benefits for the Borough.

- h) In response to paragraph 2.2: Leaving the area un-regenerated is a drain on

valuable resources, including human cost and is completely unsustainable.

[Officer's comment: On balance, the proposed regeneration cannot make the necessary and adequate contributions to social and physical infrastructure adding significant pressure to the existing resources and infrastructure. Therefore whilst regeneration itself is supported in principle, developments which cannot make necessary contributions to mitigate against its impact on local services and infrastructure is unacceptable and unsustainable. This is set out in officer's reason for refusal No 2 in paragraph 2.2.]

- 1.6 The Applicant raised concerns that the main report misrepresents the position with petitions for and against the proposal due to the excessively long period that the Stroudley Walk application has been with the Council. The Applicant states that they are aware that there have been a lot of representations in recent weeks to the Council supporting the proposals, and original petitions against the proposal was organised by shop keepers a long time ago and were before the Applicants had the chance to start proper consultation with them. The Applicants assures that many of the shop keepers are now in support of the proposal.

[Officer's comment: The Council initially consulted the neighbouring residents on 15th March 2010 when the application was first received. Following extensive discussions with the applicant, an amendment to the scheme was received and re-consultation took place in October 2011. As discussed in paragraphs 1.1, 1.2 and 1.3 of this Update Report further representations have been received to date. It is also worthwhile to note that 3 out of 11 shop traders have written to the Council now in support of proposal.]

2.0 ADDITIONAL INFORMATION

- 2.1 The report is absent in relation to the proposed Affordable Rented provisions and its proposed rent levels.
- 2.2 As a background, the Council has commissioned a housing consultancy called the Pod Partnership to research market rent levels in different areas of the borough and to carry out affordability analyses. The affordability analyses for all areas of the boroughs led to the conclusion that rents would only be affordable to local people if they were kept at or below 65% of market rent for one beds, 55% for two beds and 50% for three beds and larger properties. These percentages have been factored into the emerging policies within the Managing Development DPD (submission version 2012). The proposed rent levels will be secured in accordance with the levels stated in the Managing Development DPD.
- 2.3 The rent levels for the proposed 10 Affordable Rented units are below POD levels and therefore acceptable.

3.0 CLARIFICATION AND CORRECTIONS

- 3.1 As this application is a referable to the London Mayor, paragraph 3.1 should have been set out as follows:

3.1. That planning permission is REFUSED for the reasons outline in Section 2 above subject to:

A. Any direction by The Mayor of London

- 3.2 The following paragraphs are corrected in **bold** for typographical errors and should read as follows:

Paragraph 2.2

1. On balance it is considered that the regenerative benefits of the scheme do not outweigh the shortfalls of the proposal demonstrated by the proposed affordable housing provision of 11% uplift and the loss of social rented housing units. The proposed development also fails to provide adequate family sized dwellings within private and intermediate tenures and therefore does not provide a suitable range of housing choices to meet the needs of borough's residents. **In summary, the proposal** fails to contribute to meeting the borough's affordable housing needs and affordable housing targets, contrary to policies: 3.11, 3.12 and 3.13 of the London Plan 2011; SP02 of the Core Strategy 2010; and DM3 of the Managing Development DPD (submission version 2012).

Paragraph 6.11

The proposed development is subject to viability. The proposed dwelling mix for the overall scheme provides 40% affordable housing by habitable rooms, a total of 160 affordable habitable rooms. However, once the existing 45 social rented units on site which are proposed to be demolished are **considered**, the proposed scheme would only provide 37 units of which 24 are social rent, 10 are units at affordable rent and 3 Intermediate tenure. Overall this would be a loss of 21 social rent units in total. However it is acknowledged that the replacement social rent units are in the form of larger family sized housing.

*[Officer comment: Shortfall of affordable housing forms a reason for refusal and addressed in **Section 8** of the report]*

Paragraph 7.1

A total of 1111 neighbouring properties were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to the first round of notification and publicity of the application were as follows:

No. of individual responses: Objecting: 35 Supporting: 21
No of petitions received:
Objecting: 5 petitions totalling 778 signatures
Supporting: 1 petition with 220 signatures

Paragraph 8.37

The unit mix for the **social/affordable** rent tenures sees a 0% provision of one bed units against a policy target of **30%**, a 6% provision of two bed units against a policy target of 25%, a 53% provision of three bed units against a policy target of 30%, and a 41% provision of four beds against a policy target of 15%.

4.0 RECOMMENDATION

4.1 Officer's recommendation remains Refusal.

Agenda Item number:	7.2
Reference number:	PA/10/00374
Location:	Stroudley Walk market, Stroudley Walk, London, E3 3EW
Proposal:	Full Planning Application for erection of a part 3, part 5 storey building to accommodate 19 residential units comprising 10 x one bedroom, seven x two bedroom, one x three bedroom and one x four bedroom units.

1.0 FURTHER REPRESENTATIONS

- 1.1 Representation has been received from the applicant (Poplar HARCA) and has commented on the Officer's main report.

In response to Paragraph 8.35: There is only a lack of space at Phase 1. The completed development provides sufficient communal space and play space.

[Officer's comment: Paragraphs 8.35 and 2.2 sets out the reasons why nil on-site play space is unacceptable without an acceptable and appropriate site wide estate regeneration scheme. Furthermore, as explained in paragraph 4.2, the subject application for Phase 1 needs to comply with policies and guidance on its own merits, as it could be implemented separately from the outline application. This is evident from another site owned by the same Applicant whereby the full planning application, Phase 1 of the development have been implemented, and the outline, the site wide have not been implemented and the consent lapsed at the time of writing.]

2.0 ADDITIONAL INFORMATION

- 2.1 The report is absent in relation to the proposed Affordable Rented provisions and its proposed rent levels.
- 2.2 As a background, the Council has commissioned a housing consultancy called the Pod Partnership to research market rent levels in different areas of the borough and to carry out affordability analyses. The affordability analyses for all areas of the boroughs led to the conclusion that rents would only be affordable to local people if they were kept at or below 65% of market rent for one beds, 55% for two beds and 50% for three beds and larger properties. These percentages have been factored into the emerging policies within the Managing Development DPD (submission version 2012). The proposed rent levels will be secured in accordance with the levels stated in the Managing Development DPD.
- 2.3 The rent levels for the proposed 10 Affordable Rented units are below POD levels and therefore acceptable.

3.0 CLARIFICATION AND CORRECTIONS

3.1 Paragraph 7.1

A total of 1111 neighbouring properties were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to the first round of notification and publicity of the application were as follows:

No. of individual responses: Objecting: 29

Supporting: 21

No of petitions received:

Objecting: 5 petitions totalling 486 signatures

Supporting: 1 petition with 220 signatures

4.0 RECOMMENDATION

4.1 Officer's recommendation remains Refusal.