

Committee: Development Control	Date: 12 th September 2012	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Mumtaz Shaikh		Ref No: PA/12/00623 and PA/12/00624	
		Ward(s): Bethnal Green North	

1. APPLICATION DETAILS

1.1 **Location:** 313 Cambridge Heath Road, London E2 9LQ

Existing Use: Ground floor office with unauthorised residential/student accommodation use on the 1st and 2nd floor. (Previously in use as a wine wholesaler (B1 use class)).

Proposal: **A.** PA/12/00623 - Full Planning Permission comprising of:

Demolition of existing 3 -storey building and redevelopment of site by construction of a new 5 -storey building with basement and lower ground floor levels to provide 80 bedroom Hotel (Use Class C1) with associated rear servicing bay.

B. PA/12/00624 - Conservation Area Consent for:

Demolition of existing 3 - storey building in connection with the construction of a 5 – storey building to provide a new 80 bed hotel and associated access and parking arrangements.

Drawing Nos:

- H7578-01 Revision A - Location Plan dated 25.03.11
- H7578-03 Revision B - Survey dated 15.12.11
- H7578-04 Revision B - Basement Floor Plans dated 15.12.11
- H7578-05 Revision E - Ground Floor Plan dated 15.12.11
- H7578-06 Revision C - Upper Floor Plans and Roof Plan dated 15.12.11
- H7578-10 Revision G - Proposed Elevations dated 15.12.2011
- H7578-11 Revision D - Cross section dated 15.12.11
- H7578-20 Revision - - Cross section dated 10.07.12

Documents:

- Design and Access Statement received on 20 July 2012
- Access Statement - Ref: RMC/ED/JMH/H7578/D&AS/13.01.2012
- Material Board by Architects of Smart Space
- Visual Impact of Application Scheme with Rooftop Plant received on 14/06/2012
- Design Proposals - Appearance Ref: RMC/ED/JMH/H7578/D &AS/13.01.2012
- Transport Assessment dated February 2012
- Travel Plan dated February 2012
- Post-Submission Highways Issues (Highways tracking and Service Management Plan) dated 20/07/12

- Mechanical and Electrical Renewable Energy Report Document Ref: BEB/715760/CL/001R, Revision 01 dated 15th February 2012
- Planning Statement (Marketing) Ref:THG11008.CW.120206.cw dated 6th February 2012
- Daylight and Sunlight Study dated 28th February 2012
- Breeam, Cambridge Heath Pre-assessment V2.20.xlsmFinal Score and Rating
- Overshadowing Analysis dated 19th July 2012
- Pre-Design Site Waste Management Plan Ref: DMB/723710/R1, Revision 0, dated January 2012
- Noise and Vibration Impact Assessment Ref: DMB/723710/R3, Revision 1, dated January 2012
- Heritage Impact Assessment dated February 2012
- Preliminary Contamination Assessment Report ref: DMB/723710/R2, Revision 1, dated January 2012
- Significance Assessment & Townscape Appraisal dated July 2011

Applicant: Goldman Real Estate Ltd
Owner: Vale Property Finance PCC Ltd
Listed Building: No
Conservation Area: Bethnal Green Gardens Conservation Area

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of these applications against the Councils approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, the Managing Development Plan Document (Submission Version May 2012), the Core Strategy (2010), Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and the National Planning Policy Framework and has found that:

1. A hotel scheme will contribute to the strategic target for new hotel accommodation. The scheme therefore accords with policy 4.5 of the London Plan (2011), policies SP06 and SP12 of the Core Strategy 2010 and policy DM7 of the Managing Development DPD (Submission Version May 2012) which encourages the provision of a new London visitor accommodation and attraction near a town centre and in accessible locations and seeks to promote tourism development within the Borough.
2. The proposed height at 5-storey, materials, scale, bulk and design of the building is acceptable and is considered to respect, preserve and enhance the character and setting of the adjacent Listed Buildings in Paradise Row and the Bethnal Green Gardens Conservation Area. As such, the proposal is in accordance with Planning Policy Framework (March 2012), policies 7.4, 7.6, 7.8 and 7.9 of the London Plan (2011) as well as saved policy DEV1 of the Unitary Development Plan (1998); policies DEV2, CON1 and CON2 of the Interim Planning Guidance (2007); policies SP10 and SP12 of the Core Strategy (2010) and policies DM23, DM24 and DM27 of the Managing Development: Development Plan Document (Submission Version May 2012) which seek to protect the character, appearance and setting of heritage assets.
3. The development and associated public realm improvements are considered to be inclusive and also improves the permeability of the immediate area. As such, it accords with policies 7.2, 7.4 and 7.5 of the London Plan (2011), saved policy DEV1 of the Council's Unitary Development Plan (1998); policy SP09 of the Core Strategy (2010), policies DEV3 and DEV4 Interim Planning Guidance (2007) of the Council's

Interim Planning Guidance (October 2007) and policy DM23 of the Managing Development: Development Plan Document (Submission Version May 2012) which seek to maximise safety and security for those using the development and ensure public open spaces incorporate inclusive design principles.

4. It is not considered that the proposal would give rise to any undue impacts in terms of privacy, overlooking, sunlight and daylight, and noise upon the surrounding properties or occupiers. As such, the proposal is considered to accord with saved policy DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy (2010), policy DEV1 of the Council's Interim Planning Guidance (October 2007) and policy DM25 of the Managing Development: Development Plan Document (Submission Version May 2012) which seek to protect residential amenity.
5. Transport matters, access and servicing, are acceptable and accord with policies 6.4, 6.7, 6.9, 6.10, 6.11, 6.12 and 6.13 of the London Plan (2011), saved policies T16 and T19 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy (2010), policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007) and policy DM20 of the Managing Development: Development Plan Document (Submission Version May 2012), which seek to ensure developments minimise parking and promote sustainable transport options.
6. Sustainability matters, including energy, are acceptable and accord with policies 5.1 – 5.3 of the London Plan (2011), policy SP11 of the Core Strategy (2010), policies DEV5 to DEV9 of the Council's Interim Planning Guidance (October 2007) and DM29 of the Managing Development: Development Plan Document (Submission Version May 2012) which seek to promote sustainable, low carbon development practices.
7. Financial contributions have been secured towards the provision of training initiatives; streetscene and public realm improvements; open space; leisure and libraries, and sustainable transport tourism promotion in line with National Planning Policy Framework (March 2012), the Community Infrastructure Levy Regulations 2010, saved policy DEV4 of the Council's Unitary Development Plan (1998); policy SP13 of the Core Strategy (2010) and the Planning Obligations SPD 2012 which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

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

Financial Contributions

- a) Contribution towards Employment & Enterprise: **£13,871**
- b) Contribution towards Community Facilities: **£4,001**
- c) Contributions towards Public Realm: **£154,878**
- d) Contribution towards Sustainable Transport: **£80,000**
- e) Monitoring fee (2%): **£5,055**

Non-Financial Contributions

- f) A commitment to Employment and Enterprise and local procurement during the construction phase:

- g) Car and Permit Free Agreement
- h) Travel Plan
- i) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

Total financial contribution: **£257,805**

- 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 for PA/12/00623 - Full Planning Permission

- 1) Three year time limit for full planning permission;
- 2) Development in accordance with approved plans;
- 3) Construction hours between 8am – 6pm Monday to Friday and 8am to 1pm Saturday only;
- 4) Details of noise levels and any necessary mitigation measures to safeguards the amenity of the area in general;
- 5) The development shall comply with the requirement of Secure by Design and include the following:
 - External CCTV
 - Blunt rod external railings
 - The rooflight to the basement shall be laminated and a sealed unit;
- 6) Submission of details and samples of all materials;
- 7) Submission of hard and soft landscaping; and sustainable drainage details;
- 8) Car and permit free development agreement;
- 9) Construction Management and Logistics Plan;
- 10) Archaeology;
- 11) Contamination;
- 12) Inclusive Access Management Plan;
- 13) Scheme of highways improvement works to be agreed (s278 agreement);
- 14) Ventilation and extraction system for the kitchen area;
- 15) Details of Roof top plant screens;
- 16) Waste Management Plan including waste and recycling details;
- 17) Delivery and Service Management Plan;
- 18) 10% Accessible hotel rooms;
- 19) BREEAM 'excellent';
- 20) Submission of Energy details;
- 21) Hours of servicing;
- 22) Hotel Use Only;
- 23) Occupation no longer than 90 consecutive days;
- 24) Cycle storage details to be submitted and approved and then after to be retained in accordance with plans approved;
- 25) Thames Water Piling condition;
- 26) Rear servicing facility to be provided in the scheme is to be retained in accordance with the plans approved
- 27) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

- 1) This planning permission for development is to be read in conjunction with the Section

- 106 agreement required;
- 2) Developer to enter into a Section 278 Highways works agreements required;
- 3) Developer to contact the Council's Building Control service;
- 4) Developer to contact Thames Water to meet their requirements.
- 5) Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

3.4 B. That the Committee resolve to **GRANT** conservation area consent subject to:

Conditions for PA/12/00624 - Conservation Area Consent

- 1) The demolition works hereby granted consent shall be begun before the expiration of three years from the date of this consent;
 - 2) The demolition works hereby granted shall be carried out only between the hours of 10am to 4pm Mondays to Fridays and between the hours of 10am to 1pm Saturdays and shall not be carried out at any time on Sundays or Public Holidays;
 - 3) The demolition works hereby granted consent shall not commence until a valid contract for the re-development of the site in accordance with a valid planning permission has been let;
 - 4) Before the commencement of the demolition works hereby granted consent, details of the means by which the boundary of the cleared site is to be treated shall be submitted to and approved in writing by the local planning authority
 - 5) Submission and approval of a Demolition and construction Logistics Plan
 - 6) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.
- 3.5 That, if within 3 months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission and conservation area consent.

4 BACKGROUND

- 4.1 The application site comprises three-storey building occupying the front half of the site, with an area of hard surface to the rear providing 8 off-street car parking spaces and servicing facilities.
- 4.2 Historically, the site was used to provide storage space for a wine wholesaler (Balls Brothers). This use comprised a warehouse/wholesale space at ground floor level with associated offices above (Use Class B1). Balls Brothers have recently vacated the site and the site is now under new ownership.
- 4.3 The application building at present (i.e. since July 2011), is being used as offices on the ground floor by Hanson Thermalite Blocks and first and second floor is being used to provide an unauthorised residential/student accommodation without planning permission.
- 4.4 The current use of the first and second floors of the building is unauthorised and a separate enforcement action is being pursued under ref: ENF/11/00280. An appeal against the enforcement notice was dismissed and as such the compliance date to cease use as residential and/or serviced apartments including removal of kitchen facilities and bathrooms is 4 October 2012.

PROPOSAL AND LOCATION DETAILS

Proposal

- 4.5 The application proposes the demolition of an existing three-storey building, which was previously in use as a warehouse/wholesale at ground level with associated offices above (Use Class B1). Following the demolition, the applicant seeks the erection of a new five-storey building across the site (excluding rooftop plant) which utilises the fall across the site from west to east by adding two lower ground floor levels to the building.
- 4.6 The new building is to provide an 80 bedroom Holiday Inn Express Hotel with ancillary bar, restaurant and meeting facilities. Whilst the new building layout occupies the full extent of the site footprint, the raised upper ground level is recessed on three sides (i.e. Cambridge Road, Nant Street and Paradise Row) to provide natural light into the lower ground level and to create servicing at the rear via a pull in service bay and disabled car parking off Paradise Row.

Site and Surroundings

- 4.7 The application site (540sq.m.) is square in shape and is bounded to the north, west and east by roads/footpaths and to the south by the adjacent Bethnal Green Medical Mission Building. The site's primary frontage faces east towards Cambridge Heath Road with secondary frontages facing north on to Nant Street and west on to Paradise Row.
- 4.8 The application site comprises a three storey building built approximately 30 years ago which is of concrete framed construction with part brick and part glazed curtain walling. Internally each floor is arranged to provide broadly rectangular office accommodation, divided by demountable partition walls into individual office area and meeting rooms. The windows are generally metal framed, single glazed units.
- 4.9 At ground level there is an entrance lobby on the eastern side of the building (frontage to Cambridge Heath Road), accessed through timber framed double doors. There is a kitchen as well as male and female WCs to the rear and there is a lift lobby and stairwell leading to the upper floors in the north east corner of the building.
- 4.10 The building sits on a podium approximately 700mm above Cambridge Heath Road pavement level. The footprint of the building occupies approximately half of the site at the front with the remaining half alongside Paradise Row being an open informal parking/servicing area. The parking area provides 8 car parking spaces.
- 4.11 The site is located within the Bethnal Green Gardens Conservation Area. The application site is not a Listed Building. However, it is located within close proximity to Listed Buildings and this includes Bethnal Green Museum of Childhood (Grade II* Listed) almost opposite the site to the east and the adjacent Museum Gardens (Listed Parks and Gardens). To the rear (i.e. towards south-west of the site) Nos. 2-11 Paradise Row are also Grade II Listed.
- 4.12 The majority of the buildings surrounding the application site are 3, 4, and 5-storeys in height with significant variations in floor to ceiling heights creating a variety of heights and scale in the local area.
- 4.13 The site is in a highly accessible location, located close to Bethnal Green Underground Station and numerous bus routes. Pedestrian access onto the site is currently via Cambridge Heath Road with vehicular access to the site via Paradise Row. A public footpath runs along the Cambridge Heath Road and Nant Street road frontages. However, there is no public footpath along the Paradise Row frontage.
- 4.14 The dominant landscape feature of this area is the public open space of Bethnal Green Gardens (also known as Museum Gardens), along with Paradise Gardens to the south of the Bethnal Green Medical Mission.

4.15 The below site map shows the location of the application site (star) in relation to the surrounding buildings and the area in general.



Relevant Planning History

4.16 The following planning decisions are relevant to the application:

ENF/11/00280 On 04/07/2012, appeal against enforcement notice for unauthorised *Change of use of 1st and 2nd floors to residential/ student accommodation*. Appeal dismissed. Compliance date to cease use as residential and/or serviced apartments including removal of kitchen facilities and bathrooms is 4 October 2012.

PA/11/03882 This is a retrospective planning application for *Temporary Change of Use (maximum 2 years) from Business (Use Class B1) to Serviced Accommodation (Use Class C1) comprising 21 rooms*. Application currently under consideration.

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)

5.2 Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use development
	DEV4	Planning Obligations
	DEV12	Provision of Landscaping in Development
	DEV27	Heritage and the historic environment
	DEV28	Development Adjacent to Conservation Area

DEV50	Noise
DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV69	Water Resources
EMP1	Encouraging New Employment Uses
EMP3	Surplus Office Floor Space
EMP6	Employing Local People
T16	Impact of Traffic
T18	Pedestrian Safety and Convenience
T21	Existing Pedestrians Routes
S7	Restaurants

Interim Planning Guidance for the purposes of Development Control 2007

5.3	Policies:	DEV1	Amenity
		DEV2	Character & Design
		DEV3	Accessibility & Inclusive Design
		DEV4	Safety & Security
		DEV5	Sustainable Design
		DEV6	Energy Efficiency & Renewable Energy
		DEV7	Water Quality and Conservation
		DEV8	Sustainable Drainage
		DEV9	Sustainable Construction Materials
		DEV10	Disturbance from Noise Pollution
		DEV11	Air Quality
		DEV12	Management of Demolition and Construction
		DEV13	Landscaping
		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
		DEV22	Contaminated Land
		EE2	Redevelopment / Change of Use of Employment Sites
		RT5	Evening and Night-time Economy
		CON1	Listed Buildings
		CON2	Conservation Areas

Supplementary Planning Guidance/Documents

5.4		Designing Out Crime
		Planning Obligations SPD 2012
		Bethnal Green Gardens Conservation Area Appraisal and Management Plan
		English Heritage – The Setting of Heritage Assets

Core Strategy (2010)

5.5	STRATEGIC OBJECTIVES:	SO3, SO5, SO6, SO10, SO11, SO12, SO14, SO16, SO17, SO19, SO20, SO22, SO23, SO24 and SO25,
5.6	Policies	SP01 Refocusing on our town centres
		SP03 Creating healthy and liveable neighbourhoods
		SP04 Creating a green and blue grid

SP05	Dealing with waste
SP06	Delivering successful employment hubs
SP07	Improving education and skills
SP08	Making connected places
SP09	Creating attractive and safe streets and spaces
SP10	Creating distinct and durable places
SP11	Working towards a zero-carbon borough
SP12	Delivering placemaking
SP13	Planning Obligations

Managing Development: Development Plan Document (Submission Version May 2012)

5.7	Policies	DM7	Short stay accommodation
		DM9	Improving air quality
		DM13	Sustainable drainage
		DM14	Managing waste
		DM15	Local job creation and investment
		DM20	Supporting a sustainable transport network
		DM22	Parking
		DM23	Place-sensitive public realm
		DM24	Place-sensitive design
		DM25	Amenity
		DM27	Heritage and the historic environment
		DM29	Achieving a zero-carbon borough and addressing climate change
		DM30	Contaminated land

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

5.8	<u>Policy</u>	<u>Title</u>
	4.1	Developing London's economy
	4.3	Mixed use development and offices
	4.5	London's visitor attraction
	4.10	New and emerging economic sectors
	4.11	Encouraging a connected economy
	4.12	Improved opportunities for all
	5.1	Climate Change mitigation
	5.2	Minimising carbon dioxide emissions
	5.3	Sustainable design and construction
	5.5	Decentralised energy networks
	5.6	Decentralised energy in development proposals
	5.7	Renewable energy
	5.8	Innovative energy technologies
	5.13	Sustainable drainage
	5.18	Water use and supplies
	5.21	Contaminated land
	6.4	Enhancing London's transport connectivity
	6.7	Better streets and surface transport
	6.8	Coaches
6.9	Cycling	
6.10	Walking	
6.11	Smoothing traffic flow and tackling congestion	
6.12	Road network capacity	
6.13	Parking	

- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.5 Public realm
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 8.2 Planning Obligations

London Plan – Relevant Supplementary Planning Guidance

- 5.9
 - Accessible London: Achieving an Inclusive Environment (April 2004)
 - Sustainable Design and Construction (May 2006)

Government Planning Policy Guidance/ Statements

- 5.10 National Planning Policy Framework 2012
- 5.11 **Community Plan** The following Community Plan objectives relate to the application:
 - A better place for living safely
 - A better place for creating and sharing prosperity
 - A better place for excellent public services

6. CONSULTATION RESPONSE

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

LBTH Accessibility Officer

- 6.3 No principle objection, subject to conditions requiring 10% of hotel rooms to be wheelchair accessible. Further Access Management Plan to be submitted which addresses accessibility throughout the site.

(OFFICER COMMENT: Condition has been attached to ensure 10% accessible hotel rooms)

LBTH Biodiversity

- 6.4 There is nothing of biodiversity value currently on the site, so there will not be adverse impacts on biodiversity.

(OFFICER COMMENT: No green roof is proposed as part of this planning application and it is not considered necessary in order to secure planning permission at the site. As set out in the comments above the site has no biodiversity at present therefore it is not required, as per policy, to provide any mitigation as part of the planning submission.)

Energy Efficient Unit

- 6.5 The principles of the energy strategy are considered acceptable, subject to conditions securing the delivery of the energy policies strategy in accordance with Council policies.

(OFFICER COMMENT: The requested conditions are recommended to be included on any planning permission granted).

Development, Design and Conservation

- 6.6 The proposed scheme has been development through consultation with the Council's Development, Design and Conservation Officer at both during the pre-application and the current application stage and is considered to be acceptable.

Environmental Health – Noise and Vibration

- 6.7 The application site falls within an area which is exposed to high levels of noise and vibration, as such environmental protection requires agreement on the noise and mitigation measures to protect future users, including adequate acoustic ventilation details to be submitted prior to commencement of development.

(OFFICER COMMENT: Officers consider that full details can be dealt with via planning conditions to ensure the mitigation details are submitted and implemented in accordance with environmental requirements and standards).

Environmental Health - Contaminated Land

- 6.8 No objections to the proposal provided an appropriate condition requiring the developer to carry out further intrusive works to investigate and identify potential contamination and that it be treated and made safe before the development commences.

(OFFICER COMMENT: Conditions will be attached to this effect.)

Environmental Health – Air Quality

- 6.9 No adverse comments have been received.

Environmental Health – Smell and Pollution

- 6.10 Details of kitchen extract system are required to be submitted and approved.

(OFFICER COMMENT: The requested conditions will be attached to any decision notice)

LBTH Transportation/Highways

- 6.11 Highways officer has no objection to the principle of the proposals subject to a car-free agreement and section 287 highways works are entered into by the applicant. Moreover, the officer commented that, the applicant has supplied a comprehensive Transport Statement as well as a framework Travel Plan which is welcomed.

(OFFICER COMMENT: The provision of cycle space and car-free agreement will be conditioned, and a scheme of highway works will also need to be agreed and implemented through a Section 278 agreement).

Head of Planning Policy

- 6.12 No adverse comments received.

Enterprise & Employment

- 6.13 Appropriate financial and non-financial contributions should be secured for this development.

(OFFICER COMMENT: The applicant has agreed to provide financial and non-financial planning obligations, as detailed within the Heads of Terms in paragraph 3.1.)

LBTH Communities, Localities and Culture

6.14 No adverse comments received.

LBTH Waste Policy and Development

6.15 No adverse comments received. Officers however suggested that the total waste storage capacity required for this site is 23,250L to store for an 8 day period including bank holiday. As such, the collection frequency from the site needs to be adjusted accordingly during the time of operation.

(OFFICER COMMENT: Waste storage and collection arrangements will be secured by planning conditions in accordance with local policy and standards).

London Fire and Emergency Planning Authority (statutory consultee)

6.16 No adverse comments received.

Transport for London - Street Management (Highway Authority)

6.17 No comments received to date.

Network Rail

6.18 No comments received to date.

English Heritage

6.19 Do not wish to comment in detail on this occasion but offer the following; that the applications be determined in accordance with both the national and local policy guidance, and on the basis of specialist conservation advice.

(OFFICER COMMENT: The applications have been recommended in accordance with the Council's development plan, moreover submission of details and samples of all materials for the external building are reserved matters.)

LBTH Crime Prevention Officer

6.20 The comments received are stated as follows:

1. Use of rooflight to basement area will need to ensure it is secure from illegal entry, laminated glass sealed unit preferably.
2. External railings must be blunted rod to reduce seating/gathering.
3. External CCTV imperative.
4. Rear goods delivery space very tight, not sure this is a practical use of the space, and may end up causing problems on both Nant Street and Cambridge Heath Road

(OFFICER COMMENT: The above mentioned point 1 to 3 can be conditioned. However, point 4 is a matter that has been considered under transportation.)

Thames Water

6.21

Thames Water has requested a condition to secure details of any impact piling proposed at the site to prevent and minimise the potential for damage to subsurface water or sewerage. The applicants are also advised to contact Thames Water regarding Ground Water discharge.

(OFFICER COMMENT: A condition relating to Piling Method Statement and an informative for the applicant to contact Thames Water will be included on any planning permission granted.)

Water Comments

On the basis of information provided, Thames Water would advise that with regard to water infrastructure they would not have any objection to the proposal and recommends that the following informative be attached to this planning permission:

Informative

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres /minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

(OFFICER COMMENT: The above mentioned informative will be attached to any planning permission granted).

7. LOCAL REPRESENTATION

- 7.1 A total of 67 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:	32	Objecting:	21	Supporting:	9	Comment:	-
No of petitions received:		Objection:	1 containing 12 signatures	Support:	0		

7.2 Objections

The objections to the proposed development are raised on the following ground:

- The design, height and bulk of the proposed development would be detrimental to the character and appearance of the Bethnal Green Gardens Conservation area and the setting of the registered Museum Gardens and Paradise Gardens.
- The new building is of a poor quality and an eye sore that fails to respond to its historic and conservation area surroundings.
- It will block out sun from and cast a huge shadow on the Museum Gardens and the Museum of Childhood that would be detrimental to the large number of visitors to these buildings.
- The property is currently operating as a hotel. There is already a vast hotel a few yards north of this and a Travel Lodge being built a few hundred yards further south. There is no need for further hotels in the area.
- The proposal fails to adequately address PPS1 (sustainable development) and PPS3 (affordable housing).
- The development would bring in more traffic and car parking in the area. The street behind the proposed building would be blocked by traffic.
- The new hotel would not bring any benefit to the locals.

(OFFICER COMMENT: The above objections so far as they can be considered material considerations are addressed in the Material Planning Considerations section of this report. It is noted that PPS1 and PPS3 have now been replaced by the NPPF).

Support

- The former Ball Brothers is in clear need of replacement and a new, modern hotel will ensure that the site is brought to life.
- An active street frontage will make this part of Cambridge Heath Road more attractive and encourage further retail development.
- It is clear that Bethnal Green needs more hotel rooms. Bethnal Green is one stop away from the City and two stops away from Stratford. By enticing people to stay in the area will help to grow the local economy and help establish Bethnal Green as a must-visit location in London.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Demolition of Existing Building
3. Design and Heritage
4. Amenity
5. Transportation and Highways
6. Energy Efficiency and Sustainability
7. Planning obligations
8. Localism Act

1. Land Use

- 8.2 The authorised use of the site is as a warehouse/wholesale space at ground floor level with associated offices above (Use Class B1). The building occupies the front half of the site with an area of hard standing to the rear. The wholesale/warehouse use at the site recently ceased and the site is now in a different ownership.
- 8.3 The current use of the building on the ground floor is offices where as the upper floors of the building is being used as residential/ student accommodation which is unauthorised and the subject of a separate enforcement action (see planning history). Therefore, the authorised use of the building is mixed warehouse/wholesaler space at ground floor with offices above.
- 8.4 The application proposes the erection of an 80-room Hotel (Use Class C1) with associated ancillary hotel facilities including restaurant and bar (Use Class A3 and A4, respectively) and meeting facilities located on the ground floor.
- 8.5 There are two main land use issues for the proposal:
1. Loss of Employment Floorspace.
 2. Principle of Hotel Use

These are discussed in turn below:

8.6 Loss of Employment Floorspace

The LBTH Unitary Development Plan (1998) Policy EMP1 seeks the retention of employment generating floorspace in the Borough and Policy EMP3 of the UDP, policy EE2 of the IPG, policy DM15 of the MD DPD set criteria that would be applied to proposals which involve the redevelopment or loss of employment floorspace including B1 uses.

- 8.7 Core Strategy policy SP06(1b) seeks to promote the creation of a balanced economy by ensuring the provision of a range of employment spaces, with a particular focus on a small

and medium enterprise sector. Applications should be accompanied by information detailing the likely levels of employment generated from the proposed use, and should demonstrate that the proposal contributes towards the provision of employment opportunities for local people.

- 8.8 Policy guidance states that applications should be accompanied by a detailed office/employment land study focused on the surrounding area. This study should demonstrate that the loss of this building would not result in any significant decrease in the availability of adequate office accommodation in the Borough.
- 8.9 The applicant has submitted a Planning Statement setting out a detailed Marketing Strategy which has been undertaken at the site. Based on the details submitted the Planning department are satisfied that the redevelopment of this particular site does not result in the loss of a viable employment use. The site has been actively marketed and is no longer considered to be suitable for continued employment uses due to its location and condition and other facilities available within the local area.
- 8.10 Principle of Hotel Use
Core Strategy 2010 Policy SP06(4) seeks to concentrate hotels in specified locations including designated District Centres. The application property is located outside the Bethnal Green District Centre, approximately 150metres from the boundary of the town centre, however it is within the 'Civic Cluster' identified around the Bethnal Green station and within very close proximity to public transport links and the boundary of the Bethnal Green District Centre.
- 8.11 The London Plan (2011) identifies tourism as playing an important part in the city of London economy. To support London visitor economy, policy 4.5 of the London Plan specifies a target of 40,000 net additional hotel bedrooms by 2031, of which at least 10% should be wheelchair accessible. Whilst the policy identifies the Central Activities Area (CAZ) as a priority location for new hotel accommodation, it also recognises town centres as a suitable location and areas where sites will not compromise local amenity or the balance of local land uses. It is considered that the proposed site, which is located on the outer boundary of the Bethnal Green District Centre and within a highly accessible location, and does not compromise local amenity or land uses, is considered on balance to be an acceptable location for hotel accommodation.
- 8.12 In light of the above, it is considered, on balance, that the proposed hotel and ancillary bar, restaurant and meeting facilities are acceptable and accord with the above mentioned development plan policies.

2. Demolition of the Existing Building

- 8.13 In determining the application for conservation area consent for demolition, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of the Bethnal Green Gardens Conservation Area.
- 8.14 Saved UDP policy DEV28 says that proposals for the demolition of buildings in conservation areas will be considered against the following criteria:
1. The desirability of preserving or enhancing the character or appearance of the area;
 2. The condition of the building;
 3. The likely costs of repair or maintenance of the building;
 4. The adequacy of efforts to maintain the building in use; and
 5. The suitability of any proposed replacement building.

- 8.15 Policy CON2 of the Council's IPG states that applications for the demolition of buildings that make a positive contribution to the character and appearance of a conservation area will be resisted.
- 8.16 English Heritage advises "*the application should be determined in accordance with planning policy*". Based on the existing building and the policy guidance, it is not considered that the existing buildings make any contribution to the character and appearance of the Bethnal Green Gardens Conservation Area and therefore the principle of demolition is acceptable, subject to demolition being conditioned to the implementation of an appropriate planning permission. This is in accordance with saved policy DEV28 of the UDP, policy DM27 of the Managing Development DPD and policy CON2 of the IPG which seek to ensure appropriate development within conservation areas.

3. Design and Heritage

- 8.17 Good design is central to all the objectives of the London Plan. Chapter 7 of the London Plan sets high design standard objectives in order to create a city of diverse, strong, secure and accessible neighbourhoods as well as a city that delights the senses. In particular, policy 7.2 seeks to achieve the highest standards of inclusive and accessible design; policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and scale, mass and orientation of buildings around it; policy 7.5 seeks to enhance the public realm by ensuring that London's public spaces are secure, accessible, easy to understand and incorporate the highest quality landscaping, planting, furniture and surfaces; whilst policy 7.6 seeks to secure highest architectural quality.
- 8.18 Policies DEV1 and DEV2 of the UDP (1998) and the IPG (2007), Policies DM23 and DM24 of the Managing Development: Development Plan Document (Submission Version May 2012) and National Planning Policy Framework (March 2012) state that the Council will ensure development create buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings.
- 8.19 Policy SP10 of the Core Strategy (2010) and Policy DM27 of the Managing Development: Development Plan Document (Submission Version May 2012) seek to ensure that developments promote good design to create high quality, attractive and durable buildings. These policies also seek to preserve or enhance the wider built heritage and historic environment of the borough.

Layout

- 8.20 The building layout occupies the full extent of the site footprint, the raised upper ground floor level is recessed on three sides (Cambridge Heath Road, Nant Street, Paradise Row) to allow natural light into the lower ground floor level and to create a service pull in and disabled car parking space off Paradise Row.
- 8.21 The application proposes full height glazing to the bar/restaurant/reception areas which extend the full length of Cambridge Heath Road and return along Nant Street, creating active frontages which are set back from the main building line and facades along the back of the public footpaths. This provides natural daylight into the bedrooms at lower ground level and into meeting room and staff room at basement level.

Servicing is accommodated at the rear of the hotel via a pull in service bay off Paradise Row.

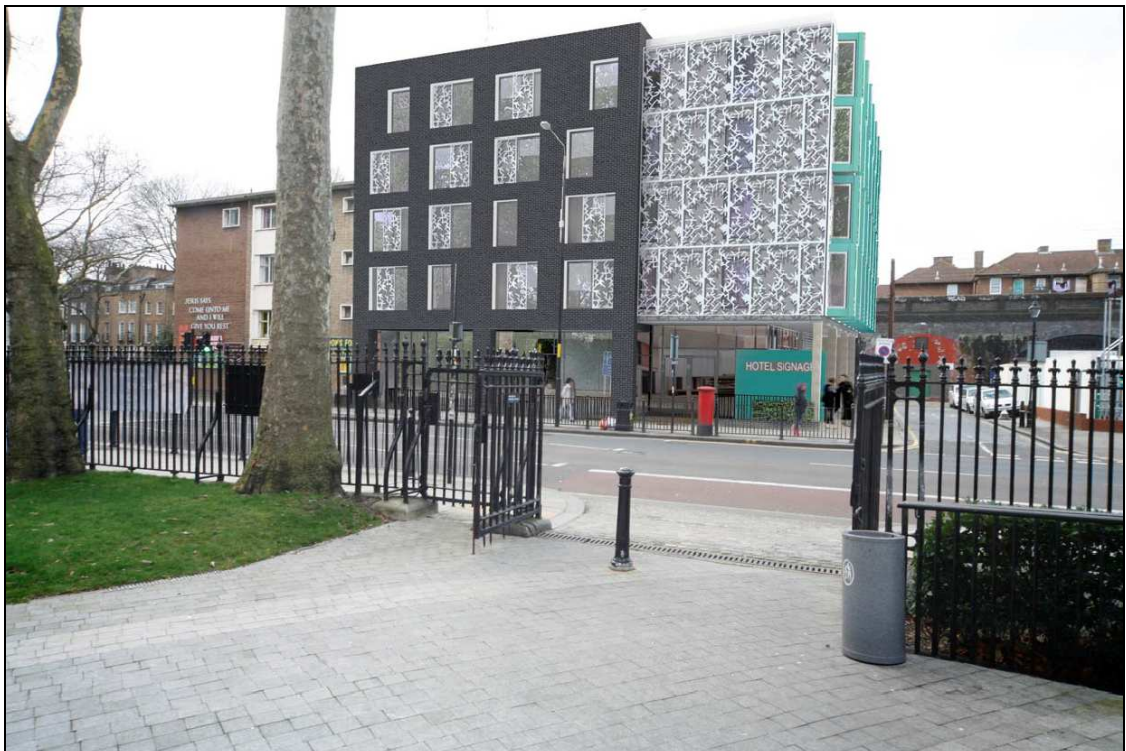
Scale/Massing

- 8.22 The building has been designed to provide a five storey development across the site (excluding rooftop plant) and utilises the fall across the site from west to east to accommodate a lower ground floor level, achieving the necessary accommodation required for the hotel.
- 8.23 The frontage of the development is five storeys in height and would be similar in height to the ridge height of the Museum of Childhood building opposite, thereby fitting into the streetscene in this location.
- 8.24 Historically this area of Cambridge Heath Road was divided into smaller narrower plots. To reflect the more traditional urban grain the building has been designed as two complimentary elements to reduce its visual mass and create variety and interest along the streetscene.

Appearance

- 8.25 The proposed development incorporates different architectural treatments to the facades fronting Cambridge Heath Road and Nant Street.
- 8.26 Where the proposed building adjoins the Mission Church building, the external façade is treated in traditional brick with large recessed window openings to the upper floors. The brick facade continues down to pavement level incorporating larger, taller openings to express its public function and active frontages along with the increased storey height.
- 8.27 The northern section of the site incorporates the main entrance to the hotel on the corner of Cambridge Heath Road and Nant Street and a secondary frontage along Nant Street, returning on to Paradise Row. This section of the site is on columns with the upper ground floor podium recessed beneath.
- 8.28 The upper floors of the northern part of the site, as the block returns onto Nant Street are clad with a composite cladding and a veil screen with a series of staggered projecting full height bay windows along the Nant Street elevation orienting views from the hotel bedrooms back towards the museum.

8.29



Analysis

- 8.30 The site is located in the Bethnal Green Gardens Conservation Area, for which the Council has adopted an Appraisal and Management Plan. This document notes that the character of the Conservation Area stems from 'a series of significantly statutory listed civic buildings, such as the Town Hall and Bethnal Green Museum, set among the public gardens and the open space of Bethnal Green Gardens.'
- 8.31 The Conservation Appraisal also notes that the existing building scale of the area is varied but predominantly low-rise. The terraces along Paradise Row are a uniform 3 storey. The land mark buildings are independent forms, and generally range between 2-5 storeys with high floor to ceiling heights. The overall scale depends on the individual building's roof profile, features and function.
- 8.32 The site is part of the setting of Bethnal Green Gardens and the Museum of Childhood. Together these buildings form an enclave, incorporating the buildings on this site, and the more prominent heritage assets on the opposite side of the road.
- 8.33 The design, scale, mass and height of the proposed building are considered to be appropriate to the surrounding context. The height and the elevation treatment are considered to be well balanced in the context of the existing built environment.
- 8.34 With regard to Core Strategy policy SP10, it requires development to be of the highest quality and creatively respond to the historic character of the area, it is considered that the proposal successfully achieves this. It is not seeking to repeat or mimic the historic context, but rather to produce a building which responds well with the historic context through use of appropriate materials and fenestration details without being overly fussy, architecturally. It is thus fittingly civic and at an appropriate scale to its neighbours. The glazed elements and the introduction of Anthracite facing brick, projecting window baffles, Reglite sandblasted Wave glass cladding, powder coated laser cut Aluminium and Grey Panel cladding are interesting and appropriate response to the need for a multi-fenestrated facade driven by the proposed use.
- 8.35 With regard to secure by design aspects of the proposal, with adequate lighting and security measures within the public areas, it is not considered that the proposal would create an unsafe public environment.
- 8.36 In light of the above, it is considered that the design of the proposal satisfies the above mentioned policies.

Heritage and Conservation

- 8.37 National Planning Policy Framework requires local planning authorities who consider proposals which affect a heritage asset, such as Listed Buildings or a conservation area, to have special regard to the preservation and enhancement of the setting of the asset. In particular, Core Planning Principle No. 12 "Conserving and enhancing the historic environment" para 131 states that "*In determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*"
- 8.38 Chapter 7 of the London Plan (2011) sets out policies relating to London's living places and spaces. Policies 7.8 and 7.9 seek to preserve, record, refurbish and enhance heritage assets wherever appropriate and reinforce the qualities that make the heritage asset significant,

including buildings, landscape features and views.

- 8.39 Policy SP10 of the Core Strategy (2010) seeks to ensure that new development preserves or enhances the wider built heritage and historic environment of the borough, enabling the creation of locally distinctive neighbourhoods.
- 8.40 Policies CON1 – CON5 of the IPG (2007) and policy DM27 of the MD: DPD (Submission Version May 2012), seek to protect heritage assets such as Listed Buildings and conservation areas.

Analysis

- 8.41 As detailed above within the Design section of this report, it is considered that the proposal successfully respects the general form and expression of buildings and does not appear as unduly dominant or incongruous within the street scene or when viewed against neighbouring buildings. English Heritage and the LB Tower Hamlets Design and Conservation Team have raised no objections to the current proposals.
- 8.42 In summary, it is not considered that the proposed building would harm the setting of the adjacent and nearby listed buildings or the Bethnal Green Gardens Conservation Area. The proposed building design and scale are considered to protect and enhance the setting of the aforementioned heritage assets; and the area as a whole. The clear outline of the building and proposed façade detailing is a good response to the sensitive area.
- 8.43 In light of the above, it is considered that the proposal is acceptable in heritage and conservation terms, and would protect and enhance the setting of the heritage assets within close proximity of the site. The proposal is therefore in accordance with the abovementioned development plan policies.

Inclusive Design

- 8.44 Policy 7.2 of the London Plan (2011); and Saved UDP Policy DEV1 and DEV3 of the IPG and policy DM24 of the MD:DPD (Submission Version May 2012), seek to ensure that developments are accessible, usable and permeable for all users and that development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 8.45 The proposed 80 room hotel would provide 8 universal accessible bedrooms at lower ground, ground and upper floor levels. This would comply with requirements of the London Plan policy 4.5, with 10% of the bedrooms to be wheelchair accessible.
- 8.46 The proposal creates an inclusive environment, gaining access to and from the building and access to services within the building has been fully considered. The scheme also incorporates the following measures;
- On site disabled parking bay
 - Level surface between disabled parking bay and hotel access with tactile inserts as required
 - Level access thresholds to all entry points into the building including a ramp and ambulant steps at main hotel entrance
 - Automatic opening doors to main entrance
 - 10% of the total number of bedrooms to be universally accessible including wheelchair users
 - Unisex disabled toilet facility provided off the reception area

- Refuge areas within protected shafts for assistance during evacuation
- Induction loop provided at reception desk
- All doors widths to have a minimum clear opening of 800mm
- 1200mm minimum wide corridors to allow accessible access to all bedrooms
- Corridors widened to 1500mm at bedroom doors to allow sufficient passing space within corridors and ease of access into all bedrooms
- Lifts provided for access in an emergency to conform with the relevant recommendations BS5588
- Staff trained in the basic evacuation procedures so that they are responsible for assisting people getting of the building during emergencies.

The Council's Access Officer is satisfied with the proposal subject to detailed Access Management Plan to be secured through a planning condition.

8.47 Accordingly, the proposal is considered to be truly accessible in accordance with the aims and objectives of the aforementioned development plan policies.

4. Amenity

Daylight and Sunlight

- 8.48 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (2011).
- 8.49 Policy 7.6 of the London Plan (2011) requires that all large-scale buildings pay particular attention in residential environments to amenity and overshadowing. Furthermore, developments should be sensitive to their impact on micro-climate in terms of sun, reflection and overshadowing. Saved Policies DEV1 and DEV2 of the Unitary Development Plan (1998) and Policies DEV1 and DEV27 of the Interim Planning Guidance (2007) require that developments should not result in a material deterioration of sunlight and daylight conditions. Core Strategy Policy SP10 also seeks to protect residential amenity, and promotes well-being including preventing loss of privacy and access to daylight and sunlight. Policies DM23, DM24 and DM25 of the Managing Development: Development Plan Document (Submission Version May 2012) require new development to protect and where possible improve the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm by not resulting in an unacceptable material deterioration of the sunlighting and daylighting conditions of surrounding development including habitable rooms of residential dwellings, school, community uses and offices and not result in an unacceptable level of overshadowing to surrounding open space.
- 8.50 The application is accompanied by a Daylight and Sunlight Study which assesses the impact of the development on the neighbouring property known as Bethnal Green Medical Mission which has residential use at upper floor level.
- 8.51 The Daylight and Sunlight Study confirms there is no loss of daylight and sunlight to the adjoining Bethnal Green Medical Mission. The proposed development therefore satisfies the BRE requirements.
- 8.52 The proposed daylight and sunlight Study has assessed the overshadowing to adjoining areas. The development will not lead to an unreasonable level of overshadowing of the adjoining gardens and open spaces.
- 8.53 Overall, it is concluded that the proposed development will have a low to no impact on the

daylight and sunlight to neighbouring properties. Right of Light Consulting firm that was commissioned to carry out the independent review of the applicants Daylight and Sunlight Study confirms that the development design satisfies all the requirements set out in BRE guide 'Site Layout Planning for Daylight and Sunlight'.

- 8.54 It is considered that the proposed development is generally in keeping with the BRE guidance, Policy 7.6 of the London Plan (2011), saved Policies DEV1 and DEV2 of the UDP (1998), Policies DEV1 and DEV27 of the IPG (2007), Policy SP10 of Core Strategy (2010) and Policies DM23, DM24 and DM25 of the Managing Development: Development Plan Document (Submission Version May 2012) with regards to sunlight and daylight, and accordingly the proposals are not likely to cause any adverse impacts to the surrounding residential properties and amenity areas.

Noise and Vibration

- 8.55 Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies, saved policies DEV2 and DEV50 of the Unitary Development Plan (1998), policies DEV1, DEV10 and DEV12 of the Interim Planning Guidance (2007), policies SP03 and SP10 of the Core Strategy (2010) and policy DM25 of the Managing Development: Development Plan Document (Submission Version May 2012) seek to minimise the adverse effects of noise.
- 8.56 The front of the application site faces Cambridge Heath Road which is a very busy vehicular route while the rear of the application site faces the railway line.

Adjoining the application site at Bethnal Green Medical Mission, residential properties are located at upper level and further residential properties can be found at Paradise Row. In order to secure appropriate mitigation for the existing and future residents, the opening hours of the proposed restaurant use will be restricted, alongside a condition which requires further details of all plant and machinery proposed at the site.

- 8.57 Conditions are also proposed which restrict construction hours to minimise the impact on existing nearby residents.
- 8.58 As such, it is considered that the proposals are generally in keeping with National Planning Policy Framework (March 2012), policy 7.15 of the London Plan (2011), Saved policies DEV2 and DEV50 of Tower Hamlets Unitary Development Plan (1998), policies DEV1, DEV10 and DEV12 of Tower Hamlets Interim Planning Guidance (2007), policies SP03 and SP10 of the Core Strategy (2010) and policy DM25 of the Managing Development: Development Plan Document (Submission Version May 2012).

Privacy

- 8.59 Core Strategy Policy SP10 seeks to ensure that buildings promote good design principles to create buildings, spaces and places that are high-quality and protect amenity including preventing loss of privacy. To the south of the site is the Bethnal Green Medical Mission. Upper floor windows on this building face the application site. The proposed development would maintain on average 4.5m distance from the side of the existing Bethnal Green Medical Mission building. Also the rearmost part of the proposed building (i.e. of approximately 4.5m depth) facing the Bethnal Green Medical Mission Building has no side windows. The proposed development therefore would not give rise to loss of privacy and overlooking issues for the occupiers/users of this neighbouring building.

5. Transportation & Highways

- 8.60 The National Planning Policy Framework and the London Plan (2011) seek to promote sustainable modes of transport, accessibility, and reduce the need to travel by car.
- 8.61 Saved UDP policies T16, T18, T19 and T21 require the assessment of the operation requirements of the development proposal and the impacts of traffic generation. They also seek to prioritise pedestrians and encourage improvements to the pedestrian environment. IPG policies DEV 16, 17, 18 and 19 require the submission of transport assessments including travel plans and set maximum parking standards for the Borough. Core Strategy policies SP08 and SP09 seek to deliver accessible, efficient and sustainable transport network and to ensure new development has no adverse impact on the safety and capacity of the road network, whilst ensuring that new developments have a high level of connectivity with the existing and proposed transport and pedestrian network. Policy DM20 of the Managing Development: Development Plan Document (Submission Version May 2012) requires new development to demonstrate that it is integrated with the transport network and to contribute towards new transport network and to contribute towards new transport infrastructure and improvements where necessary.
- 8.62 The application site has one of the highest levels of public transport accessibility, with a Public Transport Access Level of 6a where 1 represents the lowest and 6b the highest. The site is located north west approximately 187 metres from Bethnal Green Underground Station served by the Central Line. A National Rail Service is also available from Cambridge Heath Station (410m from the site) and Bethnal Green Station (725m from the site). There are 10 London bus routes including 4 services which operate a night bus/24 hour service which can be accessed from bus stops within walking distance of the application site.

Car Parking

- 8.63 Policy 6.13 of the London Plan (2011), saved Policy T16 of the Unitary Development Plan (1998), Policies DEV17, DEV18 and DEV19 of the Interim Planning Guidance (2007), Policy SP09 of the Core Strategy (adopted September 2010) and policy DM20 of the Managing Development: Development Plan Document (Submission Version May 2012) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.
- 8.64 Due to the high public transport accessibility level of the site (PTAL 6b) and the limited size of the site, it is proposed that no general on-site parking will be provided.
- 8.65 While it is not proposed to provide any general on-site car parking, it is proposed that one disabled parking space will be created within the site by means of an undercroft area at the rear of the site to be accessed from Nant Street.
- 8.66 The proposed development is a car free development except for the single disabled parking space, and would encourage its visitors to use other modes of sustainable transport. The quality of footways and public realm (particularly along Nant street) in the vicinity of the site is poor but the applicant has agreed to provide a planning contribution towards public realm improvements within the vicinity of the site. This will be achieved through the S278 Highway works, which is welcomed.

Coach Parking

- 8.67 Planning Standard 3 of the Interim Planning Guidance (2007) requires a coach parking bay to be provided for every 100 hotel bedrooms. Policy DM22 of the MD:DPD (Submission Version May 2012) and IPG policy DEV19 states that proposals which do not accord with the standard should demonstrate that the variation is necessary through a detailed transport

assessment.

- 8.68 The application does not propose any provision for on-site coach parking due to constraints of the site. However, an on-street coach parking bay exists directly opposite the site on Cambridge Heath Road adjacent the Museum of Childhood. It is therefore anticipated that this existing coach bay would be utilised by the hotel. LBTH Highways have raised no objection to these arrangements.

Cycle Parking

- 8.69 Policy T17 of the adopted Unitary Development Plan (1998) requires new development should take full account of the Council's Planning Policies and Standards for the cycle provision (Planning Standard 3) among other things. Planning Statement 3 of the Adopted Unitary Development Plan (1998) require new hotel development in whole of the borough to provide a minimum of 1 off-street car-parking space per 15 bedrooms. Policy DM22 of the Managing Development: Development Plan Document (Submission Version May 2012) require new development to meet and preferably exceed, the minimum standards for cycle parking set out in appendix 2. The Appendix 2 Standards, sets out minimum cycle parking required hotels, which is 1/10 staff and 1/15 residents.
- 8.70 According to the Transport Assessment, the proposed 80 bedroom budget hotel is likely to employ around 25 staff with a maximum of 16 on site at any given time. On this basis 2 cycle parking spaces would be provided for staff and this is considered to be acceptable by the LBTH Highways.
- 8.71 With regards to residents/guest the Borough's standards would require 11 cycle parking spaces, but the trip generation and guest check-in survey data reported in the Transport Assessment document suggest that no guests would cycle to and from the site. However, the proposal would provide 2 cycle parking spaces for guests and this is considered to be acceptable by the LBTH Highways.
- 8.72 In conclusion, given the site's location, its very high PTAL (6a) rating, within close proximity of underground and National Rail station, bus routes (including those providing night-time services), the provision for cycle parking, the provision for coach parking (if required) across the road on Cambridge Heath Road to drop-off/pick-up visitors, it is considered that the proposal therefore would not unduly detriment pedestrian movement nor the safe operation of the highway. The proposal is therefore considered to accord with the aforementioned development plan policies.

Servicing and Deliveries

- 8.73 The proposed development provides access for servicing and deliveries via the under-croft area to the rear of the site. This will ensure that Nant Street and Paradise Row are unobstructed during servicing activity.
- 8.74 The height of the under-croft would be 4.0m which has been confirmed by LBTH Highways to be sufficient for access for servicing and delivery vehicles. These arrangements are considered to be acceptable. A delivery and servicing plan would be secured by condition to ensure road safety in this area.

Refuse

- 8.75 The Design and Access Statement indicates refuse areas to be within protected shafts. Refuse servicing would be carried out either by the Borough's own trade refuse contractor or by the hotel operator's own refuse contractors. At present refuse vehicles collect waste from Nant Street and Paradise Row and as such there is precedence for refuse vehicles to use

this route.

- 8.76 It is recommended that any grant of permission is subject to a condition requiring the implementation of an agreed Delivery & Servicing Plan (DSP), as previously detailed.

6. Energy Efficiency and Sustainability

- 8.77 At a national level, National Planning Policy Framework (March 2012) encourage developments to incorporate renewable energy and to promote energy efficiency. At a strategic level, Policy 5.2 of the London Plan (2011) requires major developments to submit an energy assessment.

- 8.78 The Mayor's Energy Strategy sets out the Mayor's energy hierarchy which is to:

- Use Less Energy (Be Lean);
- Supply Energy Efficiently (Be Clean); and
- Use Renewable Energy (Be Green).

- 8.79 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).

- 8.80 Saved Policy DEV2 of the Unitary Development Plan (1998), DEV6 of the Interim Planning Guidance (2007) and SP02 of the Core Strategy (2010) seek to incorporate the principle of sustainable development, including use of energy efficient design and materials, and promoting renewable technologies. The London Borough of Tower Hamlets Policy SP11 requires all new developments to provide a 20% reduction of carbon dioxide emissions through on-site renewable energy generation. The policy DM29 of the Managing Development: Development Plan Document (Submission Version March 2012) includes the target to achieve a minimum 35% reduction in CO2 emissions above the Building Regulations 2010 through cumulative steps of the Energy Hierarchy.

- 8.81 The submitted energy strategy in broad terms follows the energy hierarchy and focuses on energy efficiency measures through a Combined Heat Pump (CHP) and Photovoltaic Panels (PV). Final details of the cumulative savings are required to be submitted and approved, however the principle of the energy strategy has been assessed and is considered to be acceptable.

7. Planning Obligations

- 8.82 Regulation 122 of the Community Infrastructure Levy Regulations 2010, brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they meet the following tests:

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

- 8.83 The general purpose of s106 contributions is to ensure that development is appropriately mitigated in terms of impacts on existing social infrastructure such as community facilities, open space and transport and that appropriate infrastructure to facilitate the development are secured.

- 8.84 Policies 8.1, 8.2, 8.3 of the London Plan (2011), Saved policy DEV4 of the UDP (1998),

policy IMP1 of the IPG (2007) and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations with developers where appropriate and where necessary for a development to proceed through their deliverance in kind or through financial contributions.

- 8.85 The Council has recently adopted Supplementary Planning Document on Planning Obligations in January 2012. This document provides guidance on the policy concerning planning obligations set out in policy SP13 of the adopted Core Strategy. In light of this, LBTH Officers have identified the below contributions to mitigate against the impacts of the proposed development, which the applicant has agreed.
- 8.86 Based on the Planning Obligations SPD, the planning obligations required to mitigate the proposed development would be approximately £257,805. This has been applied as follows through the SPD.

The proposed heads of terms are:

Financial Contributions

- a) A contribution of **£13,871** towards Employment, Skills, Training and Enterprise to create employment opportunities.
- b) A contribution of towards **£4,001** towards Community Facilities including Idea Stores, Libraries and Leisure facilities
- c) A contribution of **£154,878** towards the Public Realm which includes public open space, local streetscene and the built environment
- d) A contribution of **£80,000** towards Sustainable Transport to provide an improved transport interchange and further Barclays Cycle Hire facilities within the vicinity of the site.
- e) A contribution of **£5,055** towards monitoring and implementation.

Non-Financial Contributions

- f) A commitment to Employment and Enterprise and local procurement during the construction phase
- g) Car and Permit Free Agreement to mitigate the impacts on the surrounding highway network.
- j) Provision of a Green Travel Plan to encourage sustainable modes of transport

Total financial contribution: **£257,805**

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

8.87 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:

8.88 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.

8.89 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.

8.90 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

8.91 Regarding Community Infrastructure Levy considerations, following the publication of the London Mayor's Community Infrastructure Levy, Members are reminded that the London Mayoral CIL is now operational, as of 1 April 2012.

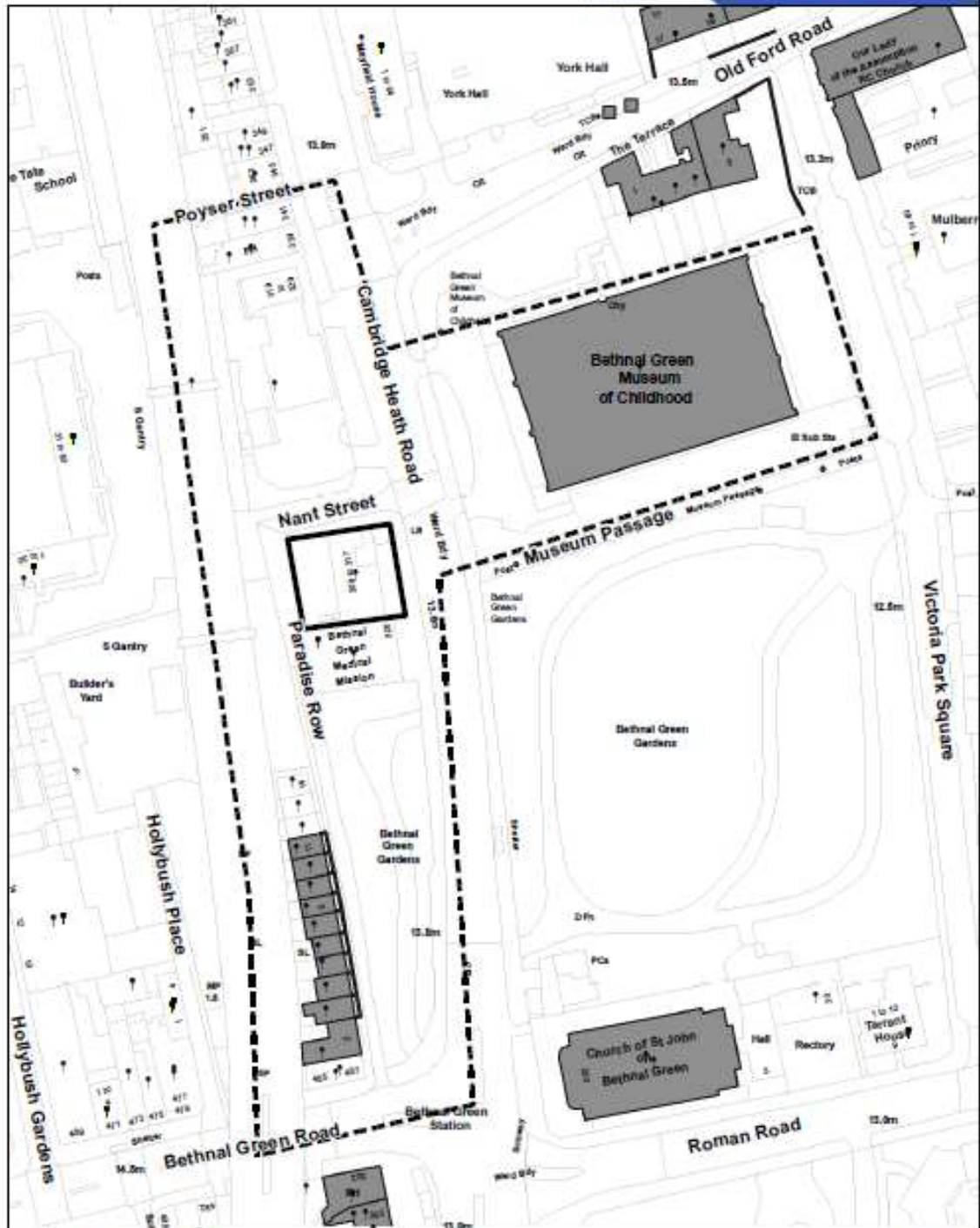
8.92 This development is liable for a charge under the Community Infrastructure Levy (CIL) Regulations (2010), as amended. This charge has been calculated on the new floorspace being created within the development.

8.93 The CIL contribution based on the new floorspace is £88,690. This charge is payable upon commencement of the chargeable development and is in respect of the London Mayoral Community Infrastructure Levy (CIL). The Greater London Authority and Transport for London are responsible for setting the London Mayoral CIL charge and the London Borough of Tower Hamlets is responsible for collecting the monies on their behalf.

9 Conclusions

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

Planning Application Site Map



-  Planning Application Site Boundary
-  Consultation Area

-  Locally Listed Buildings
-  Statutory Listed Buildings

 Land Parcel Address

0 15 m




1:1,250

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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