

## APPENDIX 1

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ORIGINAL REPORT CONSIDERED BY THE STRATEGIC DEVELOPMENT COMMITTEE  
ON 19<sup>th</sup> JULY 2006

<b>Committee:</b> Strategic Development Committee	<b>Date:</b> 19 <sup>th</sup> July 2006	<b>Classification:</b> Unrestricted	<b>Report Number:</b>	<b>Agenda Item Number:</b> 9.1
<b>Report of:</b> Director of Development and Renewal		<b>Title:</b> Town Planning Application		
<b>Case Officer:</b> David McNamara		<b>Location:</b> Land bounded by Hackney Road and Austin Street including Mildmay Mission Hospital, Hackney Road, London, E2 7NS		
		<b>Ward: Weavers (February 2002 onwards)</b>		

1. SUMMARY1.1 Registration Details

**Reference No:** PA/05/01759  
**Date Received:** 18 October 2005  
**Last Amended Date:** May 2006

1.2 Application Details**Existing Use:**

Hospital, Church, Family Care Centre and Car Park.

**Proposal:**

Demolition of existing buildings (excluding community centre) and redevelopment to provide a campus of six buildings comprising:

- a part-five, part-six storey building along Hackney Road to provide a new church and retail space (Class A1 to A5) with residential units above;
- a five storey building centrally located to provide offices with residential units above;
- a six storey building along Austin Street to provide a Primary Care Centre and residential units;
- three storey town houses along Austin Street with Adjoining commercial/retail premises (Class B1/A1 to A5);
- a 23 storey residential building incorporating social services facilities and a four storey hospital facility and detox unit plus parking, servicing and cycle bay provision, landscaping and highways works.

The application is supported by an Environmental Impact Assessment.

**Applicant:**

Paddington Churches Housing Association and the Urban Regeneration Agency.

**Ownership:**

London Baptist Property Board, Shoreditch Tabernacle Baptist Church and Mildmay Mission Hospital.

**Historic Building:**

More than one.

**Conservation Area:**

N/A

2. RECOMMENDATION:

- 2.1 That the Strategic Development Committee **grant** planning permission subject to the conditions outlined below:

- 2.1.1 The satisfactory completion of a legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 (and other appropriate powers) to include the matters outlined in Section 2.2 below, and the conditions and informative outlined in Sections 2.4 and 2.5 below; and Section 278 of the Highways Act 1980, to include the matters outlined in paragraph 2.3 below.
- 2.1.2 That if the Committee resolve that planning permission is granted, the application is first referred to the Mayor of London, pursuant to the Town and Country Planning (Mayor of London) Order 2000, as an application for a new building exceeding 30 metres in height and involving more than 500 residential units.
- 2.1.3 That if the Committee resolve that planning permission be granted, that the Committee confirms that they have taken the environmental information into account as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.
- 2.1.4 That the Committee agree that, following the issue of the decision, a Statement be placed on the Statutory Register confirming that the main reasons and considerations on which the Committee's decision was based, were those set out in the Planning Officer's report to the Committee (as required by Regulation 21(1)(c) of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

### **Legal Agreement**

#### 2.2 Section 106 agreement to secure the following:

- 2.2.1 Provision of 100% Affordable Housing  
2.2.2 Car Free Agreement  
2.2.3 Local Labour  
2.2.4 Public Art Provision  
2.2.5 Green Travel Plan  
2.2.6 Public Access to courtyard garden.  
2.2.7 TV Reception mitigation measures

#### 2.3 Section 278 agreement to secure the following:

- 2.3.1 Localised highways improvements, including streetscene and local traffic management matters. Exact details & location to be agreed with Highways.

#### 2.4 **Conditions:**

- 2.4.1 Time Limit (three years).
- 2.4.2 Amending condition requiring the following details for further approval:
- a) Details of mitigation against loss of privacy as a result of overlooking to the rear of properties of Hackney and Columbia Roads caused by Block F.  
b) Details of cycle parking/storage as proposed to the East of Block E.
- 2.4.3 Approval of all samples and materials prior to the commencement of the development and to include the following:
- a) London stock bricks to be used for Blocks B, C, D and F.  
b) Samples for Block A. Brickwork which is chosen for dark bricks, external stone reveals, and roofing materials.  
c) Details at a scale of 1:20 with a finishes schedule, for metal gate as proposed for Block A along Coopers Close.  
d) Details and samples at a scale of 1:50 of external finishes proposed for Block B 'Reglit screen with steel balustrade behind'.  
e) Mock up 1:1 scale sample to be provided for Block E with regards to the following materials:
- Expanded copper alloy panels.
  - Perforated copper alloy panels.
  - Powder coated aluminium louvers.

- Dichoric glass fins.
  - Frit glass panels.
  - f) Details of any signage or directional signage.
  - g) Details addressing accessibility requirements.
  - h) Details of all green roofs.
- 2.4.4 Landscaping plan prior to the commencement of development, to include the following details:
- a) Planting schedule for the entire public realm within and around the site boundaries.
  - b) Arboricultural impact assessment for tree removal.
  - c) Specifications for all proposed street furniture proposed.
  - d) Details and planting schedule of semi private courtyard.
  - e) Planting schedule and furniture details for all terrace level communal amenity spaces.
  - f) Detailed drawings of wind mitigation measures proposed for public realm and all terrace level communal amenity spaces.
- 2.4.5 Detailed external lighting plan, including public realm and all terrace level communal amenity spaces, prior to the commencement of the development.
- 2.4.6 Submission and approval of the DCMS prior to commencement of the development.
- 2.4.7 Submission and approval of the CEMP prior to commencement of the development. Submission and approval of a Road Safety Audit prior to the commencement of the development.
- 2.4.8 Completion of a Management Plan prior to the commencement of the development.
- 2.4.9 Construction hours
- 2.4.10 Prior approval for additional plant and equipment not shown on approved drawings
- 2.4.11 Full details of all refuse and recycling facilities
- 2.4.12 No obstruction of parking, access, loading or manoeuvring areas
- 2.4.13 Loading and unloading
- 2.4.14 Parking areas only for occupiers and visitors
- 2.4.15 No obstruction of public highway – doors & gates
- 2.4.16 Archaeology
- 2.4.17 Contamination
- 2.4.18 Ventilation and extraction details prior to occupation of the development.
- 2.4.19 Air Quality
- 2.4.20 Wheel Cleaning

## 2.5 **Informatives:**

- 2.5.1 Standard informative noting separate LBC/CAC permission required
- 2.5.2 Archaeology
- 2.5.3 Environment Agency
- 2.5.4 Environment Agency

## 3 **BACKGROUND**

### **Subject Site and Surrounds**

- 3.1 The site is situated to the east of Hackney Road and is bounded by Austin Street to its south. It is adjacent to the Dunmore Point residential tower to the east. To the north of the site is the grade II listed Leopold Buildings fronting onto Columbia Road. Located to the south of the site is the grade I listed St Leonard's Church. Further south-west are 3-4 storey residential properties fronting Austin and Boundary Streets. Opposite the site, fronting Hackney Road are commercial properties at ground floor with a number of properties featuring residential accommodation above. The borough boundary with Hackney runs along the centre of Hackney Road and Austin Street, turning south into Boundary Street.
- 3.2 The application site is approximately 0.8 hectares and is currently occupied by the Mildmay Mission Hospital, the Shoreditch Tabernacle Baptist Church, the Family Care Centre, Sir

Graham Rowlandson House and the grade II listed Church Community Hall (known as the Tab Centre). Also contained on site is a car park associated with the Mildmay Mission Hospital.

### **Planning History**

- 34.3 The Family Care Centre on Austin Street was built in 1994 as the 'Mother and Baby Unit' for the Mildmay Hospital, known as Spencer House, adjoining Sir Graham Rowland House.
- 3.4 Consent was granted in May 2002 (PA/02/00367) for Buxton Hall of the Mildmay Mission Hospital for the use as a day and evening rehabilitation and support centre for people with brain injury plus occasional conferences and seminars.
- 3.5 Separate planning permissions (PA/03/00039 and PA/03/00281) were issued in January 2004 for the construction of a new first floor extension to the south east corner and an infill extension to the north elevation of the Shoreditch Tabernacle Baptist Church.

### **Proposal**

- 3.6 The proposal includes the demolition of the existing church, hospital and family care centres and the construction of a total of six (6) new buildings designed by Clegg Bradley Architects and Matthew Lloyd Architects. The proposal incorporates the following uses and facilities:

- A new Shoreditch Tabernacle Baptist Church.
- Retention and refurbishment of the listed Church Hall (Tab Centre).
- A new Mildmay Hospital and new offices for the Mildmay Charity.
- An Urban Village development for Crisis, containing 270 residential units for former homeless people and key workers, together with support, recreational and training facilities.
- A Primary Healthcare Centre including consulting rooms for 6 GP's.
- A detox centre, integrated with the Mildmay hospital.
- Ground floor commercial retail units.
- Additional shared ownership residential accommodation.
- 40 car parking spaces and 100 bicycle storage spaces located within the basement of block E.

- 3.7 The key development elements of the scheme are summarised as follows:

- A 5-6 storey building fronting Hackney Road comprising a new Tabernacle Baptist Church and retail space on the ground floor, with residential units above.
- A 5 storey building, located in the centre of the site, comprising of the Mildmay Charity Offices at the ground floor, with residential units above.
- A 6 storey building fronting Austin Street, located at the south west corner of the site comprising of a Primary Care Centre.
- Residential townhouses, 3 storeys in height fronting Austin Street, located adjacent to the proposed Primary Care Centre.
- A 23 storey building providing a mix of intermediate and social rented, also incorporating on-site social services facilities at the eastern boundary of the site.
- A 4 storey Hospital facility and detox unit located at the northern end of the site.
- A new landscaped courtyard area within the centre of the site, featuring public pedestrian access to Austin Street and Hackney Road.

- 3.8 The Urban Village is a new model of supportive community for formerly homeless people and low income workers. The Urban Village building is to be operated by Genesis Housing and Crisis and is in partnership with the following organisations:

- Mildmay Hospital.
- Tower Hamlets Social Services.
- Shoreditch Tabernacle Baptist Church.
- Tower Hamlets Primary Care Trust.

- 3.9 The Urban Village concept is unique in the following ways in that it provides:

- Integrated facilities for homeless and non-homeless people.
- Permanent high quality lifestyle for homeless people.
- On-site support and employment.
- On site housekeeping and maintenance.
- On site 24 hour security.
- 24 hour integrated social services.
- Tenant services to classes, workshops and tenant activities.
- Regular preventative maintenance.
- A social enterprise village.

3.10 A number of public consultations were carried out by the agents prior to the formal submission of the application. These consultations consisted of the following:

- March 2005 – Newsletter no. 1 (distributed to 2,000 homes).
- March 2005 – Public exhibition no. 1.
- April 2005 – Newsletter no. 2.
- August 2005 – Newsletter no. 3.
- September 2005 – Public exhibition no. 2.
- Newsletters printed in both English and Bengali.

#### **4. PLANNING POLICY FRAMEWORK**

- 4.1 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted London Plan (2004), the Council's Community Plan, the 1998 Adopted Unitary Development Plan (UDP), Interim Planning Guidance Notes, and the Local Development Framework (LDF) Preferred Options: Core Strategy and Development Control Development Plan Document (2005) and Preferred Options: and the Area Action Plans (2005).
- 4.2 Decisions must be taken in accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations.
- 4.3 Whilst the 1998 Adopted UDP is the statutory development plan for the borough, it will be replaced by a more up to date set of plan documents that will make up the Local Development Framework (LDF). As the LDF progresses towards adoption, it will gain increasing status as a material consideration in the determination of planning applications. The first phase of statutory consultation for the LDF Preferred Options Development Plan Documents has now been completed.
- 4.4 This report takes account of the policies in statutory UDP 1998, and the emerging LDF, which reflect more closely current Council and London-wide policy and guidance.
- 4.5 Members are invited to agree the recommendations set out in section 2.1 which have been made on the basis of the analysis of the scheme set out in this report. This analysis has been undertaken on the balance of the policies set out below and other material considerations set out in the report.

#### **The London Plan (February 2004)**

- 4.6 The Mayor's London Plan was approved in February 2004, and it provides the strategic planning policy framework for London.
- 4.7 One of the key objectives of the London Plan is the need to increase the supply of housing within London, and to this end the Plan sets out individual targets for London Boroughs. The target for Tower Hamlets is 41,280 additional homes between 1997 and 2016, with an annual monitoring target of 2,070 new homes.

- 4.8 In July 2005, the draft London Plan alterations (Housing Provision Targets) were published, and proposes an increase in Tower Hamlets' target to 3,115 new homes per annum, starting from 2007. This would increase the overall housing target to 51,850 and require approximately 16,570 dwellings between now and 2016.
- 4.9 Another key objective is the need to increase the amount of affordable housing, and to that end Policy 3A.7 sets out a strategic target of 50% of housing proposals being affordable, whilst Policy 3A.8 states that boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual schemes.
- 4.10 The London Plan generally encourages tall buildings and large scale (residential) developments which achieve the highest possible intensity of use, in appropriate locations, provided they are compatible with the local context, respect London's built heritage, are sensitive to the impact on micro-climate and pay particular attention to privacy, amenity and overshadowing (Policies 3A.5, 4B.1, 4B.3).
- 4.11 Policies 3A.15-20 seeks to ensure for the further provision of community services, and in particular taking into account the needs of communities and other groups. The London Plan identifies a clear strategic need for an approach which ensures that throughout London, issues of equity and catering for the needs of all in society is addressed. It is for boroughs, working with locally based organisations to identify communities most at need and through the development process and other strategies, can contribute towards addressing such needs.
- 4.12 Policy 4B.6 seeks to ensure that future developments meet the highest standards of sustainable design, including measures to conserve energy, materials, water and other resources, and, reduce the impacts of micro-climatic effects. Policy 4B.7 seeks to ensure that developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics. Finally, Policy 4B.9 specifies that all large-scale buildings including tall buildings should be of the highest quality design.
- 4.13 The following Unitary Development Plan **proposals** are applicable to this application:
- None applicable.
- 4.14 The following Unitary Development Plan **policies** are applicable to this application:
- DEV 1 Design Requirements.
  - DEV2 Environmental Requirements.
  - DEV3 Mixed Use Developments
  - DEV4 Planning Obligations.
  - DEV37: Development Affecting Listed Buildings
  - DEV40: Changes of Use and Listed Buildings
  - DEV50 Construction Noise
  - DEV55: Development and Waste Disposal
  - HSG2: Location of New Housing
  - HSG3 Affordable Housing
  - HSG7 Dwelling Mix and Type
  - HSG9 Density in Family Housing
  - HSG13 Standard of Dwellings
  - HSG16 Housing Amenity Space
  - T17 Planning Standards (Parking)
  - SCF1 Provision for Community and Social Facilities.
  - SCF4 Location of primary health care facilities.
  - SCF5 Provision of Community Care
  - SCF6 Location of Community Support Facilities.
  - SCF11 Meeting Places
- 4.15 The following Local Development Framework Core Strategy **Proposals** are applicable to this application:
- (1) City Fringe Area Action Plan (AAP)
  - (2) Development Site CF1 – Mildmay Hospital.

4.16 The following Local Development Framework Core Strategy **Policies** are applicable to this application:

EE5	Mixed Use Development
HSG1	Housing Density
HSG2	Lifetime Homes
HSG3	Affordable Housing
HSG5	Social Rented/Intermediate Housing
HSG6	Housing Mix
HSG10	Supported Housing
HSG13	Housing Amenity Space
HSG14	Eco-Homes
SCF1	Social and Community Facilities
SCF2	Multiple Use of Social and Community Facilities
TR1	High Density Development in Areas of Good Public Transport
TR3	Transport Assessments
TR4	Travel Plans
TR7	Walking and Cycling.
UD1	Scale and Density
UD2	Tall Buildings
UD4	Accessibility and Linkages
UD5	High Quality Design
C1	Historic Sites/Conservation Areas
SEN1	Disturbance from Noise Pollution
SEN2	Air Quality
SEN3	Energy Efficiency
SEN5	Disturbance From Demolition and Construction
SEN6	Sustainable Construction Materials
SEN7	Sustainable Design
SEN9	Waste Disposal and Recycling
IM1	Securing Benefits.

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

- Living safely.
- Living well.

## 5. CONSULTATION

5.1 The following were consulted regarding this application:

(1) **Housing Strategy Group**

The Urban Village does not fit neatly into any of the Housing policies. The site will comprise 100% affordable housing. There will be no S106 requirement for additional grant free units.

As the proposal is for intermediate housing, the normal housing mix is not applicable.

(2) **Environmental Health**

Overall support for the proposal subject to recommended conditions relating to Contaminated Land, Air Quality, and ventilation/extraction.

(3) **Highways**

General support subject to conditions relating to access arrangements (visibility splays), road safety audit and travel plan.

A S106 contribution for lighting, signage and general traffic management in the vicinity is required.

(4) **English Heritage**

Heritage Unit

Registers objections on the grounds of:

- Impact of the proposed tall building;
- Proposal will negatively impact upon the importance of St Leonard's Church;
- Development would be intrusive to the surrounding conservation areas and listed buildings; and
- Disputes the assessment on the local views.

Archaeological Unit

Recommendation for conditions to secure building recording and analysis and to secure a programme of archaeological work.

(5) **Horticulture & Recreation**

No response received.

(6) **Environment Agency**

No objections.

(7) **CABE (Commission for Architecture and the Built Environment)**

Supports the aims of the social programme and the way the proposals have been integrated into the existing fabric of the city.

Overall support for the proposal, subject to the securing of budgets and procurement issues.

(9) **Transport for London - Street Management**

No response received.

(10) **Cleansing Officer**

No response received.

(11) **BBC - Reception Advice**

It is not considered BBC policy to carry out a detailed review of such matters and we look to the applicant to carry out the necessary actions.

(12) **Crime Prevention Officer**

No comments received.

(13) **Strategic Social Services**

The proposals have full and strong support.

(14) **London Borough of Hackney**

Objects to the proposal on the grounds of the height and profile of the tower would have an unacceptable impact on the surrounding conservation areas and listed buildings. The proposal does not fall within the Hackney Tall Building Study and the proposal will close off views looking along Old Street.

(15) **Greater London Authority**



The mayor considered the matter at a meeting on 5 July 2006. The following comments are an extract of the Stage 1 letter of the Mayor:

*'... the Mayor has concluded that the application proposal offers an innovative residential-led mixed-use redevelopment scheme that secures:*

- *community uses,*
- *health and employment and training opportunities,*
- *100% affordable housing,*
- *a true mixed-use tower building with high quality design aspirations to be secured at a more detailed stage later in a highly sustainable manner in terms of public transport accessibility, low levels of car parking provision and energy.*

*The strategic benefits offered by this exemplary scheme are significant and need to be secured by further design improvements to enhance the residential amenities of future residents... '.*

Full details of the Mayor's Stage 1 report are not available at the time of council officer's report being finalised. However, the full comments will be reported to members in an addendum report.

5.2 Responses from neighbours were as follows:

Original Scheme Consultation

No. Responses: 256    In Favour: 85                    Against: 171                    Petition: 1

Regulation 19 Information Consultation

No. Responses: 850+    In Favour: approx 50+    Against: approx 800+    Petition: 0

5.3 The comments received as a result of the second consultation process generally raised the same issues as the original consultation process. Furthermore, of the responses received a significant number were from people who reside outside of the borough. Additional comments are still being received at the time of this report being completed. Therefore, Officers will provide updated figure of consultation responses received to members within an addendum report.

5.4 A summary of the issues raised by the objections received from both consultation processes are as follows:

#### **Land Use**

- Use of the development is unacceptable (hospital, detox and social housing).
- Lack of family housing proposed.
- Dwelling mix is inappropriate.
- Lack of employment opportunities for new residents.
- Feasibility of commercial units.
- Location of proposal is unacceptable.
- Already an oversupply of A5 uses (hot food take-aways).
- The development will not help the housing shortage within the Borough.
- Development will offer no benefit to the local community.
- Proposed job creation is considered for short term only.
- Loss of day nursery centre.
- No assurance that the proposal will be there to serve the local need.

- Other detox units within close proximity to the site.
- Training facilities and programs should be made available to the wider community.

### **Design**

- Height and impact of the 23 storey tower element.
- High density of the proposal is unacceptable and appears as overdevelopment.
- Development is out of scale with surrounding buildings.
- Negative impacts on surrounding conservation areas.
- Proposal will have a detrimental impact on local views.
- Loss of public space.
- The quality and quantity of landscaping is insufficient.

### **Amenity**

- Overlooking and loss of privacy will result.
- Construction noise and impacts.
- New residents would suffer from noise pollution from surrounding roads.

### **Highways**

- Increase in traffic and additional demand on existing transport services and car parking.
- Impacts of construction of the proposal to surrounding properties and traffic network.

### **Other matters**

- Increase in crime and anti-social behaviour will result.
- Insufficient consultation process carried out by the applicants.
- Proposed affordable housing at risk of becoming private market housing in the future.
- Access to social services/community facilities for local residents should be safeguarded.
- Environmental Impact Assessment appears to be limited.
- Local residents should hold a position on any board of management.

5.5 Letters of support for the application were received from local residents and the following organisations:

- Spitalfields Crypt Trust.
- Future Builders England Limited.
- Tower Hamlets Primary Care Trust.
- North East London Strategic Health Authority.
- Shoreditch Tabernacle Baptist Church.
- Common Ground.
- NYC Department of Housing Preservation and Development.

5.6 A summary of the comments of support are as follows:

- A new purpose built Mildmay Hospital on the site and new services for HIV/AIDS will be beneficial.
- New flats affordable and intermediate housing will be beneficial.
- New health centre for 6 GP's will be beneficial.
- The proposal will improve security on the site and lead to better designed, safe public spaces.
- Family Housing and the rebuilding of the church on site will be beneficial.
- New opportunities for employment and training will be beneficial.
- There is a need for such a proposal within London.
- Current lack of appropriate 'move-on accommodation' and supported accommodation.
- No incidents reported with the Spitalfields Crypt Trust.
- Improved facilities for the Church will result.
- Additional primary health care facilities will result.
- Additional investment to the local area will result.

- The proposal is a strong example of a charity championing an innovative approach to public services.
- The proposal will provide innovative new models for housing and employment.
- The proposal will see 100% affordable housing provided.
- The design will enhance the area.

## 6. **ANALYSIS**

### **Land Use:**

6.1 The proposal seeks to approval for the following land uses:

- 371 affordable dwellings;
- Mildmay Hospital and Detox centre;
- Mildmay Charity offices;
- A primary health care centre;
- A Church; and
- Retail/Commercial floor space.

6.2 In terms of the sites land use, the adopted UDP (1998) features no designations for the site. However, within the LDF and the City Fringe AAP, the Mildmay site has been identified as a specific site allocation (CF1), which seeks to allow for a mixed uses, predominantly featuring residential with small-scale retail/leisure and business class uses. It is therefore considered the proposed commercial elements (A1/A2/A3 and B1) of the scheme to be in accordance with the LDF site designations.

6.3 The City Fringe AAP allocates the site for mixed use and also specifies a residential density of 435 dwellings per hectare (dph). The scheme proposes a density of 451dph, which is broadly in line with Policies CFR7: New Housing and EE5: Mixed Use Developments. It is therefore considered that the provision of the residential and commercial components of the scheme comply with the Council's policies, as specifically stated within the site allocation.

6.4 Furthermore, both the adopted UDP and LDF encourage additional residential accommodation. Policy HSG2 relates to the development of new housing on non-residential sites where the site is not allocated for other uses. In addition, the housing policies contained within the LDF seeks to increase the number of dwellings within the Borough (HSG1), together with increased levels of affordable housing (HSG3). Policy HSG 10 establishes the need for supported housing for disadvantaged groups and seeks to encourage the provision of supported housing. The scheme proposes 371 flats, which 100% is allocated for affordable housing units.

6.5 The UDP strategic policies ST49 and ST50 seeks to support and encourage the provision of a full range of social and community facilities to meet the needs of all residents within the Borough and the provision of high quality medical services for all residents. The adopted Policy SCF1 further stipulates the encouragement of such uses, considered against the other land use priorities as determined by other policies within the UDP. Moreover, Policy SCF5 seeks to approve uses that provide for care in the community, particularly

*"...people who misuse alcohol or drugs; people living with HIV/AIDS..."*

Similarly, the LDF core strategy policy CS10 states that reducing health inequalities and providing convenient access to modern networks of primary and community based health services is a priority within the Borough. The scheme has the full support from the Council's Strategic Social Services unit, Tower Hamlets PCT and the North East London Strategic Health Authority.

6.6 The proposal incorporates a new church (place of worship), which will update the existing facilities currently on site, which also meets the objectives of CS9 and SCF1 of the LDF and SCF8 of the adopted UDP which seek to maximise use of community buildings

6.7 A feature of the Urban Village are a number of meeting/conference rooms, event spaces, commercial areas, multi-purpose rooms, art rooms, roof terraces and the existing community hall. It is considered that to ensure that the scheme integrates well with the local community, through controlled management, the use of these areas should be made available to the public. This is consistent with the objectives of Policy SCF1 of the LDF, which seeks incorporate social and community facilities within new developments.

**Housing**

6.8 As previously stated, the proposal will provide 371 dwellings on site, of which 100% will be allocated for affordable housing, both key worker and socially rented units.

6.9 Both the adopted UDP and LDF Housing policies not only seek to increase the number of dwellings across the Borough, but the level of affordable housing associated with such developments. Policy HSG3 of the UDP requires a minimum level of 25% affordable housing, whilst the revised policies HSG3 seeks to increase this level to 35%. The Mayor’s London Plan seeks to achieve 50% affordable units for all new developments London-wide. The submitted scheme far exceeds these requirements.

6.10 The policy HSG5 of the LDF requires that for affordable housing provision to address the needs of the Borough, the Council requires a ratio split of 80:20 for social rented to intermediate housing split. However, the policy allows some degree of flexibility with the ratio split on sites that comprise predominantly affordable housing where it meets Core Strategy 7 (Housing).

6.11 It is considered that the proposed tenure ratio split (73% social 27% intermediate) complies with both policy HSG5 and CS7 as the housing will meet a specific need within the Borough, to be contained entirely on site. The key worker housing is specifically designed for those working on site (such as nurses/social workers), associated with the intermediate housing for the previous patients of the detox unit. This results in a mixed, balanced, inclusive and environmentally sustainable housing community within the Borough.

6.12 Policy HSG8 of the LDF requires a balanced housing mix, including ensuring adequate choice in housing sizes are available for people within the borough. This requires a specific housing mix as follows:

Housing Type	Affordable Housing Component		
	Social Rented		Intermediate
	No Grant	With Grant	
One Bed	20	20	60
Two Bed	35	40	30
Three Bed	30	20	10
Four Bed	10	15	
Five & Six Bed	5	5	

6.13 The scheme will provide for the following mix across the site and tenures:

Accommodation	One Bed	Two Bed	Three Bed
No. Units	80	10	11
%	79	10	11

6.14 Whilst the scheme does not comply with Policy HSG6, the proposed mix is considered to be appropriate in this instance as the provision of the affordable housing is to meet a specific need within the Borough. The affordable housing, particularly the one bedroom units, form part of the Urban Village concept, as outlined in Section 4. This concept allows for both the key workers on site and socially rented/intermediate housing to be contained within one building, to ensure a successful integration back into society. The Urban Village allows for persons within the socially rented/intermediate housing, access to education, training and rehabilitation services onsite, making this scheme a unique proposal not only for Tower Hamlets, but London as a whole.

- 6.15 It has been acknowledged by the Housing Unit that the scheme does not fall neatly into any of the housing policies for the Borough. As such the normal housing mix is not considered applicable in this instance. Furthermore, as a whole the proposal receives support from the housing team.
- 6.16 As previously stated, the Urban Village building houses 270 residential units of which 135 are designated for the ex-homeless and 135 for key workers. In identifying and responding to the needs of the homeless, the proposal is further supported by the LDF policy HSG 10: Support Housing, which aims to cater for the needs of vulnerable and dis-advantaged groups.

#### **Density**

- 6.18 The application site has a PTAL score of 6, and as such the London Plan and the Council's LDF recommend a density range of 450-700 habitable rooms per hectare (hrph) or 240-435 dwellings per hectare (dph). Furthermore, the scheme is specifically identified as a development site within the City Fringe AAP, which specifies a density range of up to 435 dph.
- 6.19 The proposed residential density at 451 dph slightly exceeds this range. It is considered in this instance that the resultant density is satisfactory and does not result in any demonstrable harm in terms of:
- Poor quality and amount of amenity space;
  - Loss of privacy and overlooking issues;
  - Sub standard quality of accommodation; and
  - Meets a specified housing need within the borough.
- 6.20 The site is also well served by local shopping and leisure facilities. In particular, the majority of the users of the Urban Village will both live and work on the site, reducing any need from the site for public transport within the area.

#### **Design**

- 6.21 The applicant's approach to the design of the site as a whole has been influenced by the needs of the Partnerships involved. A number of buildings are proposed, as detailed in Section 3, ranging from 3 storeys to 23 storeys in height, with the tallest building located within the centre of the site. The scheme is designed in a contemporary manner using a range of form and materials, similar to the surrounding streetscapes for the buildings fronting Hackney Road and Austin Street. However, the tower introduces a whole new building form and materials, including coloured fins, copper panels, mirrored glass and perforated louvers.
- 6.22 The most contentious element of the Urban Village scheme is the 23 storey tower which has also resulted in a number of objections within the community. The application is accompanied by Environmental Impact Assessment reports, which includes a Townscape and Visual Impact Assessment. This report produces computer generated images of the tower from various view points around the site and wider area.
- 6.23 It is considered that the tower is well placed within the site and is set back and steps away from the main public spaces within the site and surrounding properties. The setting of the immediate area is considered to be improved, with much wider public space on the east and a semi-private courtyard on the west side of the site. This is further supported by the Council's Urban Design and Conservation team, who see the proposal responding well to local streets. Furthermore, a tower element as placed within its wider settings, will contribute positively to the local regeneration of the area. It is noted however, that in order for the project to be successful, it is reliant on its meticulous details and high quality finishes. Urban Design's support for the proposal requires the overall design quality to be retained and to be secured by means of conditions.
- 6.24 Comments received from CABE also offer strong support for the design of the project as a whole. The overall masterplan and urban design strategy for the site is considered to be successful, through the distribution of the building blocks through the site and the provision of open spaces and pedestrian permeability. The location of the tall building is supported and is considered to be "*distinctive and positive*". Similar comments relating to the quality of materials were also made. It is considered by CABE that the success of the building is

dependant on the quality of materials and the local authority should ensure this remains through the planning and construction process. Further comments were made with regards to on going maintenance of the building. It is further recommended that this is resolved through the implementation of a management plan which can be secured through the use of conditions.

- 6.25 It is considered that the remaining blocks, which range in height from 3 to 6 storeys, sit well within the immediate urban context. Where the blocks front Hackney Road and Austin Street, they are considered to address the street and continue with the existing urban grain. The new church at Hackney Road repairs the damaged streetscape that was left by the demolition of the Victorian church formally on the site. The block fronting Austin Street continues the Victorian terrace form along the street, similar to the south side.
- 6.26 The applicant has responded by confirming that the architects will be retained throughout the whole process, from planning to construction. In addition, they have confirmed and agreed to a condition in relation to the quality of the materials and assure the Council that the proposal will not be subject to a reduction in the quality of materials as result of budget constraints.
- 6.27 The applicants have carried out a preliminary BRE's Environmental Assessment Method (BREEAM) and EcoHomes assessments for the buildings. In each case, a "Very Good" rating is achievable, with the potential to achieve an "Excellent" rating as an aspiration. In addition, the applicant has further aspirations to reach the 10% renewable target identified in the Mayor's Draft Supplementary Planning Guidance on Sustainable Design and Construction. Moreover, the scheme incorporates a number of sustainable design elements, such as solar water heating, water conservation measures throughout, low energy lighting, natural ventilation where possible, centralised heating and hot water plants.

#### **Conservation and Historic Buildings.**

- 6.28 The application site features the grade II listed Shoreditch Tabernacle Church and is also surrounded by the Boundary Estate conservation area. To the north of the site are the grade II listed Leopold Buildings, fronting Columbia Road. Further to the south of the site is the grade I listed St Leonards Church, situated within the London Borough of Hackney.
- 6.29 The Council's Urban Design and Conservation team considers that the impact of the scheme on the listed church is limited. The settings around the listed building are now improved with much wider public space on its east and a semi-private courtyard to the west. The setting of the church has always been located within a tightly packed urban grain, without any significant views. Furthermore, the scheme allows for greater pedestrian permeability around the building. English Heritage made similar comment with respect to the listed church building, and considers that the scheme would not impact on the setting of the listed church hall building. However it should be noted that as a requirement, it should be ensured that no damage is caused to the listed building through the demolition and construction phases of the development.
- 6.30 Furthermore, it is considered that the scheme would not impact negatively on the setting of the grade I listed St Leonards Church. The proposed tower is adequately set back within the centre of the site to ensure minimal impact to the church. Proposed view diagrams and images indicate that the tower would be largely concealed by the existing buildings and foliage. In addition, the tower would not have a detrimental impact to the setting of the listed buildings fronting Columbia Road. Although the tower will be visible, the effect will be experienced within the wider context of two other towers which currently influence the view looking along Columbia Road. It is considered that the development will appear very slender and of a high quality architecture. This view is further supported by the Council's Urban Design and Conservation team.
- 6.31 Where the proposal would have the greatest visual impact would be from the adjacent Boundary Estate conservation area. However, it is considered that this impact would not be detrimental to the conservation area as the tower would be partially concealed and framed by existing foliage. The tower would not affect the setting of the conservation area, which is firmly enclosed around the "circus". In summary, the tower impacts the sky setting and not the urban grain.

- 6.32 Nevertheless, English Heritage have objected to the scheme, advising that the tower would impact upon the setting of the Boundary Estate conservation area and surrounding listed buildings. They consider that the tower would have an overbearing, intrusive and damaging impact on surrounding historic buildings and adjacent areas.
- 6.33 The Council's Urban Design and Conservation team have considered the concerns raised by English Heritage. However, as discussed in paragraphs 6.30 & 6.31, they consider that the development would not have a detrimental impact to the setting of the surrounding listed buildings and conservation areas. Furthermore, as previously stated, the scheme also receives the full support of CABE. It is therefore considered that the proposals meet the broad objectives DEV25, DEV29 & DEV39 of the adopted UDP and C1 of the LDF Core Strategy.

#### **Open and Amenity Spaces**

- 6.34 The proposal incorporates a series of public open amenity spaces, which also provide pedestrian connections between Hackney Road and Austin Street. Cooper's Garden, situated between blocks B and F, establishes a direct connection into the development. The space has a linear form which encourages pedestrian flows towards the newly created public spaces. In order to promote the space as a gathering area, a series of benches are provided. A water feature/fountain is also proposed further encouraging the use of this area as for gathering purposes. The central square in front of block E provides the main public gathering space within the scheme. A large, single specimen tree and surrounding planting will form the main focus and visual interest for the square. It is intended that this is a flexible space that could cater for activities ranging from outdoor performances to an informal market place.
- 6.35 A courtyard surrounded by blocks A to D and the listed church hall form the semi-private amenity space. This space features a gated access from Cooper's Gardens, and a controlled access through the church hall. It is intended that only the users of the surrounding buildings, church goers and local community groups with ties to the centre will have access to this space. The landscaping within the courtyard will be maintained by local community groups.
- 6.36 A number of semi-private roof terraces can be found on levels 3, 7 and 21 of block E, which are intended for use by the building residents. Specific details of these spaces are as follows:
- Level 3 – An accessible, hard surface terrace surrounded by an inaccessible band of planting around its edge. The planting will be similar to that at ground level.
  - Level 7 – With the planting mirroring the layout of the green spaces at ground level, the site wide landscape design becomes visually linked when viewed from the upper storeys of block E. Benches, similar to the ground level will also be provided.
  - Level 21 – A series of raised planters are strategically located together with a hard surface terrace area. Users will be able to move between the planters, enabling interaction and maintenance.
- 6.37 The majority of flats within blocks A, B and C and all of the townhouses in block D will feature private amenity space in the form of either winter gardens, balconies, roof terraces and courtyards.
- 6.38 It is considered that the provision of amenity spaces within the site meets the requirements contained within emerging policy HSG 13: Housing Amenity Space. The proposal provides both private and communal amenity space, with the later meeting the minimum size requirements of 6 metres in any one direction.

#### **Impact Upon Residential Amenity.**

##### **Daylight/Sunlight/Overshadowing**

- 6.39 In support of the application, the applicant has undertaken a daylight/sunlight assessment. The study has been carried out in accordance with the methodology and advice set out in the 'Building Research Establishment's' (BRE) guidance report, "*Site Layout Planning For Daylight and Sunlight*".

- 6.40 The guidelines provide different methods for daylight assessments. The method that officers have generally accepted as the most detailed and most meaningful tool, is the Average Daylight Factor (ADF) method, as this takes into account internal room layouts and sizes, window positions and sizes, and also makes an allowance for reflectance of internal room surfaces. Windows which overlook the site and are north facing are not required to be assessed, as noted within the BRE guidelines.
- 6.41 The daylight and sunlight assessment undertaken as part of the Environmental Statement found that the proposed redevelopment would be generally acceptable with some localised impacts that are considered to be within acceptable standards for built up urban areas. The study considered the impacts on a number of properties in Hackney Road, Columbia Road, Austin Street and the Leopold Buildings. Dunmore Point, the adjacent tower block, has not been assessed since its separation distance from the site and its availability of sky from all directions around the site means it is relatively unaffected. It was considered not necessary to consider it within the daylight/sunlight assessments.
- 6.42 The BRE report sets out guidelines on how to assess the impact of proposals in terms of daylight and sunlight, by comparing existing daylight and sunlight conditions and the degree of change that would occur as a result of a proposal. The guidelines state that provided the loss of daylight or sunlight is kept above 20% then the occupants of adjoining buildings are not likely to notice any change in daylight or sunlight conditions. As such, a reason for refusal is unlikely to be sustainable on these grounds.
- 6.43 The results of the assessment of the relevant surrounding properties that has been undertaken and are summarised in the paragraphs below.
- 6.44 The following properties meet the requirements of the BRE Guidelines: -
- Rear of 40 Hackney Road
  - 6-12 Hackney Road
  - 2-16 Austin Street (with the exception of 1 window out of 16 assessed)
- 6.45 The rear of the Leopold Buildings does not fully meet the BRE guidelines. A total of 2 out of 12 windows fail the guidelines. However, none of the windows are living rooms or bedrooms and are not habitable rooms. The 2 windows in question are kitchens. The impact identified is considered to be acceptable and a reason for refusal is unlikely to be sustainable on these grounds.
- 6.46 The results of the assessment at Coll Sharp Court do not fully meet the BRE guidelines. A total of 4 out of 13 windows fail the guidelines. However, none of the windows are living rooms or bedrooms and are not habitable rooms. The 4 windows in question are kitchens. The impact identified is considered to be acceptable and a reason for refusal is unlikely to be sustainable on these grounds.
- 6.47 The assessment of 4-12 Columbia Road indicates it would fail to meet the BRE guidelines. A total of 8 windows would fail to the guidelines. These are not habitable rooms and are mostly kitchen windows. Although their will be noticeable reduction in light it is not considered a sustainable reason for refusal of the application.
- 6.48 The applicant's daylight assessment indicates that whilst the proposal will have an impact on the potential daylight in the context of the VSC values, it is considered that the relationship of the windows to the rooms that they serve is such that levels of daylight within the rooms will remain adequate. It considered only a small number of the windows assessed would fail to meet the BRE target compared to the number that would pass. Having regard to the urban context of the development, the results of the assessment are considered to be acceptable.
- 6.49 An analysis of the overshadowing has been undertaken for each hour between 8am and 5pm at the equinox (21 March). It would appear there is some momentary overshadowing to the open space to the east of the tower in the late afternoon. However, there is no overshadowing at midday or in the morning. There is no additional permanent overshadowing within the gardens and amenity areas of the existing buildings. The existing Church Hall and Mildmay Hospital contribute to the current overshadowing that occurs on



the site. All public open spaces and residential gardens will continue to receive adequate sunlight in accordance with the relevant BRE guidelines.

#### **Sunlight/Daylight within the Scheme.**

- 6.50 The Council's consultants who reviewed the submitted EIA raised concerns that there was no sunlight and daylight assessment carried out within the development. As part of the Regulation 19 request, the applicants supplied this assessment based on a worse case scenario within the development site.
- 6.51 The results of this additional assessment were submitted as part of the Regulation 19 request and have been independently reviewed. The results indicate the potential impacts within the development site, in relation to sunlight and daylight, are satisfactory and generally meet the relevant BRE guidelines.

#### **Overlooking**

- 6.52 A number of the objections raised concerns with reference to the potential overlooking from the development and the resulting loss of privacy. The only blocks of the development that could potentially create direct overlooking and loss of privacy to the surrounding properties will be Block F (Mildmay Hospital and Detox Unit). This block would have the potential to directly overlook the rear of both properties at Hackney and Columbia Roads.
- 6.53 The Mildmay Hospital and Detox building will be four storeys in height and feature a number of terraces which could impact on the privacy of the abutting properties. It is not considered that there would be any significant impact in relation to overlooking to habitable rooms or private amenity spaces of these properties as a result of the new hospital building.
- 6.54 Nonetheless in order to ensure the amenity of residents is protected it is recommended that an amending condition detailing mitigation of impact on the windows and/or private amenity space of the abutting residential properties. Where there is considered to be direct overlooking, particularly from the terraces, mitigation measures (such as screening) will also need to be detailed.

#### **Demolition and Construction Noise**

- 6.55 Concerns have also been raised as to the potential demolition and construction noise impacts to the surrounding properties. As part of the submitted EIA report, the Noise and Vibration chapter details the impact of construction to the area.
- 6.56 The demolition and construction period for the proposed development is expected to be over a 3 to 4 year period. The demolition and construction activities are planned to be staggered to help minimise disruption caused by these activities. As part of the mitigation measures, a Deconstruction and Construction Method Statement (DCMS) will be required to be approved by the Council, prior to works commencing on site. The DCMS will also be required to comply with the Council's Code of Practice for Construction Sites.
- 6.57 In addition to the DCMS, the Council's EIA review consultants have recommended that the applicants also provide Construction Environmental Management Plan (CEMP) for approval by the Council, prior to the commencement of works. As part of the CEMP, the developer will be required to submit a monthly CEMP validation report to the Council to ensure that the control measures are being fully implemented.

#### **Additional Concerns**

- 6.58 As previously discussed within Section 5.3, a number of objections were received in response to the consultation of the application. The objections raised additional concerns to those discussed above and these are detailed below.

#### **Anti-social Behaviour/Crime**

- 6.59 A large number of the comments received made reference to the issue of anti-social behaviour and an increase in crime. The Mildmay Urban Village is considered to be a unique concept for address the needs of the hospital, detox unit, homeless persons, and intermediate housing. The concept is unique as it contains all the services required to ensure the users have a successful integration back into society. In addition, the development will also provide for 24 hour on site security. As a result, it is considered that

the scheme would not cause additional crime or anti-social behaviour.

**Affordable Housing becoming Private Sale**

- 6.60 This concern is addressed through the provision of a signed S106 agreement, which requires that 100% of the housing on site will be affordable. Any future alterations to this agreement would require further planning approval.

**Lack of Employment Opportunities for Local Residents and for short term.**

- 6.61 Again this issue is addressed through the means of a signed S106 agreement, which would require the developer to incorporate local labour initiatives, particularly during the construction phases of the development.

- 6.62 It is anticipated that the completed development will provide approximately over 100 full time equivalent jobs, and 70 directly employed jobs during the construction phases.

**Loss of Views to the TAB Centre and St Leonards Church.**

- 6.63 It is considered that the loss of views is not a relevant planning grounds for objection, unless the views are considered to be of significant importance and noted within the UDP or LDF. The views to both the church and TAB centre are not listed as being of local significance and therefore not protected under planning policy.

**Other detox facilities within close proximity to the site**

- 6.64 Whilst it is acknowledged that there are other drug and alcohol/detox centres within the local area, it is considered that the proposed Urban Village is a unique concept, and as a result, will not impact upon the local community as the other centres may have.

**Traffic and Transport.**

- 6.65 The Traffic Assessment (TA) submitted as part of the application confirms that the proposed development can be safely and reasonably accommodated at this location. There will be a degree of impact upon the surrounding road network as a consequence of the demolition and construction period. However, the TA confirms that this can be accommodated and a Construction Traffic Management Plan (CTMP) will be formulated to control this aspect of the redevelopment. The proposal is considered to meet the requirements of UDP Policies T15 & T16 and TR1, and TR3 LDF policies.

- 6.66 The hospital is located in a highly sustainable location, readily accessible by public transport. In the future, if Crossrail and the East London Line Extension are constructed, both provide additional public transport access to the site. The Urban Village will further benefit from its proximity to these proposed facilities and it occupies one of the most appropriate locations within the Borough for this land use type.

- 6.67 The proposed development is highly sustainable with only 40 car parking spaces proposed and 100 cycle spaces. The main area of car parking is contained within the proposed basement, located below the tower. The adopted UDP policy T13 is met by the proposals as the offsite parking for the scheme effectively equates to operational use only. Similarly the parking provision meets the requirements of the transport policies TR1 and TR2 of the LDF.

- 6.68 Visitor parking is not provided with the exception of a small number of disabled parking bays. Visitors to the hospital are encouraged to use the various modes of public transport although LBTH residents with the appropriate parking permit would be able park their vehicle in the surrounding residential streets. The Mildmay Hospital and detox building will also feature an ambulance drop off zone.

- 6.69 Adopted UDP Policy T9, which seeks to discourage non-essential journeys by private car, is also met by severely limiting on site parking compared with the unconstrained demand position. Only essential staff car parking is provided by the development. A Green Travel Plan (GTP) can provide a mechanism to further reduce car dependency and encourage use of non-car modes of transport further assists this position. The GTP will form part of the Section 106 legal agreement.

**Environmental Impact Assessment**

6.70 The submitted Environmental Impact Assessment (EIA) has been subject to consultation with the relevant statutory authorities, and has been advertised in compliance with statutory requirements. The matters covered by the EIA were as follows:

- townscape and visual impact
- transport
- ecology
- soil and ground conditions
- water resources
- wind impacts
- daylight/sunlight and overshadowing
- telecommunications
- archaeology
- air quality
- noise
- socio-economic and community impacts
- construction and demolition
- cumulative impacts

6.71 Consultants were appointed to review and critique the documentation provided as part of the EIA. The review of the EIA led to a request for further information and/or reports to be submitted in accordance with Regulation 19. This request related specifically to matters within the demolition and construction, socio-economic, air quality, microclimate, daylight sunlight & overshadowing, cumulative impacts, as well as residual impacts and conclusions chapters. In accordance with the Regulations, the revised chapters were re-consulted upon and reviewed by the Council's review consultants.

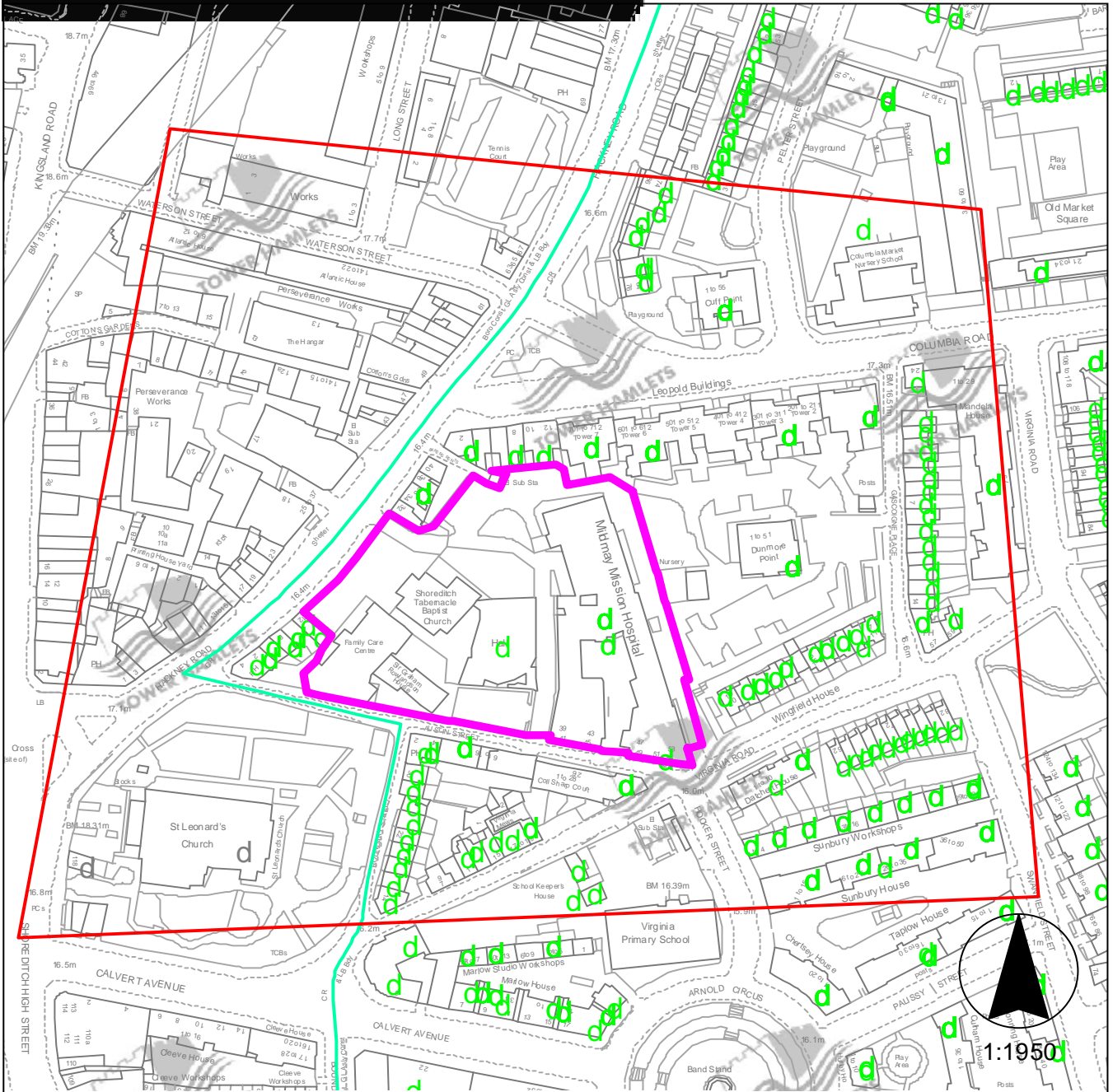
6.72 It was considered that the original EIA reports, together with the revised chapters were satisfactory in accordance with the requirements of the EIA Regulations. The planning obligations legal agreement and conditions will secure the relevant recommendations of the ES in terms of mitigation of identified impacts. It is the opinion of officers that the findings of the ES are robust and that the identified mitigation measures will ensure the proposed development will not lead to any substantial environmental impacts.

## **7. SUMMARY**

7.1 On balance, the proposal is considered acceptable in land use, design, amenity and highways terms and in all other respects, subject to stringent conditions, the signing of a legal agreement and referral to the GLA.

7.2 Approval of the application is therefore recommended.

# Site Map



## Legend

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

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

**Land bounded by Hackney Road and Austin Street including Mildmay Mission Hospital, Hackney Road, London, E2 7NS**