

Committee: Development Committee	Date: 15 th May 2013	Classification: Unrestricted	Agenda Item Number:
Report of: Director of Development and Renewal		Title: Town Planning Application	
Case Officer: Jane Jin/Jerry Bell		Ref: PA/12/01758	
		Ward: Bethnal Green	

1 **Application Details**

Location: Land adjacent to railway viaduct, Mantus Road, London

Existing Use: Vacant Site (cleared site)

Proposal: Planning Application PA/12/01758
Redevelopment to provide 93 residential units in buildings ranging from three to six storeys including amenity space, landscaping, disabled car parking and cycle parking.

Submission Documents and Drawings

83747-100 (D); 83747-101; 83747-110(E); 83747-111 (F); 83747-112 (B); 83747-113(B); 83747-200(E); 83747-201(E); 83747-202(H); 83747-203(H); 83747-204(E); 83747-205(E); 83747-206(F); 83747-207(E); 83747-208(G); 83747-230(F); 83747-231(E);83747-232(F); 83747-232(F); 83747-233(F); 83747-236(D); 83747-240(B); 83747-241(B); 83747-242(B); 83747-243(B); 83747-244(B); 83747-245(C); 83747-246(B); 83747-247(B); 83747-248(C); 83747-250(H); 83747-260; 83747-261(A); 83747-262(A); 83747-263 (A); 83747-264; 83747-265; 83747-266; 83747-267; 83747-290 (B); 83747-291 (B); 511-3367 01;511-3367 02; 511-3367 03; 1207 001;1207 002(C); 1207 003 (B); 1207 004; 83747-700; Accommodation Schedule (Rev c)

Design Statement September 2012
Planning Statement dated August 2012
Planning and Impact Statement dated August 2012
Transport Assessment dated August 2012
Air Quality Assessment dated August 2012
Noise and vibration Assessment dated October 2012
Energy Strategy Report dated May 2012
Code for Sustainable Homes Assessment dated May 2012
Code for Sustainable Homes Flood Risk Assessment dated May 2012
Drainage Strategy dated May 2012

Applicant: Tower Hamlets Community Housing

Owner: Tower Hamlets Community Housing and Network Rail

Historic Building: Grade II Listed Railway Viaduct

Conservation Area: No

2. BACKGROUND

2.1 This application was reported to the Development Committee on the 11th of April 2013 with Officers' recommendation for **REFUSAL** for following reasons:

1. The proposal would represent an overdevelopment of this constrained, brownfield site with the density of development exceeding density standards as set out in the London Plan, with insufficient external amenity space standards for future residential occupiers, insufficient levels of on-site disabled car parking facilities and an over-emphasis on larger family units which places undesirable pressures on existing and proposed on and of site amenity spaces, contrary to Policy 3.4 of the London Plan 2011, Policy SP02 of the adopted Core Strategy 2010, Policy HSG1 of the Interim Planning Guidance 2007 and the National Planning Policy Framework which seek to ensure the use of land is appropriately optimised in order to create sustainable places.
2. The proposed amenity space, in particular the private and communal amenity space would be of poor quality and insufficient quantity to the detriment of the amenity of future residential occupiers of the site and would place unacceptable pressures on existing open spaces in the vicinity of the site. As such, the proposal is contrary to policy 3.6 of the London Plan (2011), saved Policies DEV1, DEV12 and HSG16 of the Council's Unitary Development Plan (1998), Policy SP02 of the Core Strategy (2010), Policy DM4 of the Managing Development DPD (Submission Version 2012 with modifications) and Policies DEV2, DEV 3, DEV4 and HSG7 of the Council's Interim Planning Guidance (2007) which seek to improve amenity and liveability for residential occupiers.
3. The development, in view of its proposed scale, form, layout, mass and elevational treatment would not provide a high quality design solution for this constrained site and would introduce an incongruous and alien built form, failing to respect existing townscape character and the local streetscene, contrary to Policies 7.1, 7.4, and 7.6 of the London Plan 2011, Policy SP10 of the adopted Core Strategy 2010, saved Policy DEV1 of the Unitary Development Plan 1998, Policy DM24 of the Managing Development - Development Plan Document (Submission Version May 2012 with modifications) and Policy DEV2 the Interim Planning Guidance (2007). These policies seek to ensure high quality design within the Borough whilst respecting and enhancing the existing local character and setting.

2.2 The Committee resolved **NOT TO ACCEPT** officers' recommendation to refuse planning permission and officers recorded that the Members were minded to grant planning permission for the following reasons:

- 2.3
1. The provision of additional housing, especially social housing in view of the Council's targets in this area.
 2. The availability of amenity space nearby the site that could supplement the lack of amenity space on site.
 3. The high quality public transport links servicing the site.

2.4 During the preceding discussions relating to the proposal, Members requested that Officers discuss with the Applicant the nature of the materials to ensure they reflected the surrounding area.

3.0 PROPOSED REASONS FOR APPROVAL

3.1 Officers have drafted reasons for approval below to cover the matters raised.

3.2 Members would be aware that the Managing Development Document was adopted by Full Council on 17th April 2013. As such it has full weight as part of the Council's 'development

plan' in determining applications. Full Council also agreed to remove the retained Unitary Development Plan (1998) and Interim Planning Guidance (2007) policies. As such these policies should no longer be used to determine planning applications.

- 3.3
1. *The proposal provides acceptable amount of affordable housing which helps to add to the needed housing stock within the borough. As such, the proposal is in line with policies 3.8, 3.10, 3.11, 3.12, 3.13 of the London Plan 2011, strategic policy SP02 of the Core Strategy Development Plan Document 2010 and policy DM3 of Managing Development Document (adopted 2013) which seeks to ensure that new developments offer a range of housing choices.*
 2. *On balance, the proposal would have access to sufficient amenity space nearby together with proposed upgrading of Bancroft Green Space. This is considered to be in line with policies 3.6 and 7.18 of the London Plan 2011, strategic policies SP02 and SP04 of the Core Strategy Development Plan Document 2010, policies DM4 and DM10 of the Managing Development Document (adopted 2012) which seek to improve amenity and liveability for residents and to secure the delivery of new public open space.*
 3. *The application site is located in a high public transport accessible area and therefore it is considered that the proposal is in line with the Mayor of London and the Council's policies which seek to maximise the development potential sites. As such, the development complies with policy 3.4 of the London Plan (2011), strategic policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development Document (adopted 2013).*

Conditions for Full Planning Permission – PA/12/1758

Compliance Conditions

1. Time limit – Five Years
2. Compliance with plans – development in accordance with the approved schedule of drawings and documents
3. Hours of Construction (08.00 until 17.00 Monday to Fridays; 08.00 until 13.00 Saturdays. No work on Sundays or Bank Holidays).
4. Residential accommodation – compliance with Life Time Homes
5. Code for Sustainable Homes Code Level 4
6. Shrubs to be cleared outside the nesting season and Small-leaved Contoneaster is appropriately disposed to ensure it is not re-introduced into the wild.

Pre-commencement Conditions

7. Submission and approval of Construction Management Plan
8. Contaminated Land – site investigation and remediation
9. Submission of verification report
10. Full details of scheme of lighting and CCTV
11. Submission of sample materials
12. Full details of soft and hard landscaping including home zone and ways to improve biodiversity
13. Details of impact piling to be submitted and approved in consultation with Thames

Water

14. Full details of fire access and water supplies to be submitted and approved in consultation with London Fire and Emergency Planning.
15. Submission of a sample of SAP (to show TER and DER) calculations to demonstrate deliverability of the energy strategy and compliance with energy strategy
16. Details of cycle parking spaces in 1:20 scale
17. Details of 10% wheelchair units
18. Submission and location of disabled parking spaces
19. Submission of Construction Logistics Plan

Prior to Occupation Conditions

20. Post-completion noise testing for residential
21. Full details of refuse and recycling management plan
22. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

1. Associated S106
2. Compliance with Environmental Health Legislation
3. Compliance with Building Control Regulations
4. Thames Water
5. Submission of Listed Building Consent for proposed Cycle Parking Provision

Planning Obligations

As detailed in the main report (paragraphs 7.100 to 7.105), the following will be secured through a Section 106 Agreement.

Financial Obligation

Education £482,893

Enterprise & Employment £19,649.52

Community Facilities: £128,260

Health £152,966

Sustainable Transport £3,360

Public Realm Improvements: £194,988.60

Monitoring and Implementation 2% of total

Total financial contribution £1,001,769.66

Non-Financial

36.3% Affordable Housing – as per Table 1 Below

Access to employment initiatives¹

Permit free agreement

Travel Plan

Code of Construction Practice

Table 1 (Tenure Mix)

	Affordable Rent	Intermediate	Private
Studio/1bed		10	17
2 bed		6	21
3 bed	4		24
4 bed	11		
Total	15	16	62

4. CONSIDERATION

- 4.1 Members requested that Officers discuss with Applicant the nature of materials to ensure that they reflect the surrounding area.
- 4.2 Officers have discussed the nature of the materials and the applicant has agreed to revisit the materials to ensure that it reflects the character of the surrounding Area. Therefore, a condition (No. 11) has been imposed for details of materials to be submitted and approved prior to commencement of development.

5.0 OFFICER RECOMMENDATION

- 5.1 The officers' recommendation as at 11th April 2013 to refuse planning permission remains unchanged. Accordingly, the Committee are recommended not to approve the application and to resolve to **REFUSE** planning permission as previously detailed within the published report and addendum report at the Development Committee meeting held on 11th April 2013. The suggested reasons for refusal are outlined in the main report, appended as Appendix B of this report.

6.0 APPENDICIES

- 6.1 Appendix One – Report to Development Committee 11th April 2013
Update Report – See Appendix for item 6.3