

Committee: Strategic Development Committee	Date: 8th November 2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Katie Cooke		Ref No: PA/12/00360	
		Ward(s): Blackwall and Cubitt Town	

1. APPLICATION DETAILS

Location: New Union Close, London

Existing Use: Residential housing estate.

Proposal: Redevelopment of site comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.

Drawing No's: Drawings:
2376-JW-002, 2376-JW-051 (Rev P03), 2376-JW-052 (Rev P03), 2376-JW-053 (Rev P02), 2376-JW-054 (Rev P02), 2376-JW-055 (Rev P02), 2376-JW-056 (Rev P02), 2376-JW-057 (Rev P02), 2376-JW-058 (Rev P02), 2376-JW-059 (Rev P02), 2376-JW-060 (Rev P02), 2376-JW-061 (Rev P02), 2376-JW-062 (Rev P02), 2376-JW-063 (Rev P02), 2376-JW-064 (Rev P02), 2376-JW-065 (Rev P02), 2376-JW-066 (Rev P02), 2376-JW-070 (Rev P02), 2376-JW-075 (Rev P02), 2376-JW-080 (Rev P02), 2376-JW-081 (Rev P02), 2376-JW-082 (Rev P02), 2376-JW-083 (Rev P02), 2376-JW-084 (Rev P02), 2376-JW-085 (Rev P02), 2376-JW-090 (Rev P02), 2376-JW-091 (Rev P02), 2376-JW-092 (Rev P02), 2376-JW-093 (Rev P02), 2376-JW-094 (Rev P02), 2376-JW-095 (Rev P02), 2376-JW-096 (Rev P02), 2376-JW-097 (Rev P02), 2376-JW-098 (Rev P02),

Documents:

- Ref: NUW3: Design and Access Statement
- Ref: NUW5: Planning and Regeneration Statement
- Ref: NUW5: Planning and Regeneration Statement (Amendment)
- Ref: NUW6: Statement of Community Involvement
- Ref: NUW7: Environmental Statement Non-Technical Summary
- Ref: NUW8: Environmental Statement Main Text
- Ref: NUW8a: Environmental Statement Drawings
- Ref: NUW9: Environmental Statement Appendices
- Ref: NUW10: Transport Assessment
- Ref: NUW10a: Travel Plan

- Ref: NUW11: Energy Statement
- Ref: NUW12: Drainage Statement
- Ref: NUW13: Utilities Statement
- Ref: NUW14: Sustainability Statement
- Ref: NUW15: Arboricultural Statement
- Viability Assessment
- Landscape Strategy (Dated June 2012)
- Housing Needs and Preferences Survey (Produced by Tony Draper Consulting, Dated: 28th November 2011)
- River Wall Assessments and Ground Investigation Scope (Produced by Hyder Consulting, Ref: 006-UA003213-GDR-01, Dated 7th December 2011)
- Letter from Hyder to EA (Ref: AK/UA003213-LNL-01, dated 1st May 2012),
- Letter from Hyder to EA (Ref: PA/12/00360, dated 20th June 2012),
- Technical Note in relation to the Drainage Strategy produced by Hyder (ref: 0140-UA003398-GDR-01, dated: 19th June 2012),
- Letter from Hyder to EA (Ref: NE/2012/114851/02-L01, dated 9th July 2012),
- Technical Note in relation to the Drainage Strategy produced by Hyder (ref: 0140-UA003398-GDR-02, dated: 2nd July 2012),
- Draft Sample SAP, TER and DER reports (Produced by Leaside Planning, dated 23 May 2012),
- Revised Chapter 14 (Daylight/Sunlight) to the ES (Produced by Hyder, dated 30 August 2012);
- Internal Daylight and Sunlight Report (Produced by GIA, dated 23 August 2012, ref: 6756).

Applicant: East Homes Limited
Owner: East Homes Limited
Historic Building: None within site.
Conservation Area: Not in a Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (2011), the Council's Core Strategy (2010), the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), Isle of Dogs Area Action Plan Submission Document (2006), Managing Development - Development Plan Document (Submission Version May 2012), National Planning Policy Framework (2012) and Government Planning Policy Guidance and has found that:
- o The proposal makes efficient use of the site with a high-density mixed use redevelopment and as such accords with policies 3.3 and 3.4 of the London Plan (2011), policies S07 and SP01 of the Core Strategy 2010, saved policy DEV3 of the Unitary Development Plan (1998), policy DM1 of the Managing Development DPD (Submission Version 2012) and HSG1 of the Council's Interim Planning Guidance (2007) which seek the maximum intensity of use compatible with local context.
 - o The provision of 64.3% affordable housing (31.6% uplift affordable housing) is considered to provide an acceptable level of affordable housing, tenure and mix of units and as such complies with policies 3.8, 3.9 and 3.11 of the London Plan (2011), policy HSG7 of the Council's Unitary Development Plan (1998) policy SP02 of the Core Strategy (2010), policy DM3 of the Managing Development DPD (Submission

Version 2012) and policies HSG2 and HSG3 of the Council's Interim Planning Guidance (2007) which seek to ensure that new developments offer a range of housing choices and acceptable level of affordable housing subject to viability.

- The density of the scheme does not result in any of the significant adverse impacts typically associated with an overdevelopment, and is therefore acceptable in terms of policy 3.4 of the London Plan (2011), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM24 and DM25 of the Managing Development DPD (Submission Version 2012) and policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
- The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the urban context of the site and as such accords with policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010, policy DM25 of the Managing Development DPD (Submission Version 2012) and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
- The quantity and quality of housing amenity space, communal space, child play space and open space is acceptable and accords with policy 3.6 of the London Plan (2011), policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy (2010), policy DM4 of the Managing Development DPD (Submission Version 2012) and policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) which seek to improve amenity and liveability for residents.
- The building height, scale, bulk, design and relationship of the proposed development are acceptable and accord with the NPPF (2012), policy 3.5 of the London Plan (2011), policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010, policies DM24 and DM26 of the Managing Development DPD (Submission Version 2012) and policies DEV1, DEV2, DEV3 and DEV4 of the Council's Interim Planning Guidance (2007) which seek to ensure buildings are of a high quality design.
- The scheme would promote permeability and accessibility through the development whilst being designed to provide a safe and secure environment for residents. The development accords with policy DEV1 of the Council's Unitary Development Plan (1998), policies SP09 and SP10 of the Core Strategy (2010), policies DM23 and DM24 of the Managing Development DPD (Submission Version 2012) and policy DEV4 of the Council's Interim Planning Guidance (2007), which require all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and accord with policy 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan (2011), policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010), policies DM20 and DM22 of the Managing Development DPD (Submission Version 2012) and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
- Sustainability matters, including energy, are acceptable and accord with policies 5.2 and 5.7 of the London Plan (2011), policy SP11 of the Core Strategy (2010), policy DM29 of the Managing Development DPD (Submission Version 2012) and policies

DEV5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.

- Subject to viability, the proposed development will provide appropriate contributions towards the provision of education, employment, community facilities, health, sustainable transport, public open space, streetscene and built environment in line with the NPPF, policy DEV4 of the Council's Unitary Development Plan (1998), policy IMP1 of the Council's Interim Planning Guidance (2007) and the Council's Planning Obligations SPD (Adopted 2012) which seek to secure contributions toward infrastructure and services required to facilitate proposed development subject to viability.

3. RECOMMENDATION

3.1 That the Committee resolve to **GRANT** planning permission subject to:

A That prior completion of a **legal agreement** to secure the following planning obligations:

- a) To provide a minimum of 64.3% of the residential accommodation as affordable housing measured by habitable rooms comprising 195 social rent units and 47 intermediate units, as specified in the submitted schedule of housing (64.3% of proposed habitable rooms overall including replacement and comprising 31.6% on the uplift alone).
- b) A contribution of £366,246 towards Education;
- c) A contribution of £95,844 towards Health;
- d) Payment of the monitoring fee
- e) The completion of a Travel Plan
- f) The provision of 2 Car Club Spaces
- g) The completion of a car-and-permit free agreement for all new residential units provided at the site (existing tenants not subject to car and permit free agreement).
- h) A commitment to utilising employment and enterprise initiatives in order to maximise employment of local residents (20% local procurement during construction and 20% of construction force to be local residents).
- i) The right of public access through homezones.
- j) The provision of Public Art within the site.
- k) The retention of the right of walking along the Riverside Walkway
- l) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

3.2 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

- 3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions:

Compliance

1. Time Limit 3 years
2. Compliance with plans and documents
3. No infiltration of surface water drainage into the ground
4. Maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times.
5. Stockpile heights must not be higher than the height of the hoarding;
6. Cycle Parking details to implemented in accordance with details approved
7. 20% electric charging points on site and in the basement and further 20% passive provision.
8. Compliance with Energy and Sustainability Strategy submitted
9. All residential accommodation to be completed to lifetimes homes standards
10. Refuse and Recycling to be implemented in accordance with approved plans
11. The scheme to meet the standards of Secure by Design
12. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
13. Ensure pedestrian access points are level or gently ramped.
14. Maximum height of completed structure at 49.7m.
15. Landscaping plans and plantations to ensure that it is unattractive to birds

Prior to construction

1. Submission of phasing and tenure plan
2. Contamination – investigation and remediation
3. Verification Report
4. No development to take place until detailed engineering reports for all lengths of the river wall (or flood defence structure if different to the river wall) and it's supporting anchorage system have been submitted to LPA
5. Piling and foundation design using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority for each Phase of the development;
6. No impact piling shall take place until a piling method statement has been submitted and approved
7. Impact studies of existing water supply
8. Submission of a detailed drainage scheme
9. Submission of materials and samples
10. Noise report to ensure that the internal noise level and appropriate sound insulation in accordance with the British Standards
11. Noise and Vibration Assessment
12. Construction Environmental Management Plan
13. Parking Management Strategy
14. Scheme of Highways Works
15. Scheme of lighting and CCTV
16. Details of wayfinding signage within the site
17. Details of brown and green roofs
18. Landscaping
19. Implementation of a programme of archaeological mitigation
20. Dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase. In the event of soil contamination being identified, EHO will require chemical compositional sampling to be undertaken as well upon request.
21. Reuse potential for inert demolition waste by pre-demolition audit
22. Installation of Heat Network

23. Submission of details of the wheelchair housing specification/standards to show at least 10% units are wheelchair adaptable
24. Details of crantage

Prior to Occupation:

25. Delivery and Servicing Plan
26. Code for Sustainable Homes post completion assessment
27. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 required
- 2) Section 278 required
- 3) Contact Environment Agency;
- 4) Contact Thames Water
- 5) Applicant advised to contact LBTH Building Control team
- 6) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

- 3.4 That, if by the 3 months the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 In detail the application proposes:

- Demolition of residential blocks containing 189 one, two, three and four bedroom flats;
- Erection of one linear and two courtyard blocks (C, B and A respectively) ranging from 3 to 14 storeys high;
- Provision of 399 flats comprising 119 one-bedroom, 190 two-bedroom, 60 three-bedroom and 30 four-bedroom.;
- Provision of ancillary 103sqm office/community facility (use class D1) within the development;
- The replacement of 189 car parking spaces, of which 22 (including 18 accessible and 2 car club) would be provided at surface (i.e. Homezone) level and the remainder provided at semi-basement level beneath blocks A and B;
- Provision of 498 bicycle parking spaces (including 178 in block A; 192 in block B; and 128 in block C) and 18 motorcycle spaces; and
- The layout and landscaping of private and communal amenity space for the development.

Site and Surroundings

- 4.2 The New Union Wharf Estate is broadly rectangular in shape and covers an area of 1.7 hectares. The site's boundary is located on the eastern side of the Isle of Dogs where it abuts with the River Thames and benefits from panoramic views over the water to the

Greenwich Peninsula; including the O2 Arena.

- 4.3 The site's western boundary is defined by Stewart Street and the Samuda residential estate with its 4 and 6 storey linear blocks organised around a series of semi-private courtyards and blank fronted ground floor parking areas. Completed in the 1970's, the Samuda estate is a significant development on a scale that dominates the character of the adjacent area. This estate now appears dated and suffers a number of inherent design and layout problems particularly through its lack of well defined public and private space and its uniformity which contributes to poor legibility. Beyond this to the west is Manchester Road, a main vehicular route that runs around the perimeter of the Isle of Dogs. On the opposite side of this road is St John's Park, a local open space with children's play facilities.
- 4.4 The sites southern boundary is dominated by Kelson House, a 25 storey residential point block constructed in the 1970's with an area of associated car parking forming its boundary with New Union Wharf.
- 4.5 The northern boundary of the site abuts with Capstan Square, a 1980's private residential estate of three and four storey blocks and town houses. Beyond this is the Isle of Dogs Pumping Station and Alice Shepherd House, a 10 storey residential block fronting Stewart Street.
- 4.6 The New Union Wharf estate comprises 189 dwellings and a small neighbourhood office of which the majority are occupied. A decant strategy will be provided when the phasing of the scheme has been determined.
- 4.7 Built in the 1970's as social housing, the estate comprises 3 to 6 storey blocks of flats and maisonettes constructed in a distinctive red brick. The current design is inward looking with no defined street frontages to Stewart Street or New Union Close, the orientation and layout of the individual blocks has resulted in numerous blank facades, hidden corners, and unusable hard landscaped areas. Furthermore the existing unit mix does not meet existing residents or local borough housing need and is heavily weighted towards 1 and 2 bed units which comprise 82% of the housing stock on the estate.
- 4.8 The site is largely covered with hard standing and surface parking at ground level and with limited useable areas of open green space for children's play and recreation. Pedestrian access comprises a myriad of footpaths through the surrounding estates connecting New Union Wharf to Manchester Road and Crossharbour.
- 4.9 The site has a PTAL (public transport accessibility) of 2 being poorly accessible (where 6 is regarded as being easily accessible).
- 4.10 Notwithstanding this, the site is a number of bus routes within 400m and 800m walk as identified below.

Bus route	From	Via	To	Frequency	Distance
D3	Bethnal Green	Canary Wharf Shadwell St John's Park	Crossharbour Asda	Every 8-10 mins (7am-8pm) Mon-Fri	400m
D6	Hackney Central	Mile End Blackwall Crossharbour	Crossharbour Asda	Every 7-11 mins (7am-7pm) Mon-Fri	800m
D7	Mile End	Canary Wharf Westferry Road St Johns Park	Poplar	Every 7-9 mins (7am-7pm) Mon-	400m

				Fri	
D8	Stratford Bus Station	East India Dock Road Canada Square	Crossharbour Asda	Every 10-14 mins (7am-8pm) Mon-Fri	800m
135	Crossharbour Asda	Marsh Wall Canary Wharf St Johns Park	Old Street Station	Every 8-12 mins (6am-9pm) Mon-Fri	400m

Table 1

- 4.11 In addition to the bus network, the site is within close proximity to rail stations also. The nearest London Underground station to the site is Canary Wharf Underground Station, which can be reached within approximately 1.2km from the site, or approximately 14 minutes' walk. The station provides access to Jubilee line services which run between Stanmore in northwest London and Stratford in north-east London via Central London and the East End of London.
- 4.12 The closest DLR station to the site is Crossharbour situated along Marsh Wall, between Millharbour and Limeharbour, and is accessible within a 15 minute walk of the NUW estate. Along its eastern edge adjacent to the river is a pedestrian walkway, however, visual links through the estate to this walkway and the River are not clear. The site also drops down in level by approximately 3 metres between its boundary with the River Thames to Stewart Street.
- 4.13
- 4.14 The parks at Millwall and Mudchute provide substantial areas of good quality public open space some 700 metres to the south-west and can be safely and conveniently reached on foot from the site. The Cubitt Town Infant School, St Luke's CE Primary School and Nursery and George Green's Secondary School are also within easy walking distance on Manchester Road to the south and south-west of the site.

4.15

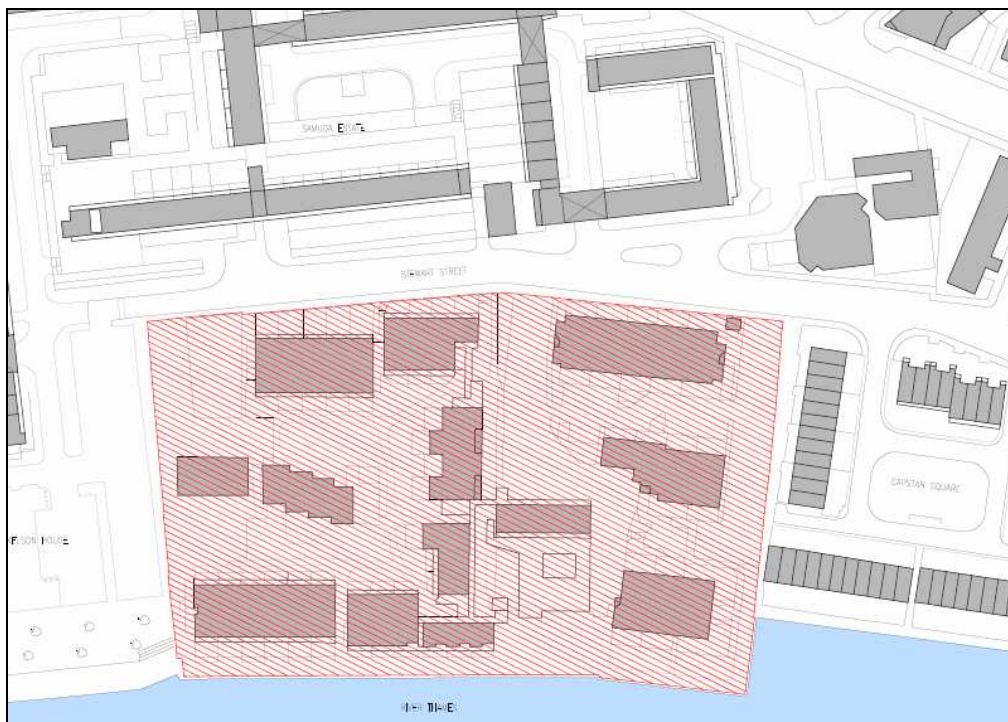


Figure 1 – Existing Site Location Plan

Planning History

- 4.16 There are no planning applications current or determined within the site boundary that impact on, or are otherwise relevant to this current proposal.
- 4.17 However there have been a number of minor applications within the wider environs of the estate over the past 12 years. Most recently Island Homes Housing Association Ltd has gained permission for environmental improvement works on their existing estates at Samuda (ref: PA/10/01300) and St John's (ref: PA/10/01374). Works have included new waste recycling storage; upgrades and replacement of existing children's play space.

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV4	Planning Obligations
	DEV9	Control of Minor Works
	DEV12	Provision Of Landscaping in Development
	DEV17	Street Furniture
	DEV42	Archaeological Remains
	DEV43	Locally Important Archaeological Site or Remain
	DEV44	Development of Archaeological Sites
	DEV50	Noise
	DEV51	Contaminated Soil
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	DEV57	Development and Sites of Nature Conservation Importance
	DEV65	Protecting Existing Walkways
	DEV69	Water Resources
	HSG7	Dwelling Mix and Type
	HSG13	Internal Space Standards
	HSG16	Housing Amenity Space
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network
	T21	Pedestrians Needs in New Development
	OS9	Children's Playspace
	OSN3	Blue Ribbon Network
	OS9	Children's Playspace
	U2	Development in Areas at Risk from Flooding
	SCF11	Meeting Places
	U2	Development in Areas at Risk from Flooding
	U3	Flood Protection Measures

Core Strategy 2010

Strategic Objectives:	S07	Refocusing on our Town Centres
	S07	Urban Living for Everyone
	S08	Urban Living for Everyone
	S09	Urban Living for Everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO12	Creating a Green and Blue Grid
	SO13	Creating a Green and Blue Grid

SO14	Dealing with waste
SO19	Making Connected Places
SO20	Creating Attractive and Safe Streets and Spaces
SO21	Creating Attractive and Safe Streets and Spaces
SO23	Creating Distinct and Durable Places
SO24	Working Towards a Zero Carbon borough
SO25	Delivering Placemaking

Spatial Policies:	SP02	Urban Living for Everyone
	SP03	Creating Healthy and Liveable Neighbourhoods
	SP04	Creating a Green and Blue Grid
	SP05	Dealing with waste
	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 Obligations

Managing Development Development Plan Document (DPD) Submission Version 2012

Policies	DM3	Delivering Homes
	DM4	Housing standards and amenity space
	DM8	Community Infrastructure
	DM10	Delivering Open Space
	DM11	Living Buildings and biodiversity
	DM12	Water Spaces
	DM13	Sustainable Drainage
	DM14	Managing Waste
	DM20	Supporting a Sustainable transport network
	DM22	Parking
	DM23	Streets and the public realm
	DM24	Place sensitive design
	DM25	Amenity
	DM26	Building Heights
	DM29	Achieving a zero-carbon borough and addressing climate change
	DM30	Contaminated Land

Interim Planning Guidance for the purposes of Development Control (October 2007)

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV14	Public Art
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities

DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV27	Tall Buildings Assessment
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG5	Estate Regeneration Schemes
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Affordable Housing
SCF1	Social and Community Facilities

Isle of Dogs Area Action Plan Submission Document (November 2006)

IOD1	Spatial Strategy
IOD2	Transport and Movement
IOD6	Water Space
IOD7	Flooding
IOD8	Infrastructure Capacity
IOD9	Waste
IOD10	Infrastructure and Services
IOD23	East India Sub Area

Supplementary Planning Guidance/Documents

Designing Out Crime Parts 1 and 2
 Planning Obligations SPD 2012
 GLA Housing SPG November 2005

Spatial Development Strategy for Greater London (London Plan) 2011

Policies:	3.3	Increasing Housing Supply
	3.4	Optimising Housing Potential
	3.5	Quality and Design of Housing Developments
	3.6	Children and young peoples play and informal recreation facilities
	3.8	Housing Choice
	3.9	Mixed and Balanced Community
	3.10	Definition of Affordable Housing
	3.11	Affordable Housing Targets
	3.12	Negotiating Affordable Housing
	3.13	Affordable Housing Thresholds
	3.14	Existing Housing
	5.2	Minimising Carbon Dioxide Emissions
	5.3	Sustainable Design and Construction
	5.7	Renewable Energy
	5.11	Green Roofs and Development Site Environs
	5.12	Flood Risk Management
	5.13	Sustainable Drainage
	5.14	Water Quality and Wastewater Infrastructure
	6.1	Strategic Approach
	6.3	Assessing Effects of Development on Transport Capacity
	6.9	Cycling

6.10	Walking
6.11	Smoothing Traffic Flow and Tackling Congestion
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
7.18	Protecting Local Open Space
7.24	Blue Ribbon Network
7.25	Increasing the Use of the Blue Ribbon Network
7.27	Blue Ribbon Network: Supporting Infrastructure and Recreational Use
7.28	Restoration of the Blue Ribbon Network
7.29	The River Thames
8.2	Planning Obligations
8.3	Community Infrastructure Levy

Government Planning Policy Guidance/Statements

NPPF National Planning Policy Framework

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

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

6. CONSULTATION RESPONSE

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

Environment Agency (Statutory Consultee)

6.2 The Environment Agency have stated that they have no objection to the development subject to the following conditions

- Development to be carried out in accordance with a drainage scheme
- Engineering reports for the river wall
- Details of contamination
- Details of remediation
- Submission of a Verification report
- Details of piling/foundations design
- No infiltration of Surface Water Drainage

(Officer Comment: Further details are set out in the Flood Risk section of this report. Conditions to cover the planning issues raised by the Environment Agency would be placed on any permission.)

Tower Hamlets Primary Care Trust

6.3 Based upon the scale of development proposed, a financial contribution is required to

mitigate the impact upon healthcare in the area of £289,505.

[Officer comment: Due to viability, it has not been possible to provide this quantum. Refer to Material Planning Considerations 'Planning Obligations and S.106' section of this report.]

Crime Prevention Officer

- 6.4 In principle the Crime Prevention Officer (CPO) raised no objection to the proposed works. A number of suggestions were put forward for the developer to incorporate into the overall design, such as the use of toughened glass, no trade buttons, etc

[Officer comment: The comments raised by the CPO do not warrant any revisions to the scheme and therefore the comments have been passed onto the applicant for review. Appropriately worded conditions will be added to ensure the scheme complies with Secure by Design standards.]

Design Council (Formerly CABE)

- 6.5 CABE members did not object to the scheme and raised the following points:

- § Questioned whether the proximity of the development to the western site boundary could compromise the amenity of residents of the linear block in the future if the neighbouring site is redeveloped.
- § Suggested consideration be given to the provision of other uses, to provide additional facilities for residents and create more activity within the scheme, in particular along the riverside and Stewart Street frontages.

[Officer's comment: it is considered that there is sufficient distance from the Samuda estate to ensure that there would be little impact on the amenity of the residents in the linear block in the unlikely event that this site is redeveloped. Any redevelopment of the Samuda estate would have to consider the impact that it would have on its neighbours.]

The introduction of various other uses on the ground floor along the Stewart Street and the waterfront was considered very early on in the design process but discounted on the basis that there is no demand for business units in this location given the residential nature of the area, and the amount of community space needed has already been catered for in the scheme.]

- § Consideration should also be given to providing maisonettes on the top floors with access to private gardens on the roof.

[Officer's comment: All units will be provided with good quality private and communal open space. This includes some units with roof terraces. However, additional roof terraces can not be provided because of privacy and/or safety issues or due to the fact that a large portion of the roof space will be required for PV's as part of the energy strategy.]

- § Queried whether the courtyards and the residential units would be overshadowed by the taller blocks adjacent to the river.

[Officer's comment: The design has considered the degree of overshadowing and the buildings have been lowered and 'notched' on the south and western sides specifically to allow sunlight into the courtyards. The results of a full study testing the degree of overshadowing of the courtyard spaces has been submitted and reviewed by officers and was found to be acceptable.]

- § Questioned whether the provision of car parking at ground floor level below a podium courtyard, is the right approach for this scheme.

[Officer's comment: The Applicant has tested many different arrangements for the built form of this development and has found that a podium provides the best balance to introduce secure car parking whilst producing a high quality landscaped environment, and providing usable, well surveyed open space. Due to the constraints of the site, the applicant has confirmed that undercroft and semi-basement parking is not a feasible alternative.]

- § The design strategy for the riverside, in particular the design and functionality of the riverside public space and its relationship to the courtyard buildings, needs further thought.

[Officer's comment: The current scheme focuses the communal entrances to the four tallest blocks, in the form of large fully glazed lobbies onto the waterfront space. The upper storeys of the development fronting this space will overlook it, particularly from the balconies and winter gardens of residential units. The applicant has researched other potential uses and found none that could be sustained in this location by this scheme.]

- § Applaud the quality of the materials proposed, further thought should be given to the materials and colour on the buildings.

[Officer's comment: The applicant has since submitted revised plans in light of these comments showing the following:

- *Introduction of colour to glazed elements on the Stewart Street façade and lightening the colour of the contrasting brick colour of the maisonettes entered at ground level throughout the scheme.*
- *Amended the main brick colour slightly so that it has more texture and life than the original "putty" coloured brick.*
- *Reduced the heights of the brick parapets to the buildings so that proportions of the elevations are made more elegant.*
- *Amended the treatment of doors to plant areas. These are now combined in pairs and groups within larger apparent openings in the brickwork that create a less utilitarian impression than individual louvred doors.*
- *Shared residential entrance areas are also given a more generous and open expression, with splashes of colour that complement the colours on the maisonettes.*
- *The fenestration of the community space on the corner of Stewart Street is revised and given a more generous scale, to contrast with the domestic fenestration elsewhere.]*

- § The courtyards would benefit from a landscape scheme of significant scale.

[Officer's comment: A landscaping strategy has been submitted as part of the application setting out the overall landscaping intentions of the site. An appropriately worded condition will be imposed.]

Thames Water

- 6.6 The surface water management plan as specified in the submitted Flood Risk Assessment document is acceptable to Thames Water and should be adhered to.

Following planning conditions should be imposed.

- No impact piling shall take place until a piling method statement is submitted and approved.
- Impact studies of the existing water supply to be submitted and approved

Following informative should be added.

- discharge of ground water into public sewers, contact Thames Water.

[Officer's Comment: Appropriately worded condition and informatives will be added]

London City Airport (Statutory Consultee)

- 6.7 The proposal has been examined from an aerodrome safeguarding aspect and does not conflict with safeguarding criteria. Accordingly no safeguarding objection to the proposal subject to conditions.
- Completed structure at 49.7m AOD
 - Construction methodology for the use of cranes
 - All landscaping plans and plantations to ensure that it is unattractive to birds and to discourage bird activity to ensure safe operations at the Airport.

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

Transport for London (Statutory Consultee)

- 6.8 TFL raised the following comments in their response:

- It is noted that the site lies within an existing controlled parking zone (CPZ), and that parking permits on surrounding streets will not be allocated to residents moving to the estate after the completion of the proposed regeneration works, as part of the 'car-free' agreement. This is supported by TfL, who would recommend that this requirement is secured either by condition or through the s106 agreement. It should however be confirmed whether this also applies to those who are eligible for the Council's 'permit scheme'. In addition, two car club spaces are being proposed. This is supported by TfL, who would recommend that this provision is also secured through the s106 agreement.

[Officer's Comment: The scheme will be made car-and-permit free through the s106. Permit transfer is allowed in LBTH.]

- It is proposed that an 'active and effective' parking management strategy will be evolved to ensure demand does not exceed supply. This is supported by TfL who would suggest that this takes the form of a car parking management plan, to be secured for the site by condition.

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

- It is noted that electric vehicle charging points are proposed to be provided in accordance with London Plan standards. This is supported by TfL who would request that this requirement is secured by condition.

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

- The surrounding bus network currently operates at capacity, and this will be exacerbated by both this development proposal, and other planned and consented schemes in this area. As such, TfL would request that a financial contribution is secured in order to mitigate the cumulative impact of development on the Isle of Dogs. TfL requests that a pooled financial contribution of £126,000 is made towards bus service enhancements in line with London Plan policy 6.1 'Strategic Approach'.

[Officer's comment: TfL is no longer requesting a s106 contribution from this development towards enhancing bus capacity. TfL initially requested a contribution on the basis that monies had been sought from other developments in the area, and they understood that there is a need to enhance bus capacity on the Isle of Dogs. Following a further review of the

submitted trip generation however, TfL was satisfied that a limited number of new trips were being generated, and therefore that a contribution would not be justified.]

- An audit (PERS) of the pedestrian environment has been undertaken as requested at the pre-application stage. While this has demonstrated that the pedestrian environment within the vicinity of the site is generally of a reasonable standard, some areas in need of improvement have been identified. As such, where deficiencies have been found, TfL would recommend that the appropriate improvements are secured through the s106 agreement. TfL would suggest that these should focus on improving pedestrian wayfinding in the area, improving pedestrian crossing facilities and improving bus stop facilities and waiting areas in order to improve accessibility.

[Officer's Comment: In light of the applicant's viability assessment, it has not been possible to allocate monies to the provision of these facilities.]

- The TA states that 'the on-site layout would provide good permeability for pedestrians and cyclists, and would be supported by appropriate on-site infrastructure'. This is supported by TfL who would suggest that this also includes the provision of appropriate signage, preferably in the form of Legible London, alongside adequate levels of cycle parking

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

- It is proposed that the redeveloped site will provide 1 cycle parking space per unit, equating to an overall provision of 400 spaces, with an additional 33 spaces contained within the public realm, for visitors. While this is supported, it should be noted that the London Plan requires the provision of two cycle parking spaces per 3+ bed unit, which in this instance would require the provision of an additional 90 spaces. In addition to this, it should be ensured that the spaces are in a secure and covered location, overlooked by CCTV where possible.

[Officer's Comment: The Applicant has reviewed the scheme's provision of cycle parking and will introduce a total of 498 spaces in secure locations within the basement and podium. There is also the opportunity for visitor spaces to be introduced within the landscaped spaces and home zone. This exceeds the Council's cycle parking requirements and is the maximum that the development is able to accommodate]

- It is noted from Para 8.7 of the Transport Assessment (TA) that there is potential for the cycle parking to be located on each floor of the development. Providing cycle parking on each floor of a tall building is not a common design, and while TfL's preference would be for all cycle parking to be accessible from the ground floor, it can appreciate that there may be practical reasons for doing this, relating to basement size. For this approach to be acceptable however, TfL considers that suitable conditions will need to be placed on the grant of any planning consent to ensure that storage areas, lifts, doors and corridors are suitably sized to allow for a bike to be conveniently manoeuvred to and from the parking areas. It should also be ensured that there is a safe and convenient cycle route linking into the site where appropriate.

[Officer's comment: All the cycle parking provided is to be accommodated within the proposed parking areas beneath the podiums or within a secure basement area. Accessibility to these stores has been tested and a convenient route can be achieved for all.]

- Given the scale of the development, the submission of a Delivery and Servicing Plan (DSP) and Construction Logistics Plan (CLP) is required

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

- While the submitted travel plan is considered to be of a generally good standard, it has failed its ATTrBuTE assessment. Reference to the relevant planning policies and the site assessment should be included within the travel plan alongside the TA, as this is intended to be a stand alone document. In addition, reference to what budget will be set aside for implementing the measures within the travel plan should also be included. The revised travel plan should subsequently be secured, managed, monitored and enforced through the s106 agreement.

[Officer's Comment: The applicant has confirmed that the information that is currently missing from the Travel Plan report is largely contained within the Transport Assessment report. With respect to the scoring of the Travel Plan against the criteria contained within the ATTrBuTe system, it is considered that the Travel Plan has 'failed' based on 'minor' text omissions which are addressed in the Transport Assessment report through the policy section. A revised Travel Plan will be secured through the s106].

GLA (Statutory Consultee)

6.9 The GLA made the following comments:

- **Housing quality:** The applicant should submit a full schedule of accommodation with the floor area for each dwelling type, to allow an assessment of their compliance against the minimum standards set out in table 3.3 of the London Plan.

[Officer's comment: This information has now been submitted to the GLA under separate cover.]

- **Affordable housing:** The applicant should submit the financial statement omitted from the original submission documents and clarify the nature of its 'general needs rented tenure,' to enable GLA officers ensure that the affordable housing provision complies with the relevant policies of the London Plan.

[Officer's comment: A financial statement has been submitted as part of the planning application and has been independently assessed by BNP Paribas on behalf of Tower Hamlets Council. Details of this has now been forwarded to the GLA.]

- **Design:** An alternative design, where active uses are located on the ground floor facing the river, and corner units are accessed from the riverside walk, would contribute to creating a safer, more attractive and well-used riverfront, and needs to be considered.

[Officer's comment: The applicant has confirmed that a key decision was made to enclose the car park at grade and to cover it to create a communal landscaped area. It is argued that this is an eminently sensible strategy that allows these space-hungry elements to be accommodated whilst freeing up as much of the site as possible for public space and extensive active residential frontages.

The applicant has chosen deliberately to keep sections of the riverside frontage open to give light into the courtyards and to maximise the enjoyment of views across the river. These sections present a single-storey frontage to the riverside walk, which is inappropriate for residential use. It is also inappropriate for commercial or community use because there is no demand for the former and it is too remote for the latter.

In answer to the suggested alternative design approach, noted in the Stage 1 Report, this has been considered and the design was previously amended to improve visibility into the lobbies by making them visually 'open' to the riverfront walkway. However, for the convenience of residents, it was felt that retaining the access doors onto the new internal streets would achieve better activity throughout this area.

Since these comments were made, the applicant has sought to address these comments by submitting amended drawings

- **Transport:** The applicant should address the issues identified by TfL in the transport section.

[Officer's comment: See response made to TfL's comments.]

- **Energy:** The applicant should provide full details showing the route of the heat network links, the size and layout of the proposed energy centre, the high reduction in CO2 emissions from CHP and drawing to show the location of the proposed photovoltaic panels is required to ensure that the scheme complies with the energy policies of the London Plan.

[Officer's comment: This information has now been submitted to the GLA under separate cover.]

British Waterways (Statutory Consultee)

- 6.10 No comments received.

London Fire and Emergency Planning Authority (Statutory Consultee)

- 6.11 Although access appears to be given concern is raised over the water supplies for this area. Whilst carrying out any improvement works for the water hereditament water pressure should be checked and, where necessary, pumps emplaced to improve flow rates.

[Officer's Comments: Thames Water has requested a condition requiring Impact studies of the existing water supply to be submitted and approved. This impact study will determine whether there is sufficient supply of water in the area and will address the London Fire and Emergency Planning Authority's comment.]

NATS (Statutory Consultee)

- 6.12 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

English Heritage Archaeology

- 6.13 In accordance with National Planning Policy Framework paragraph 141 and with the borough's Saved policies DV42 - 45, a record should be made of the heritage assets prior to development, in order to preserve and enhance understanding of the assets.

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

LBTH Access Officer

- 6.14 No objections

LBTH Biodiversity

- 6.15 There is currently nothing of significant biodiversity value on the site. A survey of the existing buildings for potential bat roosts, reported in the Ecological Constraints Report, found that the buildings are not suitable for roosting bats. There will not, therefore, be any adverse

impacts on biodiversity.

Living roofs are proposed for all the buildings. A large proportion of these are brownfield-style roofs, which are particularly valuable for biodiversity. This should ensure a significant overall benefit for biodiversity from the development. I cannot find any detailed specifications for the green or brown roofs. A condition should require details of the living roofs to be provided to and approved by the Council before work commences.

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

The terrestrial landscaping is very formal, but includes a few native trees and shrubs, and a number of plants which provide nectar for bees and butterflies. This will be a minor benefit to biodiversity.

There is an opportunity here to enhance the river walls of the Thames for biodiversity. The Environment Agency has published guidance on how to improve biodiversity on the tideway. If enhancements to the river wall could be secured, this would contribute to targets in the Local Biodiversity Action Plan.

[Officer's Comment: Unfortunately the Council does not have the policy basis to insist on river wall enhancements, therefore it is not possible to impose a condition. However a condition shall be imposed for the submission of a landscape management plan.]

LBTH Ecology

6.16 No comments received

LBTH Landscape

6.17 No comments received

LBTH Sustainability

6.18 The Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible. The total anticipated CO2 savings from the development are 63.5% (290.5 tonnes CO2 per annum), through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The proposed energy strategy therefore exceeds the requirements of Draft Policy DM29 which seeks a 35% reduction in CO2 emissions. Therefore the CO2 savings proposed for this development are considered acceptable and it is recommended that the strategy is secured by Condition and delivered in accordance with the submitted Energy Statement.

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

In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 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. The submitted Sustainability Statement and Code for Sustainable Homes Pre-assessment demonstrates how the development will achieve a Code for Sustainable Homes Level 4. It is recommended that the achievement of a Code Level 4 rating for all units is secured through an appropriately worded Condition with the Code for Sustainable Homes Certificates submitted to the Council prior to occupation.

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

LBTH Design and Conservation

- 6.19 Design and conservation have no objections to the proposed scheme. Much of the detail design was discussed through a pre-application process. Details of materials should be secured as part of a condition.

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

LBTH Housing Strategy Group

- 6.20 Overall the scheme would deliver 64.3% affordable housing. However, as the proposal is to replace 189 existing affordable homes, the new supply of affordable housing would equate to 31.6%

The tenure split within the new build element (without accounting for the demolished units) is 84:16 in favour of rented. However, as much of the new social rented housing will be replacing existing rented housing, the split between the new supply rented and intermediate would be 37:63 in favour of intermediate.

The Council's policy target in terms of quantum of new supply affordable housing is 35% and for a tenure split of 70:30 in favour of rented.

It should be noted that this is a regeneration scheme that is re-providing 189 social rented homes. The applicant has underpinned this offer with a financial viability toolkit appraisal. This toolkit has undergone an independent toolkit assessment. This assessment concludes that this is the most viable offer.

All of the rented accommodation will be delivered at target rents. We would welcome this.

It is not clear where the wheelchair units are located. We would like to remind the applicant of the 10% need for wheelchair units, we would also like to see indicative unit layouts so that the Council's Access Officer can comment on their suitability.

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

In principle the Housing Strategy Group raised no objection, however do remind the applicant that 100% of the residential units to meet the Lifetime Homes Standard.

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

LBTH Planning Policy

- 6.21 No objection

LBTH Environmental Health

- 6.22 Noise and Vibration

A full PPG24 assessment is required and should include the impact from local traffic, aircraft and river noise, including the existing uses and noise impact from shipping operations on the Thames opposite the development. Noise though should not be the determining factor as this site is likely to fall within category "B" of PPG24.

[Officer's Comment: Given that the land use for residential has already been established, Officers do not consider it necessary to add this condition.]

Noise from any proposed mechanical and electrical plant should also be assessed in terms of BS4141 and any construction impacts on the locality in terms of BS5228.

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

6.23 Air Quality

No objections, albeit the officer made the following comments:

- The maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times;

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

- The stockpile heights must not be higher than the height of the hoarding;

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

- The Air Quality Officer requires dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase. In the event of soil contamination being identified, The Officer will require chemical compositional sampling to be undertaken as well upon request.

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

Contaminated Land

The site has been subjected to former industrial uses which have the potential to contaminate the area. As the application proposes ground works and soft landscaping and offers a potential pathway for contaminants, it is considered necessary to determine associated risks through further investigations.

(Officer Comment: Conditions to cover the planning issues raised by Environmental Health would be placed on any permission.)

LBTH Transportation and Highways

6.24 Originally Highway's officers raised the following points:

- § The applicant proposes a car-and-permit free scheme for all tenants coming into the estate, i.e allowing those with on-street parking permits and on-site permits to keep them. Should the Case Officer be minded to recommend for approval, this must include such a legal agreement
- § Servicing is to be on-site on the three internal roads; although no autotracks for refuse vehicles appear to be supplied, I would estimate that there is sufficient room to turn around. I recommend that Waste colleagues comment on the detail.

[Officer's Comments: Waste officer's are happy with the proposals]

- § Concerns about access to the car park was raised.
- § The Highway Officer has raised concerns about the number of doors and stairs to access the cycle parking.
- § The PERS audit identifies several opportunities for improving the public realm: these include better wayfinding, improvements to a ped crossing on Manchester Rd north of Plevna St (it has no dropped kerbs or tactile paving); renewal and rationalisation of street furniture of the footway in the vicinity of Bus Stop D to improve effective width. All these should be included in the s278 and s106 agreements as mitigation for the impacts of the development. To these suggestions I would add a contribution towards improving links with the cycle route network (which they assess as only "adequate" is requested.

- § The parking management strategy is important also to be conditioned. In addition the applicant should submit a Construction Management Plan through condition and a s278 plan.
- § If all these safeguards can be conditioned effectively, Highways would have no objection.

Since these comments were made, the applicant provided the officer with additional information (as per the officer's comments above) which has satisfied the Highway's officer concerns. As such, Highways have no objections, subject to the s278 for the purposes outlined above, s106, Construction Management Plan, Car-and-Permit Free agreement, all types of parking spaces to be retained and maintained as shown on the Plan for storage of residents' vehicles/cycles/motor cycles only.

[Officer's Comment: Appropriately worded conditions will be imposed in addition to the securing the car-and-permit free agreement through the S106].

LBTH CLC Strategy

6.25 CLC Officer's would like to see the contributions made to the following heads of terms:

- § Idea Stores, Libraries and Archives ;
- § Leisure Facilities;
- § Public Open Space;
- § Smarter Travel Contribution; and
- § Public Realm Contribution.

[Officer's Comments: The applicant has demonstrated through the submission of the viability assessment that it is not possible to secure contributions for the suggested areas. Please refer to the Planning Obligations and S106 section of this report which provides a breakdown of the financial contributions which are sought from this development in light of the applicant's viability assessment.]

LBTH Education Development Team

6.26 No written comments received to date.

[Officer Comment: It is noted that the Head of Building Development for Education sits on the Planning Contributions Overview Panel which have agreed the s106 package. Notwithstanding, written comments have been requested and will be provided as part of the update report to the Committee.]

LBTH Waste Policy and Management

6.27 The officer's concerns are mainly for the residents that have to carry their bags for more than 30 metres to the URS containers. Although the number of units is marginal compared to the size of the development, a solution still needs to be explored.

Dumping of waste increases where residents find it difficult to dispose of their waste within 'reasonable' distance. Building Control Regulations stipulate that the maximum walking distance to a waste storage container should not exceed 25 metres. Because of the nature of URS and the inflexibility of locating units where desired due to several underlying factors i.e. underground cables, we are willing to make an allowance of up to 30 metres maximum walking distance. Further than that becomes difficult to justify.

[Officer's Comment: The design has maximised the number of units within 25 metres of a

waste storage container. Of the 399 units proposed, only 15 units exceed 25 metres travel distance and of these only 9 units exceed 40 metres, and all are within 45 metres. The units with the further travel distance are located on Stewart Street and the applicant has confirmed that it may be possible for these units to have alternative storage and collection arrangements. The waste officer has confirmed that this will be monitored and assessed accordingly once the development has been completed .]

London Borough of Greenwich

6.28 No objections

7. LOCAL REPRESENTATION

7.1 A total of 959 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site.

The application was consulted on in March 2012 and a re-consultation was undertaken in May 2012 following complaints that not everyone had received the first round of letters

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

No. of individual responses: 5 Against: 4 In Support: 1

Objections Received

7.2 Density and land use

- 14 storeys will encroach on the existing sky line
- The additional height will diminish availability of natural light to existing residential properties.
- The additional height will create very unpleasant wind effects in certain weather conditions.

[Officer's Comments: These issues are addressed in the Design and the Amenity sections of this report.]

7.3 Amenity Impacts

- Noise and disturbance during construction phase.

[Officer's Comments: The issue of noise is addressed in the Amenity section of this report. Furthermore, this will be conditioned as part of any planning permission.]

7.4 Highways Infrastructure

- Inability of transport infrastructure on the Island to support the new development.

[Officer's Comments: There will be no net increase in the number of parking spaces provided as part of the proposals. Both Transport for London, the GLA and the Council's Highways Officers have reviewed the proposals and subject to conditions and legal agreements do not object.]

7.5 Impact on local infrastructure

-In summary, concerns have been raised about the ability for local Schools to cope with the number of additional children as they are currently at capacity and are turning away local children. It has been suggested that profits should be ring fenced so that money is invested into Cubitt Town Infants and Junior Schools.

-Concerns have also been raised about the ability to secure dentist and doctor's appointments in the context of the additional number of people that the development will generate.

[Officer's Comments: These concerns have been considered by officers as part of the decision making process, particularly regarding the extra stress which will be put on school places. As such, as part of the financial contributions to be delivered by the applicant, £366,246 will be put toward education £366,246 and £95,844 towards health.]

7.6 Other issues

The destruction of fairly modern buildings which are in good condition is unnecessary and wasteful.

[Officer's Comments: This issue is addressed in the Design section of this report. However the loss of these buildings are outweighed by the high quality living spaces that will be provided coupled with the design/aesthetic improvements.]

Why is more office space needed?

[Officer's Comments: The office space is a negligible 103sqm and will be used as a housing office and for community facilities. It is not strictly commercial floorspace.]

7.7 The following issues were raised in representations that are not considered material to the determination of the application:

Preference for a 2 bedroom flat at ground floor level due to mobility

Support Received

7.8 One letter has been received on behalf of the Redbrick Tenants Association (which is the body elected by tenants to represent the interests of all New Union Wharf residents) stating their support of the regeneration proposals put forward under the planning application.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The application has been fully considered against all relevant policies under the following report headings:

- Principle of Estate Regeneration
- Land Use
- Density
- Transport & Accessibility
- Design
- Housing
- Amenity
- Air Quality

- Noise & Vibration
- Energy & Sustainability
- Flood Risk
- Biodiversity & Ecology
- Health
- EIA Issues
- Planning Obligations & S106
- Overall Conclusions

Principle of Estate Regeneration

- 8.1 The Government is committed to creating the opportunity for decent homes for all. The regeneration and renewal of neighbourhoods is supported by the Mayors Housing Supplementary Planning Guidance (November 2005). In Tower Hamlets, the Council is seeking that all homes are brought up to Decent Homes Plus standard. This is to ensure that the homes of all Borough residents are in a good state of repair.
- 8.2 The application includes the provision of additional housing in new blocks across the application site, which increases the housing density of the estate. This accords with the requirements of Interim Planning Guidance (IPG) policy HSG5 and policy SP02 of the Core Strategy (2010) which seeks to improve all existing housing stock to a minimum decent homes standard.
- 8.3 The proposed development is going well beyond decent homes by virtue that the units are to be redesigned and rebuilt as opposed to being altered. Furthermore, East End homes are providing new estate layout and landscaping.
- 8.4 In overall terms the principles and objectives set out in regional and local policies for estate regeneration scheme are achieved through this proposal. The planning issues are considered in detail below.

Land-use

- 8.5 The application site has no specific designations in the adopted Unitary Development Plan 1998 (UDP), the Managing Development DPD (Submission Version 2012) (MDDPD) or the Interim Planning Guidance 2007 (IPG). The application proposes a residential development comprising the demolition of 189 existing residential units (including Heron Court, Robin Court, Sandpiper Court, Nightingale Court, Martin Court, Grebe Court and Kingfisher Court) and the construction of 3 blocks between 3 and 14 storeys to provide 399 residential units (containing 119 x 1 bed, 190 x 2 bed, 60 x 3 bed and 30 x 4 bed), together with 103sq.m (GIA) office / community facility (Use Class D1), semi-basement and ground floor car parking, cycle parking, landscaped public open space, private amenity space and other associated works.

Principle of a residential use

- 8.6 At national level, planning policy promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to achieve national housing targets.
- 8.7 At a strategic level, the site is identified in the London Plan (2011) as falling within the Isle of Dogs Opportunity Area (Policy 2.13) which seek to optimise residential and non residential output and is identified as being capable of delivering 10,000 new homes.
- 8.8 The site falls within the East India South Sub Area in the Isle of Dogs Action Area Plan (IPG 2007) and Policy IOD23 in particular promotes residential uses throughout the sub area.

- 8.9 The application proposes 399 new residential homes with residential being the predominant land use and in light of the above, the principle of residential use on this site is considered acceptable in land use terms.

Provision of Community use

- 8.10 The application proposes the provision of 103 square metres of ground floor community use floorspace. This could be used for uses falling within Use Class D1. The space would be operated and managed by East End Homes for the needs of the residents within the wider Estate.
- 8.11 Policy SP03 of the CS 2010, policy DM8 of the MD DPD 2011 and policy SCF1 of the IPG 2007 seeks to encourage social and community facilities within the borough. The provision of this on-site facility would serve the wider Estate and all residents, not only the new residential blocks proposed as part of this application. The proposal accords with Council policies.

Density of Development

- 8.12 National planning guidance stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3.4, which requires development to maximise the potential of sites, and policy 3.5 which details design principles for a compact city. Policies S07 and SP02 of the CS and policy HSG1 of the IPG also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.
- 8.13 Policy HSG1 of the IPG seek to maximise residential densities on individual sites taking into consideration:-
- Local context and character
 - Residential amenity
 - Site accessibility
 - Housing mix and type
 - Achieving high quality, well designed homes
 - Maximising resource efficiency
 - Minimising adverse environmental impacts
 - The capacity of social and physical infrastructure and open spaces; and
 - To ensure the most efficient use of land within the borough.
- 8.14 The application proposes to increase the overall residential density from 345 habitable rooms per hectare to 722 habitable rooms per hectare. In an urban area with a PTAL of 2/3, the London Plan states than a density range of 200 – 450 hr/ha is appropriate.
- 8.15 In the simplest of numerical terms, the proposed density would appear to suggest an overdevelopment of the site. However, the intent of the London Plan and the Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity.
- 8.16 Policy HSG1 of the IPG states that solely exceeding the recommended density range (on its own) is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that a high density was symptomatic of overdevelopment of the site. Typically an overdeveloped site would experience shortfalls in one or more of the following areas:
- Access to sunlight and daylight
 - Sub-standard dwelling units

- Increased sense of enclosure
- Loss of outlook
- Increased traffic generation
- Detrimental impacts on local social and physical infrastructure
- Visual amenity
- Lack of open space; or
- Poor housing mix

These specific factors are considered in detail in later sections of the report – and are found to be acceptable.

- 8.17 In the case of this proposal it is considered that:
- The proposal is of a particularly high quality that responds to the local context by delivering a positive relationship to the River Thames and surrounding streets, particularly Stewart Street.
 - The proposal does not result in any of the adverse symptoms of overdevelopment to warrant refusal of planning permission.
 - The proposal provides good quality homes, including larger family houses, of an appropriate mix with an acceptable percentage of affordable housing.
 - The package of S106 mitigation measures towards education, employment, health and community facilities seek to mitigate any potential adverse impacts.
- 8.18 In overall terms, officers are satisfied that the development makes the most efficient use of land. The proposed mitigation measures in the form of financial and non-financial contributions would ensure that the development has no significant adverse impacts and accords with the aims of London Plan policy 3.4, policies S07 and SP02 of the CS and IPG policy HSG1.

Transport & Accessibility

- 8.19 The NPPF and the London Plan 2008 and Policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 8.20 Saved UDP policies T16, T18, T19 and T21, Core Strategy Policy SP08 & SP09 and Policy DM20 of the Managing Development DPD (Submission Version 2012) together seek to deliver accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on the safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 8.21 The existing site is currently occupied by 189 residential units with associated parking facilities. The Public Transport Accessibility Level (PTAL) of Phase 2/3. The closest underground station is Canary Wharf which is 1.2km (14 minute walk). The closest DLR station is Crossharbour which is a 15 minute walk from the site. The planned Crossrail station at Canary Wharf is also scheduled to be delivered for 2018 which will further assist the accessibility of the site. There are also 6 bus routes within a short walk of the site.
- 8.22 In terms of trip generation and impact on the adjoining road network, the application is supported by a Transport Assessment. This demonstrates that the scheme is not likely to have a negative impact on the adjoining network. TfL have confirmed that they have no concerns regarding traffic or access impacts. The Borough's Highways Officer has confirmed that the trip generation assumptions appear acceptable.

- 8.23 It is recommended that specific controls over construction vehicle need to be secured by the submission of a Construction Method Statement (to be conditioned).

Servicing and Deliveries

- 8.24 The site will be serviced on site and the Borough's Highways Officer supports this. TfL recommend however that servicing and deliveries be managed and co-ordinated through a Servicing and Delivery Plan (SDP) to be prepared and submitted prior to occupation. In addition to a Construction Logistics Plan (CLP) to be prepared and submitted prior to commencement of development.

Waste/Refuse

- 8.25 The Design and Access Statement sets out the waste and refuse arrangements to transport bins to ground level. This is considered acceptable.
- 8.26 The design has maximised the number of units within 25 metres of a waste storage container. Of the 399 units proposed, only 15 units exceed 25 metres travel distance and of these only 9 units exceed 40 metres, and all are within 45 metres. The units with the further travel distance are located on Stewart Street and the applicant has confirmed that it may be possible for these units to have alternative storage and collection arrangements. The waste officer has confirmed that this will be monitored and assessed accordingly once the development has been completed

Car Parking

- 8.27 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 (Submission Version 2012) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 8.28 As the scheme is providing the opportunity for all existing residents to return, and as there are currently 189 parking permits issued to existing residents, the new scheme will provide 189 parking on-site car parking spaces plus 2 car club spaces. Of the 189 spaces, 18 will be fully accessible bays (10%) and 38 (20%) will have electric charging points with passive provision for a further 38 spaces. As such, disabled parking will be available in accordance with the Council's and Mayor's standards as will charging points for electric vehicles.
- 8.29 The majority of the parking is contained within two semi-basement areas beneath blocks A and B. There will also be some parking on the proposed Home Zone (22 spaces). The majority of these will be allocated to the adjacent larger family homes, to blue badge holders, and includes the car club spaces.
- 8.30 As such, the Applicant is able to sign a 'car free' agreement that will prevent new residents (apart from those transferring within the borough from another affordable family home) from acquiring an on-street parking permit. The approach will not contribute to any increase in traffic from the site and will not put pressure on the Council's on-street parking provision. Importantly, the Applicant is the owner and manages the on-site parking facilities to ensure their efficient operation.
- 8.31 TfL and the Borough's Highways Officer have confirmed that they have no objections to the proposed level of parking, considering the sites location and proximity to public transport and its compliance with London Plan parking standards.

Travel Plan

- 8.32 A residential Travel Plan has been submitted in support of the application to promote alternative means of travel other than private car.
- 8.33 TFL stated that whilst the submitted travel plan is considered to be of a generally good standard, it has failed its ATTrBuTE assessment. Reference to the relevant planning policies and the site assessment should be included within the travel plan alongside the TA, as this is intended to be a stand alone document. In addition, reference to what budget will be set aside for implementing the measures within the travel plan should also be included. The revised travel plan will subsequently be secured, managed, monitored and enforced through the s106 agreement.

Provision for Cyclists

- 8.34 Cycle parking is to exceed LBTH and London Plan standards with one space per unit and one visitor space per 10 units. 498 resident spaces are proposed and 9 visitor spaces. The Council's Highways officers are happy with this.
- 8.35 The application seeks to provide 18 motorbike parking spaces. Originally, 26 were proposed. However the reduction was to facilitate the cycle parking provision in the podium. The Council's Highways officers are happy with this.

Accessibility & Inclusive Environments

- 8.36 Policy 7.2 of the London Plan (2011); and Saved UDP Policy DEV1 and Policy SP10 of the Core Strategy seek to ensure that developments are accessible, usable and permeable for all users and that developments can be used easily by as many people as possible without undue effort, separation or special treatment.
- 8.37 A growing awareness of the importance of creating environments that are accessible for all people has led the Council to emphasise the importance of 'inclusive design'. It is considered that the proposed development has been designed with the principles of inclusive design in mind.
- 8.38 It is considered that the site will be accessible, usable and permeable for all. The proposed public realm for the site, including the private and communal gardens appear accessible to all. Challenges are presented through the site levels with the slope down from the riverside to Stewart Street. However, the design succeeds in achieving at-grade access to all front doors for all ground floor accommodation. The application should be conditioned to ensure all pedestrian access points are level or gently ramped. A number of principles have also been adopted by the applicant to ensure inclusive access and this will be discussed in later sections of this report. (e.g. commitment to Lifetime Homes standards; commitment towards provision of 10% wheelchair adaptable homes; compliance with Part M Building Regs to ensure level/ramped access).

Urban Design

Layout, Mass, Scale & Bulk

- 8.39 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces and streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that compliment the local character, quality adaptable space, optimising the potential of the site.
- 8.40 Saved UDP policies DEV1, DEV2 and DEV3 seek to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and use of materials. Core Strategy Policy SP10 and Policy DM23 and DM24 of the Managing

Development DPD (Submission Version 2012) seek 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.

- 8.41 The proposal will introduce new buildings in a traditional perimeter block form that will front and reinforce new streets framing views to the waterfront. These streets will be created as Home Zones and their edges defined by building fronts. Front entrances to individual dwellings will line the ground floor of the blocks, in some cases, such as along Stewart Street, these will be set slightly back from the public footpath and protected by semi-private defensible space.
- 8.42 The proposal comprises 3 blocks ranging in height from 5 storeys to 14 storeys along the riverfront. The heart of the two perimeter blocks have been designed to incorporate raised landscaped podium courtyards, which provide private gardens to maisonettes, and a large private communal amenity space. These courtyards, with designated children's play areas, will be accessible to all residents.
- 8.43 Beneath blocks A & B raised podiums, utilising the existing topography, undercroft car parking has been created, accessed from the central 'home zone' areas. The location of the car park entrances has been carefully chosen to limit any traffic congestion, on the highway (Stewart Street). It also increases active frontages along Stewart Street.
- 8.44 The layout has been able to minimise the number of single aspect units and to position family homes in locations that provide good access to semi-private courtyard spaces and their safe, overlooked play area for younger children. The front doors of these units will give access to traffic calmed streets which will provide further recreational and play space, together with some surface parking dedicated for families and disabled persons.
- 8.45 The higher buildings will be located on the eastern edge of the site adjacent to the riverside. These will range between 8 and 14 storeys with the lower building positioned at the northern end of the site and designed to minimise impact on the neighbouring site of Capstan Square. The scale of the Thames and the proximity of a very tall tower to the south give this edge its context and accommodate this scale of building. Within the centre of the site, the mass of the development reduces to a domestic scale with 3 and 4 storeys dominating and providing enclosure to traditional streets and raised courtyards. Building heights vary along these interior streets adding variety and ensuring good levels of daylight to courtyards. Medium rise buildings of between 5 and 6 storeys form the edge of Stewart Street and the western boundary of the site.
- 8.46 The existing buildings opposite of the Samuda estate tend to be set back from the edge of the pavement and, in places have single storey garage enclosures set on the back edge of the pavement. The application scheme presents a well defined edge to this street and introduces an appropriate sense of enclosure. Overall, the massing of the scheme has been well thought through to take advantage of the opportunities presented by the 'grand vista' of the Thames but without losing the neighbourhood feel of the interior of the estate and relating back to the height and mass of the existing buildings in the immediate surrounding area.
- 8.47 As part of the Stage 1 response, the GLA raised concerns about the riverside frontage and how it needs more activity and overlooking on to it, ensuring it feels safe, attractive and well used. Alternative design, where active uses are located on ground floor facing the river and corner units are accessed from the riverside would contribute to a safer, more attractive and well used riverfront. However the current scheme focuses the communal entrances to the four tallest blocks, in the form of large fully glazed lobbies onto the waterfront space. The upper storeys of the development fronting this space will overlook it, particularly from the balconies and winter gardens of residential units. The applicant has researched other

potential uses and found none that could be sustained in this location by this scheme.

8.48 The CABA Design Review Panel raised a number of points as set out in para 6.8 of the consultee comments. In light of their concerns regarding the materials used and the elevations, the following amendments have been made:

- Introduction of colour to glazed elements on the Stewart Street façade and lightening the colour of the contrasting brick colour of the maisonettes entered at ground level throughout the scheme.
- Amended the main brick colour slightly so that it has more texture and life than the original “putty” coloured brick.
- Reduced the heights of the brick parapets to the buildings so that proportions of the elevations are made more elegant.
- Amended the treatment of doors to plant areas. These are now combined in pairs and groups within larger apparent openings in the brickwork that create a less utilitarian impression than individual louvred doors.
- Shared residential entrance areas are also given a more generous and open expression, with splashes of colour that complement the colours on the maisonettes.
- The fenestration of the community space on the corner of Stewart Street is revised and given a more generous scale, to contrast with the domestic fenestration elsewhere.

8.49 In terms of visual appearance and detailed design, the approach has been to select a common or predominant material that will unify the built form and create a neutral background against which accents of colour and texture can be used to emphasis certain components; such as entrances. The plans indicate that a high standard of architecture will be achieved on this site. However, securing high quality materials is imperative to the success of this building and a condition is proposed securing the submission of full details including samples of materials.

8.50 In line with strategic and local policies objectives, the overall design strategy for New Union Wharf is considered to respect the existing constraints and opportunities on the site. The proposal is considered to provide a high standard of urban design. The general bulk, scale and mass and detailed design of the proposal is considered to maximise the riverside location and balancing this against the low rise character of adjoining residential properties.

8.51 As such, the scheme accords with Chapter 7 of the London Plan (2011); saved policies DEV1, DEV2 and DEV3 of the Council’s UDP (1998), Policies SP10 and SP12 of the Core Strategy (2010) and Policy DM23 and DM24 of the Managing Development DPD (Submission Version 2012) which seek to ensure buildings and places are of a high quality of design and suitably located.

Height /Tall Building Aspect

8.52 With regards to appropriateness of the development for tall buildings, this has been considered in the context of strategic and local planning policies, where a tall building is described as one which is significantly taller than their surroundings and /or having a significant impact on the skyline. Policy 7.7 of the London Plan (2011) deals with tall and large buildings, setting out criteria including appropriate locations such as areas of intensification or town centres, that such buildings do not affect the surrounding area in terms of its scale, mass or bulk; relates to the urban grain of the surrounding area; improves the legibility of the area; incorporates the highest standards of architecture and materials; have ground floor uses that provide a positive experience to the surrounding streets; and makes a significant contribution to local regeneration.

8.53 SP10 of the Core Strategy (2010) and Policy DM26 of the Managing Development DPD (Submission Version 2012) also provides guidance on the appropriate location for tall

buildings requiring them to relate to design and context, environment, socio-economic factors, access and transport and aviation requirements.

- 8.54 As noted above, the taller buildings of up to 14 storeys are positioned on the riverfront and complement the scale of this wide body of water. They also 'fit' within the setting created by the 25 storey Kelson House and are desirable in this context.
- 8.55 The technical merits of the development has been extensively tested as part of a full Environmental Impact Assessment and found to be satisfactory. None of the proposals create unacceptable impacts on the surrounding environment, including its amenity. In all respects it can be shown that the Council's 'tests' for judging the acceptability of tall buildings in this location have been satisfied.
- 8.56 Due regard has also been paid to the design guidance provided by CABI and, in particular, their 9 criteria for evaluation. It should be noted that the scheme being presented has been refined through considerable testing of its impact and suitability in terms of townscape and visual impact on the overall character and historic context of the surrounding area. A townscape and visual assessment is included in the Environmental Statement (NUW8) and supports CABI guidance to consider impact on streetscape and other important features, as well as significant views, skylines, and landmark buildings and their setting. In all of these it has been shown that the introduction of the buildings proposed are scaled appropriately for their existing and emerging context; are desirable in these locations and are technically achievable without adverse impact on other interests of acknowledged importance.
- 8.57 Officers are of the view that the design of the proposed tall building, its architectural quality, and its proportionate scale and location will provide a positive contribution to the sky line. Furthermore, and as will be discussed in later sections of this report, the building will not have any adverse impacts on issues such as biodiversity, microclimate, and heritage assets.

Views

- 8.58 In terms of views, Policy 7.11 of the London Plan and the London View Management Framework SPG (May 2009) sets out the approach to view management and assessment on designated views with an aim to protect aspects of views which contribute to designated views including World Heritage Sites and their Outstanding Universal Value.
- 8.59 The only Strategic View in the vicinity of the Development is the London Panorama from Greenwich Park. The visual influence of the Development does not interact with the Strategic View such that these views would not be affected.
- 8.60 The Greenwich Maritime WHS would not be directly affected and there would not be significant impacts on respective settings. The Development will be almost entirely obscured by intervening built form/trees such that change will not be readily apparent in the context of the existing backdrop and there will be no deterioration or improvement in the view. Taking into account these considerations, the magnitude of impact is considered to be no change.
- 8.61 In terms of local views, the application is accompanied by a number of verified views and a full townscape analysis which following consideration indicates that the proposal will relate positively to the surrounding site context.

Public Realm, Landscaping and Open Space

- 8.62 Policies 5.10 and 7.5 of the London Plan (2011), Saved Policies DEV12 and HSG16 of the UDP (1998), Policies SP02, SP04 and SP12 of the Core Strategy (2010) and DM10 and DM23 of the Managing Development DPD (Proposed Submission Version 2012) seek high quality urban and landscape design; promote the good design of public spaces and the provision of green spaces and tree planting.

- 8.63 The plans and design and access statement confirm that the application will provide over 4,150sqm of open space. The key features of the open space strategy include:
- The enhancement of the riverside walkway, making it wider, safer, better lit and more attractive, whilst designing it to maintain the privacy of the dwellings adjacent to it.
 - The introduction of secure, semi-private landscaped courtyards above the semi basement parking areas.
 - The creation of a quiet, attractive, traditional streetscape, in the form of a 'Home Zone' with homes either side and onto which they have their main entrances.
 - The provision of private gardens, balconies and terraces for each individual dwelling.
- 8.64 The layout of the application scheme introduces a series of well defined spaces that are appropriately located and have a clear function. They will range from private, semi-private to publicly accessible and all will be overlooked by adjacent dwellings and will be designed a high standard. The Applicant places a particular emphasis of the quality of these spaces and will have a continued involvement in their future management and maintenance.
- 8.65 The Design and Access Statement also indicates a high quality finish with gravel, decking and paving, with back rest, pleached trees, ornamental grasses, shrub planting, clipped hedge and flowering fruit trees. It is proposed that this detail is conditioned through the submission of a final landscape strategy.

Housing

- 8.66 Policy 3.3 of the London Plan (2011) seeks to increase London's supply of housing, requiring Boroughs to exceed housing targets, and for new developments offer a range of housing choices, in terms of the mix of housing sizes and types and provide better quality accommodation for Londoners.
- 8.67 Policy SP02 of the LBTH Core Strategy (2010) seeks to deliver 43,275 new homes (equating to 2,885 per year) from 2010 to 2025 in line with the housing targets set out in the London Plan. The aim is to focus the majority of new housing in the eastern part of the borough.
- 8.68 Policy DM4 of the Managing Development DPD (Submission Version 2012) also seeks to ensure that development doesn't result in the net loss of residential floorspace, units or family units.
- 8.69 The application proposes 399 new residential units on the New Union Wharf site, following the demolition of 198 existing units. This is considered to contribute towards Tower Hamlets annual target of 2,885 per year.

Affordable Housing

- 8.70 The National Planning Policy Framework notes that "where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. "
- 8.71 Policies 3.10 - 3.12 of the London Plan (2011) define Affordable Housing and seek the maximum reasonable amount of affordable housing taking into account site specific circumstances and the need to have regard to financial viability assessments, public subsidy and potential for phased re-appraisals.
- 8.72 Policy SP02 of LBTH's Core Strategy (2010) seeks to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across

the Borough, with a minimum of 35% affordable housing provision being sought.

8.73 Paragraph 4.4 (subtext to Policy SP02) recognises that in some instances, exceptional circumstances may arise where the affordable housing requirements need to be varied. In such circumstances, detailed and robust financial statements must be provided. Even then, it is acknowledged that there is no presumption that such circumstances will be accepted, if other benefits do not outweigh the failure of the site to contribute towards affordable housing provision.

8.74 The definitions of affordable housing in the National Planning Policy framework are very similar to those set out in PPS3 (which were subsequently superseded in March 2012).

8.75 Affordable Housing

Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

8.76 Social Rented

Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

8.77 Affordable Rented

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges, where applicable).

8.78 Intermediate

Intermediate housing is homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

The Affordable Housing Proposal

8.79 This application is for an estate regeneration scheme. Overall the scheme would deliver 64.3% affordable housing. However, as the proposal is to replace 189 existing affordable homes, the new supply of affordable housing would equate to 31.6%

8.80 The tenure split within the new build element (without accounting for the demolished units) is 84:16 in favour of social rented. However, as much of the new social rented housing will be replacing existing rented housing, the split between the new supply rented and intermediate would be 37:63 in favour of intermediate.

8.81 The Council's policy target in terms of quantum of new supply affordable housing is a minimum 35% with a strategic target of up to 50%, and for a tenure split of 70:30 in favour of social rented.

- 8.82 It should be noted that this is a regeneration scheme that is re-providing 189 social rented homes. The applicant has underpinned this offer with a financial viability toolkit appraisal. This toolkit has undergone an independent assessment that concludes that this is the most viable offer.
- 8.83 The toolkit provides an assessment of the viability of the development by comparing the Residual Value against the Existing Use Value, in broad terms, if the Residual Value equals or exceeds the Existing Use Value, a scheme can be considered as viable, as the requirements of paragraph 173 of the NPPF for competitive returns to the developer and the landowner have been satisfied. In summary, the Toolkit compares the potential revenue from a site with the potential costs of development. In estimating the potential revenue, the income from selling dwellings in the market and the income from producing specific forms of affordable housing are considered and in testing the developments costs matters such as build costs, financing costs, developers profit, sales and marketing costs are considered.
- 8.84 The emerging Managing Development DPD, under DM3 does allow some flexibility for estate regeneration schemes to depart from these targets where it can be demonstrated that:
- A limited loss of affordable housing is required to improve the tenure mix on site, or
 - Public open space or a non residential use will benefit the overall estate regeneration scheme.
- 8.85 This scheme does not propose any loss of affordable housing; it would replace 189 existing social rented homes with 189 new homes for rent (like for like), the scheme would deliver a further 31.6% additional affordable homes.
- 8.86 In terms of the tenure mix within the rented accommodation the proposal is for 27% one beds against a target of 30%, 38% two beds against a target of 25% and 19% three beds against a target of 30% and 15% four beds against a target of 15%.
- 8.87 Officer's note that the level of family accommodation (3 bed and larger) at 35% is below the Council's target of 45%. However, it should be noted that this is an estate regeneration scheme and the mix has been based on a detailed housing needs survey of existing tenants of the estate. The estate currently has 18.5% family accommodation. The applicant's housing needs survey, of residents currently living on the estate, demonstrated a 25.4% need for family housing. The applicant's offer is for 35% family sized housing. This does not match up to the Council's target, however it is a significant improvement on the current provision on the estate.
- 8.88 Within the Intermediate tenure the applicant intends to deliver 32% one beds against a target of 25%, 64% two beds against a target of 50% and 4% 3 beds against a target of 25%.
- 8.89 The applicant is proposing to "pepper pot" the residential units to encourage integration between the tenures. Officer's support this principle as it would help create a mixed and balanced community on the estate.
- 8.90 As the applicant is intending to pepper pot the residential units, they are unable to clarify which units fall into which tenure on the plans. We would therefore request the applicant to ensure that all units are designed to the Mayor of London's Housing Design Guide (2010) in terms of both space standards and layout. This would include separate kitchens for the larger units. Having reviewed the plans submitted, this requirement has been met.
- 8.91 On this basis, officer's (including the Council's housing officers) are supportive of this application to completely regenerate the New Union Wharf estate.

8.92 As such, the application is considered to comply with Policies 3.10-3.12 of the London Plan (2011), Policy SP02 of the Core Strategy (2010) and Policy DM3 of the Managing Development DPD (Submission Version 2012) Proposed Submission Version.

Housing Mix

8.93 Pursuant to policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type.

8.94 Saved Policy HSG7 of LBTH's UDP (1998) requires new housing to provide a mix of unit sizes where appropriate, including a substantial proportion of family dwellings of between 3 and 6 bedrooms.

8.95 Policy SP02 of the Core Strategy (2010) also seek to secure a mixture of small and large housing, requiring an overall target of 30% of *all* new housing to be of a size suitable for families (three-bed plus), including 45% of new social rented homes to be for families.

8.96 Policy DM3 (part 7) of the Managing Development DPD (Submission Version 2012) requires a balance of housing types including family homes. Specific guidance is provided on particular housing types and is based on the Councils most up to date Strategic Housing Market Assessment (2009).

8.97 A summary of the proposed mix of dwelling types for New Union Wharf is set out in the table below in the context of LBTH targets and current housing needs assessment:

Ownership	Type	Units	%	LBTH target %	Hab rooms	%age		
Private	Studio	0	0	0	0	0.0		
	1 bed	52	33%	50%	104	33.1		
	2 bed	85	54%	30%	255	54.2		
	3 bed	20	13%	20%	80	12.7	Family Units	
	4 bed	0			0	0.0	12.7%	
	5 bed	0			0	0.0		
Total Private		157			439	100.0	35.7% (HR)	
Social Rented	studio	0	0	0	0	0.0		
	1 bed	52	27%	30%	104	26.7		
	2 bed	75	38%	25%	225	38.5		
	3 bed	38	19%	30%	152	19.5	Family Units	
	4 bed	30	15%	15%	180	15.4	34.9%	
	5 bed	0			0	0.0		
6 bed	0			0	0.0			
Total Social Rented		195			661	80.6%		
Intermediate	Studio	0	0	0	0	0.0		
	1 bed	15	32%	25%	30	31.9		
	2 bed	30	64%	50%	90	63.8		
	3 bed	2	4%	25%	8	4.3	Family Units	
	4 bed	0		0%	0	0.0	4.3%	
	5 bed	0			0	0.0		
Total Intermediate		47			128	19.4%		
Gross new affordable		242			789		64.3% (HR)	
Total Gross new build		399			1228			
							Total Family	22.6%

<i>minus loss of sale units</i>	0		0	
<i>Net new private</i>	157		439	68.4%(HR)
<i>minus loss of social rent affordable units</i>	-189		-586	
<i>Net new affordable (Social Rent + Intermediate)</i>	53 (6+47)		203	31.6% (HR)
Total Net New Build	210		642	

8.98 In terms of the overall mix of housing, a reasonable mix will be achieved. 23% of the combined scheme across tenures will be for family accommodation against our target of 30%. Furthermore, 34% of the social rented accommodation will be for family units, comprising 38 x 3beds and 30x 4beds.

8.99 Officer's note that the level of family accommodation (3 bed and larger) for Social Rent at 35% is below the Council's target of 45%. However, it should be noted that this is an estate regeneration scheme and the mix has been based on a detailed housing needs survey of existing tenants of the estate. The estate currently has 18.5% family accommodation. The applicant's housing needs survey, of residents currently living on the estate, demonstrated a 25.4% need for family housing. The applicant's offer is for 35% family sized housing. This does not match up to the Council's target, however it is a significant improvement on the current provision on the estate.

Tenure

8.100 No affordable rent product is proposed in this scheme. All affordable housing will comprise social rent and intermediate tenures.

8.101 With regard to the split of social rent to intermediate, the London Plan requires a split of (60:40) whilst the Borough's target is 70:30 as prescribed by Policy SP02 of the Core Strategy (2010) and Policy DM3 of the draft Managing Development DPD (2010). The re-provided social rented units is 84:16 in favour of social rented, and whilst this is not in compliance with both regional and local policies, given that this is a regeneration scheme, and the boroughs greatest need is for social housing, it is considered that this split is acceptable.

8.102 Officer's are happy to accept the split in light of the regeneration benefits of this scheme and results of the independent of the applicant's viability assessment which concluded that this is the best viable offer.

8.103 Overall, the emphasis on the provision of large family housing within the social rented sector is supported. Therefore considering the site constraints, regeneration benefits and the associated viability constraints, the application is considered on balance to provide an acceptable mix in compliance with Policy 3.8 of the London Plan (2011), Policy SP02 of the LBTH Core Strategy (2010) and Policy DM3 of the Managing Development DPD (Submission Version 2012).

Residential Standards

Internal Space Standards

8.104 Policy 3.5 of the London Plan (2011) seeks to ensure that the design and quality of housing developments are of the highest standard internally, externally and to the wider environment. This includes new space standards from the London Housing Design Guide. In addition, the Mayor of London's Housing Design Guide (Interim Edition, August 2010) sets out new minimum space standards to improve housing quality and allow homes to be flexibly used by a range of residents.

- 8.105 Saved Policy HSG13 of the UDP, Policy SP02 of the Core Strategy (2011) and Policy DM4 of the Managing Development DPD (Submission Version 2012) seeks to ensure that new housing has adequate provision of internal space standards in line with the Mayor of London's standards. Policy DM4 also requires affordable family sized homes to have separate kitchen and living rooms.
- 8.106 Whilst all of the units comply with the Mayor of London's and the Borough's minimum standards for unit sizes, 4 family units (1 x 3B4P and 3 x 3B5P) out of the 68 social rent family units do not have separate kitchens, owing the constraints of the building arrangement.
- 8.107 Notwithstanding this, 2 out of 4 are designated as having fully accessible kitchens, so having an open plan kitchen will feel more appropriate for these tenants and easy to manoeuvre. Also 1 of the units is a 3bed / 4Person overlooking the courtyard providing visual amenity space. In addition to this, 1 of the units is at the ground floor with a direct access onto its private garden.
- 8.109 Given the benefits of the scheme itself, it is considered that the fact that four of the family units do not have separate living rooms and kitchens would not merit refusal of the scheme.

Private and Communal Amenity Space

- 8.110 Saved Policy HSG16 of Tower Hamlets UDP (1998), Policy HSG7 of Tower Hamlets IPG (2007) and Policy DM4 of the Managing Development DPD (Submission Version 2012) require all new housing to include an adequate provision of amenity space, designed in a manner which is fully integrated into a development, in a safe, accessible and usable way, without detracting from the appearance of a building.
- 8.111 Specific amenity space standards are guided by Policy DM4 of the Council's Managing Development DPD (Submission Version 2012) will follows the Mayor of London's Housing Design Guide standards which specifies a minimum of 5sqm of private outdoor amenity space for 1-2 person homes and an extra 1sqm for each additional occupant. It also requires balconies and other private external spaces to be a minimum width of 1.5m.

Private Open Space:

- 8.112 The New Union Wharf scheme proposes over 5,181 sqm of private amenity space. Based on the requirements of draft Policy DM4, this provision would exceed our minimum requirement of private amenity space for 399 units on this site.
- 8.113 All new homes will have access to private amenity space in the form of balconies, winter gardens (on dwellings of taller buildings), terraces and/or private gardens. All units achieve or exceed the Mayor's design standards. Whilst there are a limited number of ground floor/podium level larger homes with small private gardens, these abut the spacious, semi-private landscaped courtyards into which they have direct access. These courtyards will be large enough to accommodate some doorstep play. This level of private amenity spaces is supported by officers.
- 8.114 All balconies/terraces and winter gardens are as per the GLA Standard requirement and have been designed to accommodate table and chairs.

Furthermore all balconies and winter garden have a minimum width of 1.5m as required by Policy DM4. As such, the proposed level of private amenity space and the standard and form of proposed is welcomed.

Communal Open Space:

- 8.115 In terms of communal amenity space, Policy DM4 requires 50sqm for the first 10 units, plus 1sqm for every additional unit thereafter.
- 8.116 A total of 439sqm of communal amenity space would be required for a 399 unit scheme; however the application provides a communal space at ground floor level measuring over 2,260sqm, which exceeds the Council's requirement. This communal space is provided in the courtyards for Blocks A and B and within a landscaped area on the Home zone in front of Block C. This is considered to greatly benefit the quality of the residential environment for this development.

Child Play Space

- 8.117 Policy 3.6 of the London Plan (2011), Saved Policy OS9 of Tower Hamlets UDP (1998), Policy SP02 of Tower Hamlets Core Strategy (2010) and Policy DM4 of the Managing Development DPD (Submission Version 2012) seeks to protect existing child play space and requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG on 'Providing for Children and Young People's Play and Informal Recreation' (which sets a benchmark of 10 sqm of useable child play space per child).
- 8.118 In association with the London Plan Policy 3.6: Children and Young People's Play and Informal Recreation Strategies, it has been calculated that the scheme should provide a total of 2,396sqm. The total amount of play space provided by the proposed development equates to 5,179sqm.
- 8.119 As such, officers support the quantity and location of the proposed play space, as set out in Policy 3.6 of the London Plan (2011), Saved Policy OS9 of Tower Hamlets UDP (1998), Policy SP02 of Tower Hamlets Core Strategy (2010) and Policy DM4 of the Managing Development DPD (Submission Version 2012).

Wheelchair Housing and Lifetime Homes Standards

- 8.120 Policy 3.8 of the London Plan (2011), Policy HSG9 of Tower Hamlets IPG (2007), and Policy SP02 of the Core Strategy (2010) require that all new housing is built to Lifetime Homes Standards and that 10% of new housing is designed to be wheelchair accessible or easily adaptable for wheelchair users.
- 8.121 The applicants access strategy confirms that all new will be built to Lifetime Homes standards and that the unit mix comprises 10% wheelchair adaptable homes.
- 8.122 As such, it is considered that the proposal is acceptable in accordance with Policy 3.8 of the London Plan (2011) and Policy SP02 of the Core Strategy (2010).
- 8.123 As such the proposed internal layout is considered acceptable and will accord with the London Housing Design Guide (Interim Edition, 2010), Policies 3.5 of the London Plan (2011), saved Policy HSG13 of the UDP (1998) and Policy SP02 of the Core Strategy (2010), Policy DM4 of the Managing Development DPD (Submission Version 2012) and the Council's Residential Standards SPG (1998).

Amenity

Sense of Enclosure, Outlook and Privacy

- 8.124 Policy SP10 of the CS seeks to protect residential amenity and policy DM25 of the MD DPD requires development to ensure it does not result in the loss of privacy, unreasonable overlooking, or unacceptable increase in sense of enclosure, or loss of outlook. These

policies are further supported by policies DEV1 of the IPG and DEV2 of the UDP.

- 8.125 The separation distance between the blocks and the surrounding area are between 14.4 metres along between Blocks A and Capstan Square and a maximum of 33 metres between Blocks A+B. These separation distances are considered acceptable within this location.
- 8.126 The massing of the courtyard blocks are in keeping with the surrounding context and in this dense urban location would not have an undue impact in respect of sense of enclosure when consideration is given to the separation distances between buildings and the location of the taller elements.
- 8.127 The massing is acceptable in this urban location. As such, in respect of sense of enclosure, outlook and privacy it is considered that the level of impact is in keeping with the area and is acceptable.

Amenity

Daylight, Sunlight and Overshadowing

- 8.128 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 8.129 Saved Policies DEV1 and DEV2 of Tower Hamlets UDP (1998), Core Strategy Policy SP10 and Policy DM25 of the draft Managing Development DPD (2012) seek to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.
- 8.130 Section 14 of the Environmental Statement considers the impacts of the development with respect to daylight and sunlight.
- 8.131 An independent assessment of the applicant's Daylight/Sunlight assessment was carried out by Anstey Horne who provided a detailed analysis of the results obtained. Officers have considered these comments as part of their assessment.
- 8.132 For calculating daylight to neighbouring properties, affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with the no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 8.133 British Standard 8206 recommends Average Daylight Factor (ADF) values for new residential dwellings, these being:
- >2% for kitchens;
 - >1.5% for living rooms; and
 - >1% for bedrooms.
- 8.134 The submitted daylight and sunlight report assesses the impact of the proposed development upon neighbouring properties, as well as its impact upon itself.

Daylight

Proposed Development

- 8.135 For the daylight and sunlight report assessing the proposed residential units, the scope of the applicant's assessment and the applications of the BRE test is satisfactory. Rather than test a representative selection of windows/rooms across the proposed development, GIA (the applicant's consultants) have tested all habitable rooms.

8.136 For daylight, it has been concluded that 75% of the rooms tested would meet or exceed their recommended levels of ADF, but closer scrutiny of the results showed that this breaks down to 87% of the bedrooms tested meeting the ADF target of 1%, 28% of kitchens would meet the ADF target of 2%, 82% of living rooms would meet the ADF target of 1.5% and approximately 60% of kitchen diners would meet the relevant ADF target of 2%.

8.137 Across all room types there are a number of examples of rooms with ADFs significantly below their relevant ADF target with some of the lowest failures occurring to rooms behind the access balconies on the north sides of Blocks A and B. More generally, the majority of rooms which do not meet their ADF target are sited below a balcony but also have direct access to a balcony themselves.

Kitchens:

8.138 It should be noted that a proportion of the kitchens assessed fall short of the 13sqm required for a habitable room and so do not require assessment. Whilst they have included them in the assessments submitted so as to show a full picture, these could arguably be removed from the tally. Should this be done, the number of kitchens receiving levels of daylight below the 2% ADF recommended by the BRE would drop further from 94 (72%) to 76 (67%).

8.139 A review of the location of the kitchens which fall short of the ADF target was undertaken and show that they are located throughout the entire scheme. The highest concentration is found within the ground/first floor maisonettes that are located within both Blocks A and B. It should be noted that in the units where the ground floor kitchens fail to meet the ADF targets, all other rooms meet the ADF levels. Furthermore the majority of the duplexes are dual aspect.

8.140 It should also be noted that in high density schemes it is common to see proposals containing kitchens fully enclosed with no direct access to daylight whatsoever. Although the BRE Guidelines recommend that this is avoided wherever possible, the New Union Wharf scheme has tried to provide not only an outlook for these kitchens but also an acceptable level of daylight (albeit not the level recommended for kitchens).

8.141 To conclude, we therefore accept that a number of kitchens fall short of the 2% ADF recommended by the BRE but the great majority will be adequately day lit, achieving over 1%. The lower levels seen in some kitchens have allowed the design of better day lit main living areas (over 80% of all main living areas see daylight levels greater than 1.5% ADF) and so the occupants of these units will still be able to enjoy good levels of daylight.

8.142 Having reviewed the submitted Daylight/Sunlight information, in addition to the other elements of this application, such as amenity space, minimum floor areas, design standards, officers have taken the view that the shortfall in ADF levels as a result of the presence of balconies is acceptable as the balconies provide acceptable amenity spaces for the units and, on balance, outweighs the deficit in ADF levels.

8.143 On balance officers, consider that the level of daylight for future residents is acceptable and broadly accords with BRE Guidance. Furthermore, the submitted daylight report has been independently tested and found to be acceptable.

Neighbouring Properties

8.144 GIA assessed the effect of the proposed development on residential properties with windows facing towards the site as follows: -

- Kelson House
- Dagmar Court
- Hedley House
- Ballin Court
- 1-12 Capstan Square

8.145 These properties were identified in the first report produced by Anstey Horne (external consultants acting on behalf of the Council) as requiring consideration.

Kelson House

8.146 The VSC and NSL results for this property confirm that all results would accord with BRE Guidance

Dagmar Court

8.147 With regard to VSC it is noted there are some failures. However, the NSL results confirm that all of the kitchens tested (which were based on plans sourced from the LBTH) accord with BRE guidance.

Hedley House

8.148 Hedley House is another example where the design of the neighbouring building 'exacerbates the effect' of the proposed development on daylight as illustrated by difference in the VSC results obtained for the two scenarios tested (with and without balconies). Only a limited number of rooms would not meet the NSL criteria of the BRE Guide and on balance given the fact these units are dual aspect this is considered acceptable.

Ballin Court

8.149 The most marked effect on daylight due to the proposed development would be to Ballin Court located to the north west of the proposal, in terms of both the VSC and NSL results. The VSC results have been run both with and without balconies, but even without balconies, only 50% of the windows tested would meet the targets in the BRE Guide failing by between 10% and 20% of BRE recommendations. In relation to the NSL, 19 of the 48 rooms tested would not meet the BRE recommendations, however, these units are located on the lower floors of the building and are already likely to suffer from limited lighting conditions. It should be noted that 10 of the 19 units identified as failing, would only do so by between 9% and 3% of the baseline condition, whilst at the other end of the spectrum 6 of the 19 units identified would fail by between 30% and 23% of the baseline condition. Whilst these losses are unfortunate, they represent a small number in comparison to the overall daylight impact of the development on its surroundings, and it is considered that the regenerative benefits of the scheme outweigh this loss of light, which officers consider, on its own would not be sufficient to warrant a refusal of the scheme.

1-12 Capstan Square

8.150 Although the VSC results for windows facing the site do not meet the targets in the BRE Guide, given that all the NSL results are satisfactory (and particularly given the fact that the main dual aspect living/kitchen/dining rooms at first floor level are largely unaffected and will retain good access to direct skylight), the level of impact is considered acceptable and accords with guidance

8.151 Nevertheless, considering the worst case (i.e. Ballin Court), In a development such as that proposed – a new estate regeneration scheme, these figures are considered by officers to be acceptable.

Sunlight

Proposed Development

8.152 The BRE Report (2011) recommends that where possible all dwellings should have at least one living room which can receive a reasonable amount of sunlight. A reasonable amount of sunlight is defined in BS 8206:2008 as follows:

8.153 *"Interiors in which the occupants have a reasonable expectation of direct sunlight should receive at least 25% of probable sunlight hours. At least 5% of probably sunlight hours should be received in the winter months, between 21 September and 21 March. The degree*

of satisfaction is related to the expectation of sunlight. If a room is necessarily north facing or if the building is in a densely built urban area, the absence of sunlight is more acceptable than when its exclusion seem arbitrary”

8.154 For sunlight, GIA have tested all windows which face within 90 degrees of due south and although the BRE Guide does not specifically rule out testing other windows in new property, in this instance, this approach is considered to be acceptable. North facing windows would inevitably have very limited access to sunlight and many of the east facing windows which have not been tested look directly over the River Thames so have a good prospect of sun for the first part of the day and have the benefit of the river view.

8.155 Many of the windows which have been tested would meet the targets in the BRE Guide and almost all of those windows which would not do so are sited at the rear of the recessed balconies. GIA's analysis of sun availability on the face of the balconies show all would meet the targets so that occupants of such units can still enjoy good levels of sunlight through the use of their private amenity spaces.

Neighbouring Properties

8.156 The BRE report recommends that for existing buildings, sunlight should be checked for all main living rooms of dwellings and conservatories, if they have a window facing within 90 degrees of due south. If the centre of the window can receive more than one quarter of annual probably sunlight hours, including at least 5% of annual probable sunlight hours in the winter months between 21 September and 21 March, then the rooms should still receive enough sunlight. If the available sunlight hours are both less than the amount above and less than 0.8 times their former value then the occupants of the existing building will notice the loss of sunlight.

8.157 There will be no adverse to the following properties:

- 1-54 Hedley House
- 1-3 Capstan Square
- 5 Capstan Square
- 7-8 Capstan Square
- 10-12 Capstan Square

8.158 Further consideration is given to the APSH effects of the potential development upon 1-60 Ballin Court as well as 4,6 and 9 Capstan Square.

1-60 Ballin Court

8.159 There are 16 windows within this property which face the site and are located within 90 degrees of due south. 12/16 (75%) of which will meet the BRE guidelines for annual and winter sunlight.

8.160 4 windows will experience a reduction in the levels of total sunlight hours marginally greater than the permissible 20% reduction. All of these windows will retain levels of winter sunlight which are double the 5% APSH recommended within the BRE guidelines.

8.161 The impact to the rooms behind the windows can also be considered in terms of APSH. 3 of the 4 (75%) windows serve 1 room which meets the suggested BRE guidelines in regards to sunlight.

8.162 Therefore the potential effect of the proposed development upon 1-60 Ballin Court in regards to sunlight is considered minor adverse in significance.

4,6 and 9 Capstan Square

8.163 There are 3 windows within each of these properties (9 in total) which face the site and are located within 90 degrees of due south. 2 windows within each of these properties (6/9 windows in total – 66.67%) will meet the criteria suggested by the BRE guidelines.

- 8.164 The BRE guidelines state that the main requirement for sunlight is in living rooms where it is valued throughout the day and especially in the afternoon. The remaining 3 windows (1 in each of these properties) serve bedrooms which are considered less important in regards to sunlight when compared to living rooms.
- 8.165 In addition these 3 windows retain high levels of annual sunlight above the recommended 25% suggested by the BRE and the retained winter sunlight is marginally below that suggested in the BRE guidelines.
- 8.166 For these reasons the potential impact to these properties is considered minor adverse in significance
- 8.167 In summary therefore the proposed development will only have a limited effect on sunlight and daylight amenity to existing neighbouring residential properties in the vicinity of the site with impacts other than those which are negligible or minor confined to daylight to a number of rooms to Ballin Court and winter sun to ground floor bedrooms to 3 of the Capstan Square properties.

Overshadowing

- 8.168 In terms of permanent overshadowing, the BRE guidance in relation to new gardens and amenity areas states that *“it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity space should receive at least 2 hours of sunlight of 21 March”*.

Proposed Development

- 8.169 GIA confirm that the results for the main amenity areas within Blocks A and B would both meet the recommendations in the BRE Guide that at least 50% of their area should be able to receive sun for at least two hours on 21st March. Although the private gardens on the south side of Block C have not been tested in the same way, from the transient overshadowing assessment results for the 21st March, it is possible to confirm that these areas would also meet the recommendations of the BRE Guide. On the basis that the recommendations in the BRE Guide would be met, GIA’s assessment that the impact on shadow to the areas tested would be negligible is agreed.
- 8.170 In terms of transient overshadowing, results concentrate on the effect on the River Thames and points out that there would be additional overshadowing at certain times on the dates tested. Shadow from the new building will inevitably be cast further than from the existing buildings on the site, but from the results it can be seen at certain times of the day there will be less shadow on the Thames Path as the more continuous north south massing of the existing buildings is replaced by the predominantly west east orientation of the proposed development which allows sunlight penetration at different times.
- 8.171 In short, the effect of transient overshadowing is minor adverse.

Summary

- 8.172 Overall, the daylight and sunlight results for both the proposed and existing residential units and public spaces indicate that the scheme will deliver good levels of amenity for new residents, whilst ensuring the amenity of neighbouring properties is not unduly detrimentally affected. As such the proposals are acceptable in terms of UDP policy DEV2, CS policy SP10, DM25 of the MD DPD and IPG policy DEV1.

Microclimate

- 8.173 Planning guidance contained within the London Plan 2011 places great importance on the

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

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

- 8.174 The application is accompanied by a Wind and Microclimate Study and it assesses the likely impact of the proposed development on the wind climate, by placing an accurate model of the proposed building in a wind tunnel. The assessment considers pedestrian comfort for a range of activities including sitting, standing and walking.
- 8.175 The pedestrian level wind microclimate at the site was quantified and classified in accordance with the widely accepted Lawson Comfort Criteria.
- 8.176 Overall, all conditions within and around the site are suitable for their intended use. The entrances and balconies were considered in need of mitigation and thus the entrances have been mitigated through entrance recessing or vertical screening directly adjacent to the entrances, and, in terms of the balconies, the mitigation proposed is solid/porous screening along one elevation of the balconies. All other locations have a wind microclimate that is equal to or calmer than desired, and therefore no additional mitigation is considered necessary.
- 8.177 It is therefore considered that the proposed development would be acceptable in terms of the impact upon microclimate conditions surrounding the development and would not significantly impact on the pedestrian amenity on the site.

Air Quality

- 8.178 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 (2011) and Policy DM9 of the Managing Development DPD (Submission Version 2012) 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.
- 8.179 The development is located within the Tower Hamlets Air Quality Management Area. The main impacts on air quality arising from the proposal will be from the demolition/construction phase.
- 8.180 The application is accompanied by an Environment Impact Statement which includes Air Quality chapter, assessing likely air quality impacts as a result of the development. It is considered that as a result of the assessment a condition is necessary to require dust depositional monitoring at least at one point (closest to the nearest sensitive receptor) during the demolition construction phase
- 8.181 In addition to this two compliance conditions will be attached stating that the maintenance schedule of the bitumen storage plant must be kept on site for inspection at all times and that the stockpile heights must not be higher than the height of the hoarding
- 8.182 Overall, it is considered that the impacts on air quality are negligible and any impacts are outweighed by the regeneration benefits that the development will bring to the area.

8.183 As such, the proposal is generally in keeping with Policy 7.14 of the London Plan (2008), Policy DEV2 of the UDP (1998), Core Strategy SP02 (2010), Policy DM9 of the Managing Development DPD (Submission Version 2012) and the objectives of Tower Hamlets Air Quality Action Plan (2003).

Noise and Vibration

8.184 The Environmental Statement sets out that the internal noise standards for future residents would be a good standard in accordance with British Standards (BS8233). It is noted that the Environmental Health Officer considers that noise should not be a determining factor however, they have requested a more detailed noise assessment. Officers have considered this request in light of the residential location of the development adjacent to the river Thames and consider that sufficient information has been submitted to inform the assessment. However, a condition would be attached to ensure that future residential units have an acceptable internal noise level. This would secure details of any necessary insulation and post completion testing.

8.185 Noise from any proposed mechanical, electrical plant and ventilation would be assessed at condition stage once the full specification is known. The applicant would also need to carry out a background noise assessment to inform this.

8.186 As such, a suitably worded planning condition will ensure that the internal noise level and appropriate sound insulation in accordance with the British Standards is implemented and maintained.

Energy and Sustainability

8.187 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.

8.188 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).

The London Plan 2011 includes the target to achieve a minimum 25% reduction in CO₂ emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy (Policy 5.2).

8.189 The Draft Managing Development 'Development Plan Document' 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.

8.190 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. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation.

- 8.191 The Energy Statement (30th January 2012), follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand by 10.8% (Be Lean). The integration of a communal heating scheme incorporating a Combined Heat and Power (CHP) engine to supply the space heating and hotwater requirements in accordance with policy 5.6 of the London Plan will also reduce energy demand and associated CO2 emissions by 47.2% (Be Clean).
- 8.192 The current proposals for delivering the space heating and hotwater are considered acceptable; however an appropriately worded condition should be applied to any permission to ensure development is supplied by the CHP (~80kWe) following completion and prior to occupation.
- 8.193 Photovoltaic cells are proposed to provide a source of on-site renewable energy (Be Green). The technologies employed would result in a 22.6% carbon savings over the regulated energy be Clean baseline. The applicant has demonstrated that the proposed CO2 emission reduction through PV's (945m2 PV array with peak output of 118kWp) is the maximum that can be achieved from renewable energy technologies for the site. The Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible.
- 8.194 The total anticipated CO2 savings from the development are 63.5% (290.5 tonnes CO2 per annum), through a combination of energy efficiency measures, a CHP power system and renewable energy technologies. The proposed energy strategy therefore exceeds the requirements of Draft Policy DM29 which seeks a 35% reduction in CO2 emissions. Therefore the CO2 savings proposed for this development are considered acceptable and it is recommended that the strategy is secured by Condition and delivered in accordance with the submitted Energy Statement
- 8.195 In terms of sustainability, London Borough of Tower Hamlets requires all new residential development to achieve a Code for Sustainable Homes Level 4 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. The submitted Sustainability Statement and Code for Sustainable Homes Pre-assessment demonstrates how the development will achieve a Code for Sustainable Homes Level 4. It is recommended that the achievement of a Code Level 4 rating for all units is secured through an appropriately worded Condition with the Code for Sustainable Homes Certificates submitted to the Council prior to occupation

Contamination

- 8.196 In accordance with the requirements of saved UDP policy DEV51, policy DM30 of the Managing Development DPD (Submission Version 2012), the application has been accompanied by an Environmental Statement which assesses the potential for past contamination and concludes that it is present..
- 8.197 The Council's Environmental Health Officer (EHO) notes that records indicate that site and surrounding area have been subjected to former industrial uses which have the potential to contaminate the area. As ground works and soft landscaping are proposed, there is a potential pathway for contaminants. In the event of soil contamination being identified, the

Environmental Health Officer (EHO) will require chemical compositional sampling to be undertaken upon request. Officers recommend that further intrusive investigations are required and any necessary mitigation and it is suggested that an appropriate condition be imposed.

Flood Risk

- 8.198 The NPPF and Policy 5.12 of the London Plan (2011), Policy SP04 of LBTH Core Strategy (2010) relate to the need to consider flood risk at all stages in the planning process.
- 8.199 The development falls within Flood Zone 3 and the application is supported by a flood risk assessment and describes various flood mitigation options.
- 8.200 The application lies within Flood Zone 3 and has a high probability of flooding. As set out at paragraph 6.2 of this report the EA originally objected to the development. However, following the submission of further technical information they have removed their objection subject to conditions which would be attached should planning permission be granted.
- 8.201 As such, it is considered that the proposed development by virtue of proposed flood mitigation strategy complies with PPS25, Policy 5.12 of the London Plan (2011) and Policy SP04 of the Core Strategy (2010).

Biodiversity and Ecology

- 8.202 There are no significant biodiversity issues on the site and therefore, no adverse impacts on biodiversity. A survey of the existing buildings for potential bat roosts, reported in the Ecological Constraints Report, found that the buildings are not suitable for roosting bats. There will not, therefore, be any adverse impacts on biodiversity. Living roofs are proposed for all the buildings. A large proportion of these are brownfield-style roofs, which are particularly valuable for biodiversity. The proposal is considered to be acceptable by the Council's Biodiversity Officer subject to a condition being imposed to secure details of the living roofs to be provided to and approved by the Council before work commences.
- 8.203 The Design Council CABE Review resulted in some suggestions which have the potential to enhance biodiversity further and the overall landscaping scheme. These have been explored and incorporated where suitable to the overall enhancement of the biodiversity and landscaping elements. A detailed landscaping strategy would be controlled via condition with specific details of biodiversity enhancement required as part of this condition.

Health

- 8.204 Policy 3.2 of the London Plan (2011) seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough.
- 8.205 Policy SP03 of the Core Strategy (2010) seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.
- 8.206 The application comprises £194,265 towards community facilities, in addition to £349,061 towards public open space and £92,156 towards Streetscene and built environment. The proposed public realm around the site will contribute to walking and cycling routes within the Isle of Dogs. The application also proposed to contribute a health contribution of £289,505 (which is discussed in more detail in later sections of this report). The on site public realm, public open space, Streetscene and built environment contributions and community facilities are considered sufficient measures to encourage and facilitate healthy and active lifestyles.

- 8.207 The application proposes 103sqm of floorspace which will be used as a community centre/office (Use Class D1). The applicant has suggested that events such as 'weight watchers' etc could operate here.
- 8.208 It is therefore considered that the proposal will meet the objectives of London Plan Policy 3.2 and Policy SP03 of the Council's Core Strategy which seek the provision of health facilities and opportunities for healthy and active lifestyles.

EIA Issues

- 8.209 The proposed development falls within the category of developments referred to in paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) regulations 2011.
- 8.210 As the proposal is likely to have significant effects on the environment, it is required to be subject to environmental impact assessment before planning permission is granted. Regulation 3 of the EIA Regulations precludes the grant of planning permission unless prior to doing so, the Council has taken the 'environmental information' into account. The environmental information comprises the applicant's Environmental Statement (ES), any further information submitted following request under Regulation 22 of the EIA Regulations, any other substantive information relating to the ES and provided by the applicant and any representations received from consultation bodies or duly made by any person about the environmental effects of the development.
- 8.211 The Council appointed consultants, Land Use Consultants (LUC) to examine the applicant's ES and to confirm whether it satisfied the requirements of the EIA Regulations. Following that exercise, LUC confirmed that whilst a Regulation 22 request was not required, further clarification was sought in respect of a number of issues. These relate to matters concerning community and socioeconomics, waste management, noise and vibration, surface water quality, flood risk, townscape and visual, daylight and sunlight, wind and cumulative effects. The Council's EIA Planner has liaised directly with the applicant's consultants in attempt to seek response to these clarifications.
- 8.212 LUC now conclude that the application is considered to meet the EIA Regulations and provides a satisfactory level of information to allow a proper assessment of the development proposals. The ES is considered to provide a comprehensive assessment of the environmental impacts of the proposed development.
- 8.213 The ES addresses the following areas of impact (in the order they appear in the ES):
- Socio-Economic Impact
 - Waste
 - Waste
 - Archaeology
 - Air Quality and Dust
 - Noise and Vibration
 - Surface Water Quality
 - Flood Risk
 - Land Quality
 - Townscape and Visual Impact
 - Daylight and Sunlight
 - Wind and Microclimate
 - Cumulative Effects
- 8.214 The various sections of the ES have been reviewed by officers. The various environmental impacts are dealt with in relevant sections of this report above with conclusions given,

proposals for mitigation of impacts by way of conditions, and/or planning obligations as appropriate.

8.215 In summary, having regard to the ES and other environmental information in relation to the development, officers are satisfied that the environmental impacts are acceptable in the context of the overall scheme, subject to conditions/obligations providing for appropriate mitigation measures.

Planning Obligations and S106

8.216 Policy DEV4 of the adopted UDP, policy SP13 of the CS and Policy IMP1 of the IPG say that the Council would seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.217 The NPPF requires that planning obligations must be:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development

8.218 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.219 Securing appropriate planning contributions is further supported by saved policy DEV4 of the UDP and Policy IMP1 of the Council's IPG and policy SP13 in the CS which seek to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate the impacts of a development.

8.220 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides the Council's guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. The document also set out the Borough's key priorities being:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

8.221 Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development would be approximately £1,880,150. This has been applied as follows through the SPD.

The proposed heads of terms to strictly comply with the SPD would be:

Financial Contributions

Community Facilities £249,075
Education £765,275
Health £289,505

Employment £91,688
Sustainable Transport £6,525
Public Realm £441,217
(including 2% monitoring fee of £36,865)

Non-financial Contributions

- a) 64.3% affordable housing units based on replacement, 31.6% affordable housing based on uplift (habitable room provision)
- b) The completion of a Travel Plan
- c) The provision of 2 Car Club Spaces
- d) The completion of a car-and-permit free agreement for all new residential units provided at the site (existing tenants not subject to car and permit free agreement).
- e) A commitment to utilising employment and enterprise initiatives in order to maximise employment of local residents.
- f) The right of public access through homezones.
- g) The provision of Public Art within the site.
- h) The retention of the right of walking along the Riverside Walkway
- i) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

8.222 This application is supported by a viability toolkit which demonstrated that there was no provision to provide all of the S106 contributions as well as the estate regeneration works proposed at New Union Wharf. The viability appraisal has established that £472,466 would be available to mitigate against the impact of the proposed development.

8.223 Officers have considered this shortfall in contributions and it is considered that the loss is outweighed by the benefits that the scheme delivers. For example, the development provides wider regeneration improvements, such as improved public realm, legibility, accessibility and community facilities offer for residents, which whilst not contributing to the Council's priorities as set out in the Planning Obligations SPD, are material in considering its acceptability.

8.224 Based on the Borough's key priorities, the S106 package is to be focused on Education and Employment and Enterprise.

8.225 The S106 package would therefore be focused on the following:

Education £366,246
Health £95,844
(including 2% monitoring fee of £9,449)

Total sum of £471,539

8.226 In terms of Employment and Enterprise element of the non-financial payments, the applicant has agreed to:

- Work with its contractors and sub-contractors to make every possible endeavour to achieve **20% local labour** on site through the lifetime of the programme;

- To work with its contractors to offer a minimum of **21 new apprenticeships** during the lifetime of the programme at level 2;
- Run a work experience programme providing opportunities for short, structured work experience placements on site lasting one or two weeks will be developed;
- Provide a minimum of **70 voluntary work experience placements** during the lifetime of the programme. These will range between 1 week and 6 weeks based in the needs of the participant and the employer;
- East Thames and its contractors will host a 'Meet the Buyer' event working with the Council and its partners including 'East London Business Place' to fully explore and promote the opportunities for local procurement in the supply chain;
- They are keen to promote jobs in the construction industry to women and will actively seek to secure a minimum of **20% women** trainees for this cohort;
- They will work with Skillsmatch to identify local residents that would be suitable for these opportunities;
- Provide a number of training opportunities.

8.227 For the reasons identified above it is considered that the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the relevant statutory tests.

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

8.228 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:

8.229 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.

8.230 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.

8.231 In this context "grants" might include:

- a) New Homes Bonus;
 - 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. .*

8.232 As regards Community Infrastructure Levy considerations, following the publication of the

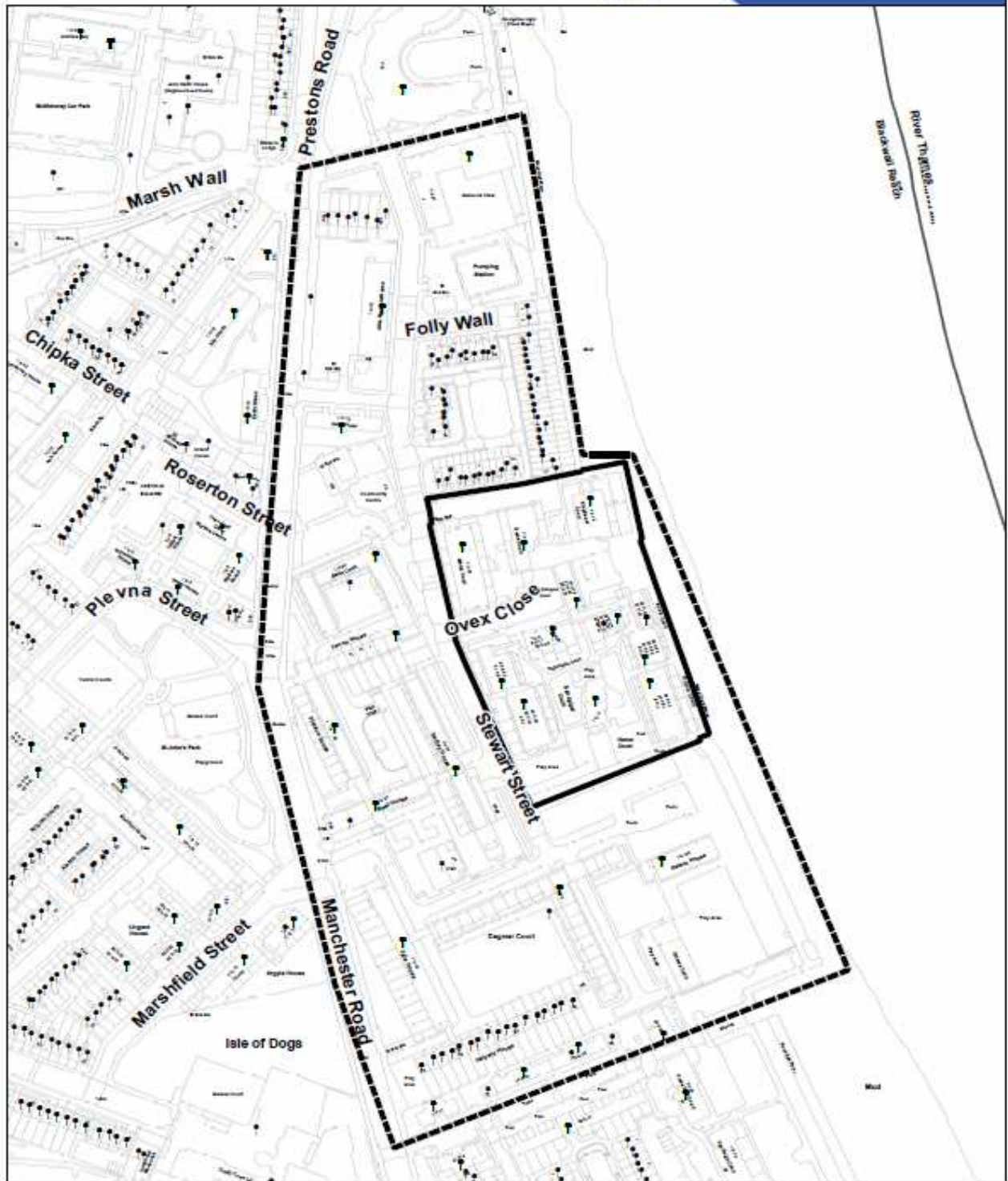
Inspector's Report into the Examination in Public in respect of the London Mayor's Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region of £627,270.

- 8.233 *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.*
- 8.234 *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 £69,118 in the first year and a total payment £414,708 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.*

Overall Conclusions

- 8.235 All other relevant policies and considerations have been taken into account. Planning permission should be supported for the reasons set out in RECOMMENDATION section of this report.

Planning Application Site Map PA/12/00360



Planning Application Site Boundary

Locally Listed Buildings

Land Parcel Address

Consultation Area

Statutory Listed Buildings

0 15 m



1:2,800

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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