Committee: Strategic Development	<b>Date:</b> 16 <sup>th</sup> November 2006	Classification: Unrestricted	<b>Agenda Item No:</b> 6.2
Report of: Corporate Director of Development and Renewal		Title: Planning application for decision	
		<b>Ref No:</b> PA/06/01096	
Case Officer: David Gittens		Ward(s): Bromley By Bow	

#### 1. APPLICATION DETAILS

Location: Land Bounded By Bow Common Lane, Furze Street and Devons

Road, Devons Road, E3.

**Existing Use:** Temporary public open space.

Proposal: Construction of 78 residential units comprising one, two and three

bedroom apartments and three and four bedroom town houses in blocks ranging in height from 3 to 6 storeys and of 220 sq. m. of A1 (Shop), A2 (Financial and professional services, B1 (Business) or D1

(Non residential institution).

**Drawing Nos:** 697\_200; 697\_210; 697\_1001; 697\_1010; 697\_1011; 697\_1012; and

697\_1013; 697\_1500 and 697\_1550.

**Applicant:** Telford Homes

Owner: London Borough of Tower Hamlets

**Historic Building:** No **Conservation Area:** No

#### 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

#### Reasons for grant

- 2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
  - a) In principle, the redevelopment of the site to provide 78 residential units and 220 sq m of A1/A2/B1 or D1 commercial floor space is acceptable, subject to an appropriate planning obligations agreement and conditions to mitigate against the impact of the development and minimise any adverse impact for future occupiers of the proposed development; and
  - b) It is considered that the proposed use would not have an adverse impact on the residential amenity of the surrounding properties. A number of conditions are recommended to secure submission of details of materials, landscaping, external lighting, sound insulation, and to control noise and hours of construction.

# 3. RECOMMENDATION

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

# LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers: Tic

Tick if copy supplied for register

Name and telephone no. of holder:

Application, plans, adopted UDP. draft

David Gittens

- A. Referral **to the Secretary of State** pursuant to the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999, as a departure from the Development Plan involving an alternative development on land allocated for public open space and industrial employment in the Tower Hamlets Unitary Development Plan 1998.
- B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:
  - a) Affordable housing provision of 35% of the proposed residential units measured by floor space with an 80/20 split between rented/shared ownership;
  - b) A financial contribution of £345,000 for the improvement of Furze Green open space (£2,500 per saleable habitable room) and the possible treatment of Furze Street as a Closure/Home Zone.
  - c) A contribution of up to £30,000 towards a safety audit and mitigation works at the junction of Furze Street and Devons Road.
  - d) Local labour in construction;
  - e) 'Car Free' arrangements to restrict the occupants of the development from applying for residents parking permits.
- C. An agreement under section 278 of the Highways Act to fund highway resurfacing and repaving adjacent to the site at Bow Common Lane and Furze Street and for the removal of a redundant crossover on Devons Road.
- 3.2 That the Head of Development Decisions is delegated power to impose conditions and informatives on the planning permission to secure the following:

#### **Conditions**

- 1) Permission valid for 3 years.
- 2) Details of external materials to be submitted for the Council's written approval prior to the commencement of the development.
- 3) Details of hard and soft landscaping treatment to be submitted for the Council's written approval.
- 4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season.
- 5) Investigation and remediation measures for land contamination
- 6) The submission of a Noise Survey and details of sound insulation/attenuation measures, to protect future residents from noise and vibration for the Council's approval in writing. The sound insulation/attenuation measures as approved shall be implemented and thereafter maintained unless otherwise agreed in writing.
- 7) Building, engineering or other operations including demolition shall be carried out only between the hours of 8.00 am and 6.00 pm Mondays to Fridays and between the hours of 9.00 am and 1.00 pm Saturdays and shall not be carried out at any time on Sundays or Public Holidays.
- 8) Any power/hammer driven piling/breaking out of material required during construction/demolition shall only take place between the hours of 10.00 am and 4.00 pm Monday to Friday and at no other time, except in emergencies or as otherwise agreed by the Council in writing.
- 9) Details of any external lighting to be submitted to the Council for written approval.
- 10) Any other condition(s) considered necessary by the Head of Development Decisions

### **Informatives**

- 1) This permission is subject to a planning obligation agreement made under Section 106 of the Town and Country Planning Act 1990.
- 2) With regard to Conditions 5 (Decontamination), you should contact the Council's Environmental Health Department, Mulberry Place (AH), 4th Floor, PO Box 55739, 5 Clove Crescent, London E14 1BY.
- 3) You are advised that any change of use of the Class A1, A2, B1 or D1 floorspace hereby permitted should accord with Schedule 2, Part 3, Class A of the Town and Country Planning (General Permitted Development Order) 1995.
- 4) You are advised that the Council operates a Code of Construction Practice and you should discuss this with the Council's Environmental Health Department, Mulberry Place (AH), 4th Floor, PO Box 55739, 5 Clove Crescent, London E14 1BY.
- 5) You should consult the Council's Highways Development Department, Mulberry Place (AH), 4th Floor, PO Box 55739, 5 Clove Crescent, London E14 1BY regarding any alterations to the public highway.
- 3.3 That, if by 28<sup>th</sup> February 2007 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

# 4. PROPOSAL AND LOCATION DETAILS

#### **Proposal**

- 4.1 Application is made for the redevelopment of this existing temporary open space site for the construction of 78 residential units comprising one, two and three bedroom apartments and three and four bedroom town houses in blocks ranging in height from 3 to 6 storeys and the creation of 220 sq.m. of A1/A2/B1or D1 commercial floorspace.
- 4.2 Of the 78 residential units it is proposed that 25 will be affordable and 53 for private sale. This would equate to 35% affordable housing provision by habitable rooms. In total, there would be 36 one-bedroom units, 31 two-bedroom units, 9 three-bedroom units and 2 four bedroom units. The commercial floorspace would be provided on the ground floor on the Devons Road frontage.

#### Site and Surroundings

- 4.3 The site covers an area of 0.3 hectares and is bounded by Bow Common Lane to the west, Devons Road to the north, Furze Street to the east, and a collection of industrial sites to the south. The site is currently used as a temporary public open space. The uses to the south of the site include a printing works, vehicle repairs and an open yard used for the breaking and storage of heavy commercial vehicle parts.
- 4.4 Adjoining the site to the south east, fronting Hawgood Street and Limehouse Cut is the modern 3/4 storey Invicta Close/Alphabet Square development of residential and live/work units. To the east of the application site is Furze Green, a 0.8 hectare Council owned public open space. At the north end of Furze Green is a recently constructed children's play area.
- 4.5 The wider area surrounding Furze Green and along Devons Road and Bow Common Lane comprises predominantly of residential blocks that vary in height from 4 to 6 storeys.
- 4.6 The site is located approximately 300 metres from Devons Road DLR station to the east, providing services between Stratford, Canary Wharf and Lewisham. There are three bus routes serving the site (309, 323 and D8 services) and the site is located approximately 600 metres east of Burdett Road, which carries further bus routes.

### **Planning History**

- 4.7 The site was owned by the Greater London Council (GLC) and in 1982, the GLC resolved to seek planning permission for the temporary treatment of the corner of Devons Road and Furze Street as open space. At the time of writing, officers have been unable to determine whether permission was subsequently granted. The application site was subsequently laid out as temporary public open space by the GLC and on abolition was transferred to Tower Hamlets by the Greater London Residuary Body. The GLC erected a Notice on the land to advise that it was for the temporary use of the public. This notice has since been maintained.
- 4.8 In November 2005, a Council prepared development brief for the Furze Street area was approved by Cabinet as Interim Planning Guidance. The Development Brief refers to the application site, the mixed commercial sites to the south and the open space to the east.
- 4.9 The Development Brief promotes a range of uses including residential development, affordable housing and new employment opportunities, together with a framework for improvements to Furze Green. It proposes the redevelopment of the temporary open space comprising the application site to deliver a comprehensive development solution.
- 4.10 This application forms the first of potentially three phases of residential-led mixed use development schemes within the boundary of the Furze Street Area Development Brief. A report on an outline planning application for the redevelopment of this site plus a further two adjoining phases are also included within this agenda.
- 4.11 There are no previous planning decisions relevant to the site of this application.

#### 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**

Proposals: No 85 Land Between Furze St, Devons Road & Bow Common.

Allocated for Business Use and Open Space – Development

Brief to be prepared.

Policies: DEV1 Design Requirements

DEV2 Environmental Requirements

Mixed use Developments

DEV3 Mixed use Developments

DEV12 Landscaping
DEV13 Tree Planting
DEV17 Street Furniture

DEV18 Public Art DEV51 Soil Tests

DEV55 Development and Waste Disposal

DEV57 Nature Conservation

DEV59 Use of Land for Nature Conservation

EMP6 Employment of Local People HSG2 New Housing Development

HSG3 Affordable Housing

HSG8 Wheelchair Accessible Housing OS1 Protection of Open Space

OS4 Planning permission for temporary open space.

OS7 Loss of Open Space

T9 Discourage Non-Essential Private Car Journeys

T13 Essential Parking Needs
T15 Capacity of Transport System

T17 Parking Standards

**Emerging Local Development Framework** 

Development site within forthcoming Central Area Action Area Proposals: C34

Plan boundary. Designation undetermined.

Core Strategies: CP1 **Creating Sustainable Communities** 

> CP2 **Equality of Opportunity** CP3 Sustainable Environment

CP4 Good Design

CP5 Supporting Infrastructure Job Creation and Growth CP7

CP9 **Employment Space for Small Businesses CP15** Provision of a Range of Shops and Services

CP19 **New Housing Provision** 

CP20 Sustainable Residential Density

CP21 Dwelling Mix and Type CP22 Affordable Housing Housing Amenity Space CP25

CP27 High Quality Social and Community Facilities to Support

Growth

CP30 Improving the Quality and Quantity of Open Spaces

**CP39** Sustainable Waste Management CP40 A Sustainable Transport Network

CP41 Integrating Development With Transport

Streets for People CP42

Accessible and Inclusive Environments CP46

CP47 Community Safety

Policies: DEV1 Amenity

> Character and Design DEV2

DEV3 Accessibility and Inclusive Design

DEV4 Safety and Security DEV5 Sustainable Design

Energy Efficiency and Renewable Energy DEV6 DEV9 Sustainable Construction Materials Disturbance From Noise Pollution

DEV10

DEV12 Management of Demolition and Construction

DEV15 Waste and Recyclables Storage

**Transport Assessments** DEV17 DEV22 Contaminated Land

DEV24 Accessible Amenities and Services Land Adjoining Industrial Location EE1 **Determining Residential Density** HSG1

HSG2 **Housing Mix** 

Affordable Housing Provision in Individual Private residential HSG3

and Mixed use Schemes

Housing Amenity Space HSG7

Accessible and Adaptable Homes HSG9

Calculating Provision of Affordable Housing HSG10

SCF1 Social and Community Facilities

OSN2 Open Space

# **Planning Standards**

Planning Standard 1: Noise

Planning Standard 2: Residential Waste Refuse and Recycling Provision

Planning Standard 4: **Tower Hamlets Density Matrix** 

Planning Standard 5: Lifetime Homes

# **Supplementary Planning Guidance/Documents**

Furze Street Area Development Brief

#### **Government Planning Policy Guidance/Statements**

PPS1 Delivering Sustainable Development

PPG3 Housing PPG13 Transport

PPG24 Planning and Noise

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

A better place for living safely A better place for living well

A better place for creating and sharing prosperity A better place for learning, achievement and leisure

#### 6. CONSULTATION RESPONSE

#### **LBTH Parks**

6.1 Regrets the loss of open space but takes some comfort in the potential to turn Furze Street into a Home Zone that may create an environment in which people feel their children can safely play outside their front doors and supplement the remaining open space of Furze Green. Supports the section 106 financial contributions to improve Furze Green and look forward to working with the developer and local community in delivering an improved local amenity with increased access and permeability.

#### **LBTH Housing**

6.2 The scheme provides 35% affordable housing by habitable rooms in accordance with policy. The 80:20 ratio between rental and intermediate housing is satisfactory. There is a shortfall in family accommodation in affordable housing with 32% being provided. In the market housing, there is an over provision of one bed units and an under provision of three bed units or larger (10% as against a target of 25%).

#### **LBTH Education**

6.3 Taking account of the cumulative impact of residential developments throughout the Borough, recommend that a contribution is sought from the applicant for 9 additional primary school places @ £12,342 = £111,078.

#### **LBTH Environmental Health**

6.4 Advises that there is a potential noise conflict between the mixed usage of the proposed residential and the adjacent industrial uses.

#### **LBTH Highways**

6.5 The site is well served by public transport. As no off street parking is proposed a car free agreement is recommended. The repaving of both footways and resurfacing of the carriageway of Furze Street is required including the footway frontage of Bow Common Lane. The development will create a redundant crossover on Devons Road which will need to be removed. These works will be carried out by the Council, under a section 278 agreement at the developer's cost.

#### **Tower Hamlets Primary Care Trust**

6.6 Based on 2 years revenue contribution, calculates that the proposal would generate a

requirement in revenue and capital contributions respectively of £296,321 + £62,200 = £358.521.

# **Metropolitan Police, Crime Prevention Officer**

6.7 No objections. Makes security recommendations which are either to be management issues or could be dealt with when reserved matters are approved.

#### 7. LOCAL REPRESENTATION

7.1 A total of 270 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: 6 Objecting:5 Supporting:1

No of petitions received: Nil

7.2 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

### **Objecting**

Open Space:

The proposals would result in an unacceptable loss of open space and mature trees.

Design:

The proposed six storey building would be unattractive.

#### Amenity:

- The proposal would give rise to a loss of sunlight and daylight. If Area 1 is developed independently there will be significant noise intrusion from the industrial uses on the neighbouring sites.
- Units located on the ground floor adjacent to the proposed commercial and associated service areas will be afforded limited aural and visual privacy.
- There is no acoustic report accompanying the application.
- Rear private open space of the proposed townhouses is afforded little privacy from living areas and associated private amenity areas in the adjacent 4-6 storey apartment buildings proposed.

#### **Highways**

The absence of car parking is inappropriate and conflicts with the development brief

Underdevelopment:

- The proposals represent an underdevelopment of the site and do not make the best and most economic use of land.
- The approval of an application in the form currently submitted would have a detrimental effect in terms of the future development potential of adjoining property.

#### Supporting

- The open space at Devons Road end is often used by fly tippers.
- The improvement of Furze Green can only benefit the area as currently it is not very accessible due to the perimeter being surrounded by metal railings.
- The proposed retail units will give residents more choice and shops closer to home.

#### 8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Committee must consider are:
  - 1. Land use
  - 2. Housing policy
  - 3. Residential density
  - 4. Design
  - 5. Amenity issues
  - 6. Highways issues
  - 7. Section 106 obligations.

#### **Land Use**

- 8.2 The principle land use issues relate to the loss of the temporary open space and the acceptability of the proposed uses.
- 8.3 As mentioned, the site was laid out as open space on a temporary basis. The 1998 UDP designates the application site as Open Space/Industrial Employment Area. UDP Policy OS1 safeguards sites allocated for open space. UDP policy OS4 says temporary planning permission will normally be granted for temporary pubic open space where land would otherwise remain vacant. The Plan says that such permission will not prejudice the ultimate grant of planning permission for other appropriate development. UDP policy OS7 resists loss of public open space having significant recreation or amenity value except inter-alia "where the development is laid out as temporary open space in accordance with policy OS4". The Council's emerging LDF Policy OSN2 states that development on open space will only be allowed if ancillary to an open space function.
- 8.4 Policy CP19 of the Council's emerging LDF states that the Council will seek to direct all the required housing provision to brownfield sites appropriate for housing. The LDF Proposals Map designates the site as a development site within a forthcoming Central Area Action Area Plan.
- 8.5 A key objective of the Furze Street Area Development Brief is to promote the co-ordinated redevelopment of the existing industrial area and temporary open space to secure a high quality mixed use development providing new employment opportunities and new housing. The Brief says this is to go in hand with improvements to the quality of Furze Green Open Space for use by the local community. Consequently, the developer has agreed to a one-off payment for the improvement of Furze Green.
- 8.6 Overall, the loss of open space and redevelopment of the site to include the mix of new uses accords with the Furze Street Area Development Brief and the spirit of UDP policy OS7. The scheme would contribute towards meeting local housing needs, the small commercial units would provide uses serving the local community and overall no land use objection is raised.

#### **Housing Policy**

8.7 Policy HSG7 of the UDP states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. Emerging LDF Policy HSG2 states that the Council require the intermediate and market housing to provide an even mix of dwelling sizes including a minimum provision of 25% family housing comprising 3, 4, and 5 plus bedrooms to meet

housing needs.

8.8 The application proposal would provide 78 residential units in the following mix:

	Total No. of Units	% of Total Units	HSG2 policy requirement
1 Bed	36	46%	
2 Bed	31	40%	
3 Bed	9	11.5%	250/
4 Bed	2	2.5%	25%
TOTAL	78	100%	

- 8.9 Whilst there would be a shortfall of family accommodation assessed against the emerging LDF, at the time the application was in formulation, the Furze Street Area Development Brief did not require family units in the market accommodation. However, the applicant has redesigned the scheme to include 10% family units by habitable room on the basis of anticipated changes in policy. This is considered acceptable.
- 8.10 Policy CP19 of the Council's emerging LDF states that all housing should contribute to the Council's housing need whilst Policy CP22 of the LDF states that the Council will seek a minimum of 35% affordable housing on developments proposing 10 new dwellings or more. Emerging LDF Policy HSG3 states that in seeking to negotiate the maximum reasonable amount of affordable housing on individual mixed use schemes, the Council will have regard to the economic viability of the proposal, other site requirements, including other planning contribution requirements and the need to ensure that new housing development responds Emerging LDF Policy HSG10 states that affordable housing will be calculated using habitable rooms as a primary measure to allow for the most suitable mix of housing. The proposed residential mix includes 35% affordable housing on a habitable room basis.
- 8.11 The affordable housing for rent would comprise the following dwelling mix:

	Number of Units	Number of Habitable Rooms	% of Total Habitable Rooms	LBTH Housing Needs Survey (Unit Basis)
1 Bed	6	12	20%	20%
2 Bed	7	21	36%	35%
3 Bed	4	16	27%	30%
4 Bed	2	10	17%	15%
TOTAL	19	59	100%	100%

- 8.12 The applicants have agreed that 35% of all habitable rooms shall be affordable housing which complies with the emerging LDF policy. They have also agreed to an 80/20 split between the affordable rent/intermediate housing tenure. In terms of habitable rooms the application includes 44% of the rented provision as 3 and 4 bed family houses by habitable room. This is very close to the expected minimum indicated as required by the Council's Housing Needs Survey.
- 8.13 These houses have been designed as substantially larger than the Council's minimum size standards and overlook Furze Green.

# Residential density

8.14 In policy HSG9 of the UDP an upper figure of 247 habitable rooms per hectare is given for new residential densities although exceptions are given. LDF Policy CP20 states that the Council will seek to maximise residential densities, taking into account the individual relative merits of sites and their proposals

- 8.15 The site has a public transport accessibility level (PTAL) of 3 where the recommended density range advocated by the London Plan and the emerging LDF is up to 450 habitable rooms per hectare (hrph). Such a density was proposed in the Furze Street Area Development Brief. At a density of 712 (hrph) the density of the scheme exceeds this level. However, the scheme is still considered to be acceptable in the context of UDP Policy HSG9 in that:
  - The development is located in an area with reasonable access to public transport, open space and other local facilities (in this case buses directly serving the site and located 300 metres from Devons Road DLR station);
  - The proposal does not result in any consequence typically seen in an overdeveloped site (i.e. poor size of flats, significant loss of light to adjacent properties, loss of privacy/overlooking of adjacent amenity space, lack of amenity space etc); and
  - The proposal meets the other standards for new development in the UDP.

# Design

- 8.16 The proposal has generally been designed in accordance with the Development Brief and is considered to achieve all the design principles developed in the brief. Whilst slightly higher than anticipated, the bulk and massing is considered acceptable given the context of the site.
- 8.17 The scheme proposes variations in height and massing at appropriate locations which it is considered would produce interest and character. The two blocks, both on Devons Road and Furze Street, would be aligned with the back edge of the pavements as anticipated by the Development Brief to help reinforce the existing street edge.
- 8.18 All the residential units meet with the Council's space standards and in some instances these are exceeded substantially. The distance between habitable room windows exceeds the Council's minimum standards. Although there is some overlooking of private amenity spaces to dwellings on Furze Street from the main block on Devons Road, this would be to a level that is generally consistent with urban locations. Most units within the scheme would have direct access to private amenity space whilst there would be over 500 square metres of private communal open space at ground floor level. In addition, the site is located adjacent Furze Green to which improvements would be made. Accordingly, amenity space provision is considered acceptable.
- 8.19 All the housing is designed in accordance with 'Lifetime Homes' requirements, 10% of which shall be wheelchair accessible.
- 8.20 Overall, it is considered that the proposal represents a scale, massing and design which would respond well to the site's context, including its relationship with Furze Green and emerging development in the area.

#### **Amenity**

- 8.21 The applicants have provided an analysis of the shadowing that the scheme would cause. This indicates minimal impact for approximately 2 hours per day for part of the year upon the residential block across the road at 213 Devons Road (on the corner of Furze Street) and for approximately an hour per day for part of the year on the residential blocks on the northern side of Devons Road. It is considered that satisfactory conditions would ensue.
- 8.22 It is accepted that there is the potential for the proposed residential accommodation to experience noise and disturbance from the existing industrial uses, scrap yards nearby and the commercial unit within the development. However, as mentioned, this application forms the first of potentially three phases of residential-led redevelopment schemes in the Furze Street area. Problems could only potentially arise if the other phases did not proceed.

Accordingly it is recommended that, any planning permission be conditioned to require a detailed noise study with measures to be implemented to protect future occupants of the residential accommodation from noise disturbance.

# **Highways**

8.23 Proposing no car parking, the scheme has little implication for conditions on the public highway. A "car free " arrangement that prohibits the occupants of the development from applying for residential parking permits is recommended together with a section 278 agreement under the Highways Act to fund essential improvements to the adjoining highways. The applicant has also agreed to make a financial contribution of up to £30,000 towards a safety audit and mitigation works at the junction of Furze Street and Devons Road.

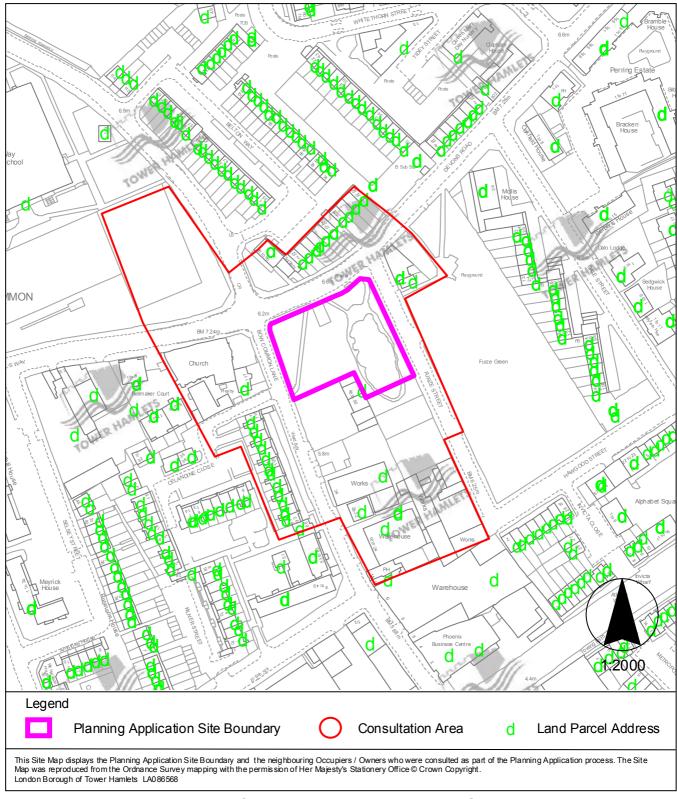
### Section 106 obligations

- 8.24 Policy DEV4 of the adopted UDP and Policy IMP1 of the emerging LDF say that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.
- 8.25 The Education Department has calculated that the proposal would generate a child yield of 26 additional primary school places in the area requiring a total contribution of £111,078. Tower Hamlets Primary Care Trust calculated that, overall the proposal could generate a requirement of £358,521 (£296,321 in revenue contributions and £62,200 in capital contributions) in respect of increased demands on health services.
- 8.26 However, with the development involving the loss of open space, investment into the improvement of the adjacent Furze Green open space, which is an aim of the Furze Street Area Development Brief is considered of greater importance. Accordingly, it is recommended that the sums that would normally be requested from an applicant in respect of Education and Health be replaced by a sum for the improvement of the open space.
- 8.27 The Secretary of State advises that planning obligations should be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and to be reasonable in all other respects. The applicants have agreed to the planning obligations to mitigate against the impact of the proposed development set out in Section 3B of this report.
- 8.28 It is considered that the planning obligations recommended in section 3.1B and the conditions in section 3.2 of this report are appropriate in this case and accord with the government guidance.

# 9 CONCLUSION

9.1 In land use, housing, design and traffic terms the development is considered satisfactory. Whilst it would involve the loss of temporary public open space, this would be compensated by improvements to Furze Green that would make it have greater utility for the local community. 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.

# **Site Map**



Land Bounded By Bow Common Lane and Furze Street on Devons Road, Devons Road, London, E3

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