

Development Committee	Date: 15 May 2013	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/12/03138	
		Ward(s): Shadwell	

1. APPLICATION DETAILS

1 **Location:** Site at corner of King Lane and The Highway and site at 448 Cable Street (Juniper Hall)

1.2 **Existing Use:** No existing use at site at corner of King David Lane & The Highway

Community facility at Juniper Hall

1.3 **Proposal:** The construction of a part four/part ten storey building on the corner of King David Lane and the Highway to provide 37 new residential units (comprising 8 x one bed; 21 x two bed; 7 x three bed; 1 x four bed), and the conversion of Juniper Hall to provide 2 x two residential units, together with associated works including disabled parking and cycle parking, landscaped public open space and private amenity space.

1.4 **Drawing Nos:** 102 Rev 00; 103 Rev 04; 104 Rev 04; 105 Rev 05; 106 Rev 05
107 Rev 04; 108 Rev 04; 109 Rev 04; 110 Rev 04; 111 Rev 04
112 Rev 04; 113 Rev 03; 114 Rev 03; 115 Rev 01; 116 Rev 03
117 Rev 02; 118 Rev 03; 119 Rev 03; 120 Rev 03; 131 Rev 02
133 Rev 00; 134 Rev 00; 135 Rev 00; 136 Rev 04; 137 Rev 02
138 Rev 03; 139 Rev 02

1.5 **Supporting documentation**

- Daylight and sunlight report prepared by Waterslade dated November 2012
- Wind Environment Assessment prepared by WSP November 2012
- Noise Assessment by Telford Homes prepared by Cass Allen Associates (ref no: RP01-12388)
- Air quality Assessment for the development at King David Lane and The Highway prepared by Aether dated 9 November 2012
- TV/radio reception study dated 9 October 2012
- Design and access statement prepared by Eastend Homes dated November 2012

- Transport Statement prepared by TTP Consulting dated November 2012
- Phase 1 Desk top study report prepared by Herts and Essex site investigations dated October 2012 (report no: 11083)
- Sustainability Statement prepared by Energy Council dated 31 October 2012
- Historic environment assessment prepared by Museum of London Archaeology dated November 2012 Arboricultural Impact Assessment prepared by DF Clark Bionomique Ltd (ref no: DFC 1359)

- 1.6 **Applicant:** Telford Homes
 1.7 **Owner:** Telford Homes
 1.8 **Historic Building:** No
 1.9 **Conservation Area:** N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010); Managing Development Document (2013), the London Plan (2011) and Government Planning Policy Guidance and has found that:

- Through the provision of a new residential led mixed use development, the scheme will maximise the use of previously developed land and will significantly contribute towards creating a sustainable residential development environment in accordance with policy 3.3 and 3.4 of the London Plan(2011); policies SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development Document (2013)
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3.8; 3.10; 3.11, 3.12 & 3.13 of the London Plan (2011); policy SP02 of the Core Strategy (2010); policy DM3 of the Managing Development Document (2013) which seek to ensure that new developments offer a range of housing choices.
- The scheme would provide acceptable level of housing quality and would meet internal space standards and layout. As such, the scheme is in line with London Plan Housing SPG 2012, policy SP02 of the Core Strategy (2010) & DM4 of the Managing Document (2013) which seek to provide an acceptable standard of accommodation.
- The density of the scheme would not result in significant adverse impacts typically associated with overdevelopment and is therefore acceptable in terms of policy 3.4 of the London Plan (2011); policy SP02 of the Core Strategy (2010); policies DM24 & DM25 of the Managing Development Document (2013) which seeks to ensure development acknowledges site capacity and that it does not have an adverse impact on neighbouring amenity.
- On balance, the quantity and quality of outdoor housing amenity space, communal amenity space, child playspace and open space are acceptable given the urban nature of the site and accords with policy 3.6 of the London

Plan (2011); policy SP02 of the adopted Core Strategy (2010) & DM4 of the Managing Development Document (2013) which seeks to ensure that adequate amenity space is provided.

- The urban design, layout, building height, scale and bulk and detailed design of the scheme is considered acceptable and in accordance with chapter 7 of the London Plan (2011); policies SP10 & SP12 of the Core Strategy (2010) and policies DM23, DM24 and DM27 of the Managing Development Document (2013) which seek to ensure buildings and places are of a high quality design, suitably located and sensitive to its context.
- Transport matters, including parking, access and servicing, are acceptable and in line with policies 6.9 & 6.13 of the London Plan (2011); policy SP09 of the adopted Core Strategy (2010) & policies DM20 & DM22 of the Managing Development Document (2013) which seek to ensure development minimise parking and promote sustainable transport options.
- The impacts of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure would not cause sufficient harm to amenity to warrant refusal, given the urban nature of the site. As such, the proposal accords with policies DEV 1 and DEV 2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy (2010), policy DM25 of the Managing Development Document (2013) which seek to ensure development does not have an adverse impact on neighbouring amenity.
- Sustainability matters, including energy, are acceptable and in line with policies 5.1, 5.2, 5.3, 5.5, 5.6, 5.7 & 5.8 of the London Plan (2011); policy SP11 of the Core Strategy (2010); policy DM29 of the Management Development Document (2013) which promote sustainable development practices
- The proposed development will provide appropriate contributions towards the provision of affordable housing, health facilities, open space, transportation improvements, education facilities and employment opportunities for residents, in line with NPPF, policy 8.2 of the London Plan (2011); policy SP13 of the adopted Core Strategy (2010) and the Council's Planning Obligations SPS (adopted 2012) which seek to secure contributions towards infrastructure and services required to facilitate proposed development subject to viability.

3 **RECOMMENDATION**

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

A. The prior completion of a legal agreement, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:

3.2 Financial contributions

£97,500 directly relating to this development:

- £94,050 towards education facilities
- £1,950 standard Section 106 Monitoring Fee (2%)

Non financial obligations

- a) 35% affordable housing, as a minimum by habitable rooms (77% social rent & 23% intermediate rent);
 - b) Local training, procurement and access to employment strategy (20% local goods and services procurement; 20% local employment during construction and 20% target for jobs created within the development);
 - c) On street parking permit free development;
 - d) Commitment to deliver public open space & public realm improvements within Glamis Estate to a value equivalent to £140,000
 - e) Commitment to deliver improvement works to the existing Glamis Estate to the value of £15,000
 - f) Travel Plan;
 - g) Code for Construction Practice.
- 3.3 That the Corporate Director of Development and Renewal is delegated powers to negotiate the legal agreement indicated above acting with normal delegated authority.
- 3.4 That the Assistant Chief Executive (Legal Services) is delegated power to complete the legal agreement.
- 3.5 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

CONDITIONS & INFORMATIVES

Compliance conditions

1. Permission valid for 3 years
2. Development in accordance with approved plans
3. Development in accordance with Lifetime Homes Standards
4. Implementation of electric vehicle charging
5. Provision of 15% wheelchair accessible homes in accordance with approved plans
6. Provision of a heat network supplying all spaces with King David lane shall be installed and sized to the space heating and domestic hot water requirements
7. Provision of photovoltaic panel array with a minimum peak output of 3.75 kwp shall be installed and operational on King David Lane
8. Control over hours of construction
9. Implementation and compliance with energy efficiency strategy
10. Implementation of road traffic mitigation measures
11. Implementation of air quality mitigation measures

Prior to commencement conditions

12. Submission of details of all proposed external facing material
13. Submission of ground contamination- investigation, remediation and verification;
14. Submission of landscape and public realm details (including boundary treatment, surface treatment, planting scheme, street furniture, external lighting and CCTV)
13. Submission of a Secure by Design Statement
14. Submission of Construction Environment Management Plan

15. Submission, approval and implementation of archaeology investigation, recording and mitigation strategy
16. Submission of noise insulation and ventilation measures for residential accommodation to meet "Good" standard of BS8233
17. Submission of delivery and servicing plan
18. Submission of Code for Sustainable Homes Level 4 certification

3.6 Informative

1. Section 106 agreement required (car free & affordable housing)
2. Section 278 (Highways) agreement required
3. Site notice specifying the details of the contractor required
4. Construction Environmental Management Plan Advice
5. Environmental Health Department Advice
8. Metropolitan Police Advice

Any other informative(s) considered necessary by the Head of Development Decisions.

- 3.7 That, if within three months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. APPLICATION SITE AND SURROUNDINGS

- 4.1 The application seeks permission for development on two linked sites, King David Lane and Juniper Hall.

King David Lane

- 4.2 The King David Lane site is a split level site, comprising land that is currently vacant at street level above a lower level garage court accessed from Redcastle Close, on the edge of the Glamis Estate, adjacent to the junction of King David Lane and The Highway. It is broadly rectangular in shape and occupies an area of approximately 0.12 ha. The lower ground level comprises 16 garages and 4 existing car parking spaces. The top of the garage block is level with the pavement.
- 4.3 A 10 storey building comprising student accommodation lies immediately to the north, facing King David Lane. To the south of the site, and opposite side of the Highway is a range of Victorian buildings. These are built in red/brown brickwork and range in height between three and five storeys with a variety of parapets, pitched and mansard roofs. A Grade II* church is also located directly across the road
- 4.4 To the east of the site lies an existing residential development which forms part of Glamis Estate. The estate is mostly made up of low level residential terraced housing with taller four storey flats along Cable Street and Glamis Road. To the west of the site on the opposite side of the road is King David Lane primary school.
- 4.5 King David Lane has a PTAL of 4 ranging to 5 which means it is highly accessible by public transport with many bus routes serving the Glamis Estate and Shadwell DLR station approximately 90.2 miles and a 3 minute walk. The site is less than 5 minutes walk from Shadwell DLR and over ground station and right next to a bus stop on The Highway with regular buses to the city.
- 4.6 The site does not fall within a Conservation Area although it is adjacent to St Paul's

Conservation Area to the south.

Juniper Hall

- 4.7 Juniper Hall is a part single and part two storey brick building that provides an underused community space on Cable Street. The site adjoins a terrace of houses to the east and is predominantly surrounded by residential development to the west, east and south, with some local shops opposite on Cable Street.

Relevant Planning History

- 4.8 The western part of King David Lane, directly south of the recently completed Unite student building, has no relevant planning history.

King David Lane

- 4.9 Reference number PA/02/69: A planning application was submitted to the Council but subsequently withdrawn in 2003 for the demolition of existing garages and the erection of 2 x 6 bedroom houses.

10 King David Lane (student housing)

- 4.10 Reference number: PA/06/1759: Planning permission was approved on 9 August 2007 for the redevelopment of the site to provide 6-11 storey building comprising 132 bedrooms student accommodation and landscaping.
- 4.11 Reference number PA/11/0004: Planning permission was approved on 17 March 2011 for the temporary change of use of student accommodation (sui generis) to allow occupation by officers.

Juniper Hall

- 4.12 No relevant planning history onsite.

5 DETAILS OF PROPOSAL

King David Lane

- 5.1 Application seeks permission for the demolition of the existing garage court removal of three car parking spaces for the construction of a part four/part ten storey building on the corner of King David Lane and the Highway to provide 37 new residential units (comprising 8 x one bed; 21 x two bed; 7 x three bed; 1 x four 4 bed) and the conversion of Juniper Hall to provide 2 residential units, together with associated works including disabled parking and cycle parking, landscaped public open space and private amenity space.
- 5.2 At lower ground floor level, the development provides 7 car parking spaces (4 disabled and 3 other spaces); refuse storage; plant room and 24 cycle spaces, within an enclosed parking area accessed from Redchurch close to the north of the site.
- 5.3 At ground floor level, the proposal contains 22 cycle spaces; refuse and recycling facilities and an entrance foyer to the main lift core leading to the upper floor flats at the western end of the floor plan. A number of family units with direct access from

street level are proposed, with main entrances set back behind small front gardens adjacent to the highway and with access to private rear gardens.

- 5.4 The residential development would be four storeys in height on the eastern side of the site stepping up to eight storeys with a further two storeys in height set back (providing a ten storey element in total) to the western end of the site. The majority of the building comprises a yellow/brown brick similar to the dwellings on Glamis Estate. The top two storeys of the building comprise of grey metal standing seam cladding. Windows are grouped regularly and have grey metal frames some of which have solid panels of varying colours. The proposed balconies have grey metal screens and glass window panels. The building is broken up by two masses
- 5.5 All residential units would have access to private amenity space. The communal and child playspace is provided at roof level of the four storey eastern element.

Juniper Hall

- 5.6 The proposal involves the conversion of an underutilised community centre to provide two new affordable units within the fabric of the existing building. It would be a part single, part two storey brick building that provides an underutilised community space on Cable Street. private amenity space is provided by way of balconies and 4 bicycle spaces are proposed.

6. POLICY FRAMEWORK

- 6.1 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:

6.2 The London Plan (2011)

- 2.1 London in its global, European and United Kingdom context
- 3.1 Ensuring equal life chances for all
- 3.2 Improving health and addressing health inequalities
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people’s play and informal recreation facilities
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 3.14 Existing housing
- 3.16 Protection and enhancement of social infrastructure
- 3.17 Health and social care facilities
- 3.18 Education facilities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions

5.3	Sustainable design and construction
5.5	Decentralised energy networks
5.6	Decentralised energy networks in development proposals
5.7	Renewable energy
5.8	Innovative energy technologies
5.9	Overheating and cooling
5.10	Urban greening
5.11	Green roofs and development site environs
5.12	Flood Risk Management
5.13	Sustainable drainage
5.14	Water quality and wastewater infrastructure
5.16	Waste self sufficiency
5.17	Waste capacity
5.21	Contaminated land
6.1	Strategic approach
6.2	Providing public transport capacity and safeguarding land for transport
6.4	Enhancing London's transport connectivity
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An Inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.7	Location and design of tall and large buildings
7.8	Heritage assets and archaeology
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.18	Protecting local open space and addressing local deficiency
8.2	Planning Obligations
8.3	Community Infrastructure Levy

6.3 Core Strategy (adopted 2010)

SP1	Refocusing on our town centres
SP02	Urban living for everyone
SP03	Address the impact of noise pollution
SP05	Provide appropriate refuse and recycling facilities
SP07	Support the growth and expansion of further and higher education facilities
SP08	Making connected places
SP10	Protect and enhance heritage assets and their settings; protect amenity and ensure high quality design in general
SP11	Energy and Sustainability
SP12	Delivering Placemaking
SP13	Planning Obligations
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space

HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
OSN2	Open Space

6.4 **Managing Development Document (2013)**

6.5 The Managing Development Document (2013) was formally adopted by full Council on 17 April 2013. There does however remain a 6 week legal challenge period ending 30 May 2013 following adoption. This enables any person to make an application to the high court on the grounds that the MDD is not within the appropriate power and/or procedural requirement has not been complied with.

6.6 The MDD has full weight as part of the Council's Development Plan in determining applications.

Policies:	DM3	Delivering Homes
	DM4	Housing Standards and amenity space
	DM8	Community Infrastructure
	DM9	Improving Air Quality
	DM10	Delivering Open space
	DM11	Living Buildings and Biodiversity
	DM13	Sustainable Drainage
	DM14	Managing Waste
	DM15	Local Job Creation and Investment
	DM17	Local Industrial Locations
	DM20	Supporting a Sustainable Transport Network
	DM21	Sustainable Transport of Freight
	DM22	Parking
	DM23	Streets and Public Realm
	DM24	Place Sensitive Design
	DM25	Amenity
	DM26	Building Heights
	DM27	Heritage and Historic Environment
	DM28	Tall buildings
	DM29	Achieving a Zero-Carbon borough and addressing Climate Change
	DM30	Contaminated Land & Hazardous Installations

6.7 **Supplementary planning documents and guidance**
 London Plan Housing SPG (2012)
 Tower Hamlets Planning Obligations SPD

7 **CONSULTATION**

External consultees

English Heritage (archaeology)

7.1 No comments received.

Transport for London (TfL)

7.2 No objection to the application subject to the following conditions:

- A minimum of one visitor's cycle parking space to be provided at both sites.
- 2 active and 2 passive electric vehicle charging points at King David Lane
- A Construction Management Plan

Section 278 works

A contribution is sought from improvements works to the pavement outside the development at King David Lane.

(OFFICER COMMENT: The applicant would be required to submit for approval by the Local Planning Authority a scheme of highway improvement measures to serve the development. This would be secured by way of condition and implementation controlled through a Section 278 agreement).

NHS Tower Hamlets

- 7.3 A capital contribution of £55,218 should be secured to mitigate against the development.

(OFFICER COMMENT: Planning obligations have been negotiated which partially meet the request for capital contributions)

Metropolitan Police

- 7.4 LBTH Crime Prevention Officer is satisfied that the scheme does not present any security concerns but recommend that a Secure by Design Statement is submitted to the Council for approval prior to the commencement of works onsite.

(Officers comment: Conditions recommended to require Secure by Design Accreditation and details of CCTV, external lighting, boundary treatment to be submitted to the Local Planning Authority).

Internal consultees

LBTH Environmental Health

- 7.5 Noise - The Highway is considered to be one of the noisiest roads in the borough and London and has been highlighted as an area for noise action under the Environmental Noise Directive (END).
- 7.6 The applicant has provided evidence to show how the required level of façade sound insulation might be achieved. The applicant has provided a study that has been prepared for the scheme which includes the testing of an illustrative façade design. The applicant has demonstrated that the building at King David lane could attain a 'good' standard of noise insulation (as defined in BS8233) and therefore they have no objection to the application subject to the following condition which require reasonable levels of noise insulation, including glazing and adequate acoustic ventilation to meet the Council's requirements for good internal living standards.

- 7.7 Ground contamination - The applicant would be required to submit details of contamination on the site prior to the commencement of works onsite.

(Officers comment: The applicant will be required to submit contamination details prior to the commencement of works onsite to ensure that contamination land is properly treated and made safe to protect public health. This would be secured by way of condition).

- 7.8 Air quality - The proposed balconies fronting The Highway may result in direct human exposure to high levels of air pollution and potential associated health impacts. As such, the applicant would be required to submit air pollution mitigation measures for the facades exceeding the Air Quality Objective for nitrogen dioxide to be approved in writing prior to the commencement of development onsite.

(OFFICER COMMENT: The proposed building is mechanically ventilated to minimise sound air pollution, balconies at lower level are protected from air borne pollutants by folding glazed screens. In addition, conditions are recommended to control implementation of road traffic mitigation measures in the design of building facades facing the Highway, assessment of ground contamination, implementation of mitigation measures and implementation of air quality mitigation measures.

LBTH Energy and Sustainability

- 7.9 The Energy and Sustainability Strategies are considered to be acceptable subject to the following conditions:

- A heat network supplying all spaces within the King David Lane development shall be installed and sized to the space heating and domestic hot water requirements of the Development
- A photovoltaic panel array with a minimum peak output of 3.75kWp shall be installed on the Juniper Hall (Cable Street) development prior occupation.
- A photovoltaic panel array with a minimum peak output of 3.75kWp shall be installed and operational on the King David Lane Development prior to occupation
- Within 3 months of the first occupation of the residential units of the development hereby approved, the applicant shall submit the Final Code for Sustainable Homes Certificate to demonstrate the development the development achieves a minimum 'Code Level 4' rating which shall be verified by the awarding body

OFFICER COMMENT: Conditions are recommended to control the above matters)

LBTH Transportation and Highways

- 7.10 The proposed development is acceptable subject to the following condition and S106 head of terms:

A Construction Management Plan shall be submitted and approved to the Local Planning Authority

- 7.11 An agreement to prevent future occupiers from applying for on street car parking permits would be required for all new residential units at both sides.
- 7.12 The applicant would be required to enter into a Section 278 Agreement (highway improvement works).

(Officers comment: The applicant would be required to submit details of highway improvement works to be agreed in writing by the Local Planning Authority. This would be secured by way of condition and implemented through a Section 278 Agreement. The applicant has agreed to enter into a car free agreement).

LBTH Directorate of Communities, Localities and Culture (CLC)

- 7.13 There will be an increase in the permanent population generated by the development estimated to be around 84 new residents within both sites; which will increase demand on community, cultural and leisure facilities. The request for financial contributions are supported by the Planning Obligations Supplementary Planning Document (SPD). Appendix 1 of the Planning Obligations SPD outlines the Occupancy rates and employment yields for new development:

- a): £10,471 towards Idea Stores, libraries and archives
- b): £32,176 towards leisure facilities
- c): £66,685 towards open space
- d): £1,259 towards Smarter Travel Plan
- e) £73,536 towards Public realm improvements

(OFFICER COMMENT: Planning obligations have been negotiated to mitigate the impacts of the development as set out in Section 9 of this report)

LBTH Enterprise and Employment

- 7.14 The developer should exercise best endeavours to ensure than 20% of the construction phase workforce will be local residents of Tower Hamlets. LBTH Enterprise & Employment team will support the developer in achieving this target through providing g suitable candidates through Skillsmatch Construction Services.
- 7.15 To ensure local businesses benefit from this development, the applicant expects that 20% goods/services procured during the construction phase should be supplied by businesses in Tower Hamlets. The applicant would support the developer in achieving this target through inter-alia identifying suitable companies through east London Business Place.
- 7.16 The Council will seek to secure a financial contribution of £7,075 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development.

(OFFICER COMMENT: The approach to negotiating planning obligations necessary to mitigate the impacts of the development is set out in Section 9 of the report).

8. LOCAL REPRESENTATION

- 8.1 A total of 800 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The applicants also held a public consultation

No. of individual responses: 21 Objecting: 19 Supporting: 0

No of petitions: 2 91 signatures
In total - objecting

- 8.2 The following issues have been raised which are material to the determination of the application:

The ground floor of the tower section is underutilised by having a high entrance hall. This space should be used for extra housing

- The 'right of way' between the proposed development at King David Lane and the adjoining student development has been removed
- The proposal would promote anti- social behaviour
- King David Lane application would remove the existing emergency appliances turnaround for fire truck vehicles
- The proposal would result in the loss of privacy to surrounding properties
- The noise from the highway would have a detrimental impact on future occupiers
- The proposal would result in undue loss of daylight to surrounding properties
- The fact that there is a covenant relevant to this estate relating to any such building work being carried out seems to be overlooked.
- The student hostel was built to ten storeys ignoring the element of light and air which in this case would be noticeable.
- The historic right of way between the new building and John Bell House student block has been removed despite requests from residents.
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- 8.3 All representations received are available to view at the committee meeting upon request. The response to concerns raised by local representation is set out within the relevant material considerations section of the report.

9. MATERIAL PLANNING CONSIDERATIONS

- 9.1 The main planning issues raised by the application are as follows:

1. Land use
2. Density
3. Housing mix and quality
2. Design and layout
4. Amenity
- 5:Transport
6. Sustainability and Energy efficiency
7. Planning Obligations

Land Use

- 9.1 The main land use issues to consider are as follows:

- The acceptability of residential use on site at King David Lane

Proposed residential development

- 9.2 At National level, the National Planning Policy Framework 2012 (NPPF) promotes a presumption in favour of sustainable development, through the effective use of land driven by a plan-led system, to ensure the delivery of sustainable economic, social and environment benefits. The NPPF promotes the efficient use of land with high density and encourages the use of previously developed, vacant and underutilised sites to achieve National housing targets.
- 9.3 The Council's Core Strategy (2010) does not specifically identify the site within its 'Placemaking' Strategy and the Managing Development Document (2013) does not identify the site within its site allocations. However, the wider Glamis Estate lies within the Shadwell area in the Core Strategy (2010), which is projected to experience high residential growth, between 401 and 1000 units, net additional new homes over the period 2010-2015.
- 9.4 Shadwell is predominantly residential in character. This site is located within the Glamis Estate adjacent to a primary school and within a short walk of another primary school, two secondary schools and a sports academy on the north side of the railway line.
- 9.5 The site is currently an under utilised site with good access to public transport facilities and local services. It is considered that redeveloping this site would act as a catalyst for regeneration for the site in accordance with the Core Strategy and contribute to wider estate regeneration objectives. Moreover, the subject proposal would make the most efficient use of the land and bring forward sustainable development which responds to its context and doesn't result in overdevelopment of the site. Furthermore, this subject proposal would help address the great requirement for social rented housing which is a priority focus for the borough.
- 9.6 The proposal complies with National Planning Policy Framework (NPPF); policy SP02 and the vision for Shadwell identified in the Core Strategy (2010) which seek to ensure developments are sustainable and make the most efficient use of land.

The loss of the Community use at Juniper Hall

- 9.7 The Managing Development Document (2013) policy DM8.3 states that the loss of a community facility will only be considered if it can be demonstrated that there is no longer a need for the facility and the building is no longer suitable.
- 9.8 Juniper hall is a part single and part two storey brick building that provides an underused community space on Cable Street. This is partly because it offers only a small space and therefore does not function well as a community facility. The applicant has advised that Juniper Hall has been empty for a number of years prior to which it hosted a bridge club once a week. A larger, better equipped community facility at GlamisHall, is provided some 100 metres to the west. A sum of £15,000 has been ring fenced towards the upgrade of Glamis Estate community hall as part of the estate regeneration works on the estate.
- 9.9 The proposed conversion to two residential units would be acceptable in planning terms and the site is appropriate for residential development given the predominantly residential character of the area.

Conclusion on land use matters

- 9.10 The proposal would deliver sustainable regeneration of the area and make the most efficient use of this land.

Density

- 9.11 The NPPF identifies as a core planning principle the need to encourage the effective use of land through the reuse of suitably located previously developed land and buildings.
- 9.12 Policy SP02 of the Core Strategy (2010) seeks to ensure new housing developments optimise the use of land by corresponding the distribution and density levels of housing to public transport accessibility levels and the wider accessibility of that location.
- 9.13 The King David Lane site falls within the range of PTAL 4-5. Table 3A.2 of the London Plan (2011) suggests a density of 200-700 habitable rooms per hectare (hrph) in an urban area for sites with a PTAL range of 5. The scheme is proposing 963 habitable rooms per hectare and would therefore exceed the GLA guidance for sites with a PTAL rating of 4-5. However, the Glamis Estate was built to a much lower residential density. If the scheme is taken in context of the wider Glamis Estate, the overall density would be 462hrph, which would be well within the density range set out in the London Plan and Core Strategy.
- 9.14 The London Housing SPG notes that the density matrix within the London Plan and Council's Core Strategy is a guide to development and is part of the intent to maximise the potential of sites, taking into account the local context, design principles, as well as public transport provision. Moreover, it should be remembered that density only serves an indication of the likely impact of development.
- 9.15 Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Loss of privacy and outlook;
 - Small unit sizes
 - Lack of appropriate amenity space;
 - Increased sense of enclosure;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure
- 9.16 On review of the above issues later in this report, officers are satisfied that the proposal does not present any of the symptoms associated with overdevelopment. The density is considered acceptable primarily for the following reasons:
- The proposal is of a high design quality and responds appropriately to its context.
 - The proposal is not considered to result in adverse symptoms of overdevelopment that cannot be mitigated against through financial obligations.
 - The provision of the required housing mix, including dwelling size and type and affordable housing is acceptable.
 - A number of obligations for affordable housing, health, community facilities, education, have been agreed to mitigate any potential impacts on local services and infrastructure within the constraints of the viability of the scheme.
 - Ways to improve the use of sustainable forms of transport would be provided

through a travel plan. This would be secured in the S106 Agreement.

Conclusion

- 9.17 Officers consider that scheme does not demonstrate many of the problems that a typically associated with overdevelopment.

Housing mix and quality

Affordable housing

- 9.18 The draft National Planning Policy Framework notes that : *“where affordable housing is required, (local authorities should) set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities”*.
- 9.19 Policy 3.11 of the London Plan (2011) seeks the maximum reasonable amount of affordable housing, and to ensure that 60% is social housing and 40% is intermediate housing. Policy 3.9 seeks to promote mixed and balanced communities, with a mixed balance of tenures.
- 9.20 Policy 3.12 London Plan (2011) seeks to ensure the maximum provision of affordable housing is secured but does not set out a strategic target for affordable housing and notes that “ boroughs should take into account economic viability and the most effective use”.
- 9.21 Policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development Document (2013) confirms the Council’s approach to seek 35% to 50% affordable housing through a variety of sources, subject to viability, with a 70:30 split between social/affordable rent and intermediate tenures.
- 9.22 The proposed new development at King David Lane will provide a total of 37 units; 26 private (75 habitable rooms) and 11 affordable homes (40 habitable rooms). The proposed development at Juniper Hall would provide two affordable units. The combined proposals at King David Lane and Juniper Hall achieves 37% affordable housing calculated by habitable room, exceeding the Core Strategy minimum target of 35% and is therefore supported by officers.
- 9.23 Eastend Homes and its developer partner Telford Homes have been successful in securing grant funding to deliver 37% of the total new housing provision as affordable units, to be provided at Target Social Rent.

Tenure type of affordable housing provision

- 9.24 The proposal makes provision for 8 social rent units and 3 intermediate units.
- 9.25 The following Table 2 summaries the affordable rented / intermediate split proposed against the London Plan and Core Strategy (2010).

Tenure	The Proposal	CS 2010	London Plan
Social –Rent	77%	70%	60%
Intermediate	23%	30%	40%
Total	100%	100%	100%

Table 1: *Tenure split*

9.26 As it can be seen from the table above, there has been a change in the policy position in relation to tenure split over time. The table illustrates that the scheme would provide 77% social rent and 23% intermediate units in accordance with Council policy. Whilst it is acknowledged that the proposed mix is not strictly in accordance with the London Plan policy, it would meet local affordability criteria and is considered acceptable given that overall the Council is securing 37% affordable housing with a high percentage of social rented housing which is of the greater demand within the borough.

9.27 The composition of affordable housing has to be assessed in terms of what is appropriate and deliverable on this site, within the context of the local planning guidance, local housing priorities and available funding. It is within this specific context that this proposal is considered acceptable and therefore recommended for approval. In addition, Officers consider that the applicant's proposal to provide 35% affordable housing by habitable rooms would ensure that affordable housing would be delivered in line with housing needs of the borough.

Housing Mix

9.28 Pursuant to policy 3.8 of the London Plan (2011), the development should offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation.

9.29 Policy SP02 of the Core Strategy (2010) seek to create mixed use communities. A mix of tenures and unit sizes assists in achieving these aims. It requires an overall target of 30% of all new housing to be suitable for families (3 bed plus), including 45% of new affordable rented homes to be for families.

9.30 Policy DM3 (part 7) of the Managing Development Document (2013) requires a balance of housing types including family homes and details the mix of units required in all tenures. With specific reference to family sized accommodation, a development should make provision for 20% family units within the market tenure, 25% within the intermediate tenure and 45% within the social rented tenure.

9.31 The scheme is proposing a total of 39 residential units. The dwelling and tenure mix for the two sites across King David Lane & Juniper Hall set out below:

Affordable Housing										Private Housing		
Unit size	Total Unit	Affordable Rent		Social Rent			Intermediate			Market Sale		
		Unit	%	Unit	%	LBTH target	Unit	%	LBTH target	Unit	%	LBTH Target %
Studio	0	0	0	0	0	0	0	0	0	0	0	0
1bed	8	0	0	1	10	30%	0	0	25%	7	27	50%
2bed	23	0	0	5	50	25%	3	100	50%	15	58	330%
3bed	7	0	0	3	30	30%	0	0	25%	4	15	20%
4bed	1	0	0	1	10	15%	0	0		0		
Total	39	0	0	10	0	100	3	100	100	26	100	100

Table 3: Proposed dwelling and tenure mix

9.32 As the table illustrates above, the proposed new residential mix would comprise of 39 units in total; 37 at the King David Lane site and 2 at the Juniper hall site. There would be 8 family (three and four bedroom) units in total.

9.33 The scheme makes provision for 40% family housing within the social rented tenure. The scheme does make provision for 15% family units within the market tenure, but none within the intermediate tenure. Overall, the scheme makes provision for 21% family housing. Whilst the proposal does not make provision for family accommodation across all tenures, there is a focus of family accommodation within the social rented units which are of greatest demand in the borough.

9.34 The proposal would provide a broadly acceptable mix of housing and would contribute towards delivering mixed and balanced communities across the wider area. Furthermore, the emphasis on the provision of family housing within the affordable rented tenure is welcomed and supported by the Council's affordable housing team.

9.35 In conclusion the development would provide an acceptable mix in compliance with policy 3.8 of the London Plan (2011), policy SP02 of the CS and policy DM3 of the Managing Development Document (2013) which seek to ensure developments provide an appropriate mix to meet the needs of the Borough.

Wheelchair housing and lifetime homes

9.36 SP02 of the Core Strategy (2010) requires housing to be designed to Lifetime Homes Standards including 10% of all housing to be designed to a wheelchair accessible or "easily adaptable" standard. The applicant proposes to deliver 6 wheelchair accessible units (4 for rent and 2 shared ownership). This equates to 15% which is in excess of the Council's minimum target of 10% and is therefore acceptable.

9.37 Should planning permission be approved, appropriate conditions should be attached to secure the delivery of accessible residential units and parking spaces.

Residential quality

- 9.38 The submitted plans demonstrate that the applicant has met all of the internal space standards set out within the London Housing SPG and Managing Development Document.
- 9.39 The London Plan Housing SPG notes that a home with opening windows on at least two sides has many inherent benefits such as better daylight, a greater chance of direct sunlight for longer periods, natural cross ventilation and greater flexibility in the use of rooms including future adaptability. Where possible the provision of dual aspect dwellings should be maximised in a development proposal. The SPG states in its policy that north facing single aspect homes or three or more bedrooms single aspect homes should be avoided.
- 9.40 The proposed floor plans show that 23 of the proposed of the proposed flats at King David Lane would be dual aspect. There are 14 single aspect units of which 7 are south facing onto The Highway. All habitable rooms facing The Highway would be fitted with acoustically upgraded glazing to achieve to achieve the appropriate noise levels in those rooms. Recessed balconies provide a buffer between the noise levels in those rooms. Recessed balconies provide a buffer between the noise and the habitable spaces to most units. The building is mechanically ventilated to minimise sound and air pollution, balconies at lower level are protected from air bourne pollutants by folding glazed screens. There would be no north facing flats or single aspect family dwellings.
- 9.41 Both flats proposed Juniper Hall would be dual aspect and have good access to daylight and sunlight.
- 9.42 In terms of daylight and sunlight received by occupiers of the proposed dwellings, the assessment shows that the ADF levels (daylight) are up to 97% meet BRE, while it meets up to 100% with balconies removed. The levels of daylight and sunlight that will be experienced across the proposed residential accommodation in the development are considered to be high, particularly for a development within a relatively built up, high density urban location.
- 9.43 Overall officers are satisfied that the proposed development would offer a high quality of residential accommodation, in line with the NPPF, London Plan and Tower Hamlets LDF policies.

Conclusion on housing matters

- 9.46 The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal offers a suitable range of housing choices.

Design

- 9.47 The NPPF promotes high quality design and inclusive design for all development, optimising the potential of sites to accommodate development, whilst responding to local character.
- 9.48 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the pattern and grain of the existing spaces on streets. Policy 7.6 seeks highest architectural quality, enhanced public realm, materials that complement the local character, quality adoptable space, optimising the potential of the site.

- 9.49 Core Strategy policy SP10 and policy DM23 & DM24 of the Managing Development Document (2013) seeks to ensure that all new developments are sensitive to the character of their surroundings in terms of design, bulk, scale and seek to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.

Height and massing- King David Lane

- 9.50 The building is arranged as two elements, a taller element on the corner of King David Lane and The Highway proposed as 10 storeys with a lower four storey block. Both blocks sit on a semi basement area, which provides ancillary/service accommodation to the building and is accessed from the lower Redcastle Close behind.

The lower level block would be four storeys in height which would relate well to the adjoining properties to the east – a terrace of 2 storey properties and to the dwellings to the north which are 2-8 storeys.

- 9.51 The taller ‘tower’ element is 29 metres in height which marginally exceeds the height of the student accommodation to the north which measures approximately 26 metres in height. However, given that it is located on the corner site, the proposed height is considered acceptable. In addition, the set back of the top two floors would have the added benefit of reducing overall massing and add to its visual interest.

- 9.52 Overall the approach to massing and height would provide an effective transition between the lower rise properties on Glamis Estate and the larger scale student housing block, Furthermore the location of the site adjacent to The Highway would allow for a larger scale of development than would have been expected for a site set further back within the central part of the estate.

- 9.53 The majority of the proposed building would be a yellow brick, similar to many of the existing buildings on opposite side of The Highway reflect its status on this prominent corner site whilst also fitting within the context of the streetscene and with reference to the listed buildings on the opposite side of The Highway within the Conservation Area. The windows are formed in regular patterns and framed in red metal, some of which have solid panels of varying colours to reflect the colours of brickwork and foliage in the immediate surroundings. The balconies have glass balustrades and large picture windows which are of high design quality

- 9.54 The applicant has provided a view’s analysis of the development from various points along The Highway and King David Lane which demonstrates that the proposed height, massing and materials are appropriate for this site. The building does not have an adverse visual impact on the setting of the Grade II* Church across the road on the Highway. The proposed design of the main elevations and the use of facing materials including yellow brickwork would ensure that the development would respond well to the listed buildings and on the St Paul’s Church Rectory building at 298 The Highway (Grade II), St Paul’s Church House (Grade II).

Height, mass, scale & materials- Juniper Hall

- 9.55 The proposals at Juniper hall provide two new affordable units within the fabric of the existing building and the scale and massing would not change. The external appearance of the building would remain unchanged.

Safety and security

- 9.56 The proposed development has been reviewed by the Metropolitan police who note are satisfied that the development does not present obvious concerns around safety or anti social behaviour. The applicant would be required to submit a Secure by Design statement to be submitted and approved in writing by the Local Planning Authority in writing. this would be secured by way of condition,.

Conclusion on design matters

- 9.57 The design and use of materials sensitively responds to the adjacent buildings as well as in context with the conservation area and listed buildings on the opposite side of The Highway.
- 9.58 The building height, scale, bulk and design is acceptable as proposal would create a sustainable, accessible, attractive development which is well integrated into its surroundings in accordance with regional and local policy.

Effect on residential amenity

- 9.59 Policy SP10(4) of the adopted Core Strategy (2010) & policy DM25 of the Managing Development Document (2013) require development to protect and where possible improve the amenity of surrounding existing and future residents and building occupants, as well as protect the amenity of the surrounding public realm. Residential amenity includes such factors as a resident's access to daylight and sunlight, microclimate, outlook, privacy and a lack of disturbance through noise and vibration.

Daylight and sunlight

- 9.60 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 9.61 Policy DM25 of the Managing Development Document (2013) with modifications seeks to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.
- 9.62 For calculating daylight to neighbouring properties affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment together with no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 9.63 The submitted daylight and sunlight report assesses the impact of the proposed development upon neighbouring properties.
- 9.64 The following surrounding residential properties were assessed:

: 288-290 The Highway
: 292 The Highway
294-296 The Highway
302 The Highway
1-12 Redcastle Close
16 Redcastle Close
14 King David Lane
2-22 Tarbert Walk

- 9.65 The daylight and sunlight assessment shows that there are isolated instances of VSC reduction of greater than 20% and which result in a VSC of less than the recommended 27%. This level of impact is considered to be significant and noticeable by the BRE guidelines. Overall 32 of the 123 windows tested would experience losses of VSC in excess of 20% and have a resulting VSC of less than 27%. This would be equivalent to 26% of the total windows tested. The majority of these fall marginally below the BRE guidance and given the urban context of the site, it is considered acceptable as confirmed by the Councils Environment Health Officer.
- 9.66 The assessment shows a significant and noticeable impact the proposal made on 2 Tallbert Walk in terms of daylight levels received by a south facing window at ground floor which lights an open plan kitchen and dining/living area. However, there is an additional east facing window to this room, facing into the rear garden of the property. Given that the room is dual aspect, the reduction in daylight would not be significant.

LBTH Environment Health have reviewed the report and noted that the retained VSC level would be reasonable for an urban location and is not significant enough to warrant a refusal.

- 9.67 In terms of the impact the proposal has on daylight levels to the student accommodation at 14 King David Lane, the majority of windows would comply with the BRE guidelines although there would be windows on the rear elevation at lower levels that would experience noticeable reductions in daylight and sunlight. Given this is purpose built student accommodation and is therefore not the permanent residential address of its occupiers, the effect of the development is considered acceptable.

Sunlighting

- 9.68 Sunlight is assessed through the calculation of the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for windows within 90 degrees of due south. The results of the sunlight analysis demonstrate that the majority of windows assessed comply with the BRE guidelines. There are some windows which do not achieve BRE guidelines, however as noted by the Councils Environment Health Officer, the degree of non compliance is not significant and given the urban context of the site, a reason for refusal could not be sustained on this ground.

Overshadowing

- 9.69 The submitted Daylight and Sunlight Assessment includes an overshadowing assessment. It demonstrates the extent of permanent overshadowing that would arise from the proposed development. The proposal would not result in any material detrimental impact on existing neighbouring amenity or result in unacceptable levels of overshadowing on the proposed communal and child playspace. This has been achieved through good design, focussing the tallest element of the development adjacent to the existing tall student accommodation.

Sense of enclosure, outlook and privacy

- 9.70 Unlike sunlight and daylight assessments, these impacts cannot be readily assessed in terms of a percentage. Rather it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Notwithstanding, it is considered by officers, that, given the siting, location and orientation of the proposed buildings and its relationship to surrounding properties to the east and north, it is not

considered that the proposals would result in an unacceptable sense of enclosure or loss of privacy to neighbouring buildings or to the development itself.

- 9.71 In terms of privacy, there is limited direct overlooking from property to property. With specific reference to no 2 Talbert Walk, it is recommended that windows directly facing no 2 Talbert Walk should be obscured. This is to ensure privacy of existing residents is not compromised by the development.

Conclusion on amenity matters

- 9.72 Environment Health indicates that the overall picture shows a very limited impact on surrounding properties and does not object on amenity grounds. The proportion of properties affected and the level of any losses in excess of BRE guidelines is considered to be relatively low particularly in an urban context, therefore the proposed development is considered to comply with Core Strategy policy SP10 and policy DM25 of the Managing Development Document (2013) which seeks to protect amenity by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development..

Noise

- 9.73 Chapter 11 of the NPPF gives guidance for assessing the impact of noise. The document states that planning decisions should avoid noise giving rise to adverse impacts on health and quality of life, mitigate and reduce impacts arising from noise and protect areas of tranquillity which have remained relatively undisturbed and are prized for their recreational and amenity value for this reason. Policy 7.15 of the London Plan (2011) sets out guidance in relation to noise for new developments and in terms of local policies and policies SP03 and SP10 of the Core Strategy (2010) & policy DM25 of the Managing Development Document (2013) seek to minimise the adverse effects of noise.
- 9.74 The development is sufficiently set back from The Highway. At ground floor level, the affordable units have private amenity space which separates The Highway from the residential block. The vast majority of the units are dual aspect and therefore many habitable rooms do not front onto The Highway. Seven single aspect units front The Highway. Habitable rooms facing the main road would be fitted with acoustically upgraded glazing to achieve the appropriate noise levels in those rooms. In addition, recessed balconies provide a buffer between the noise and the habitable spaces to most units. The building is mechanically ventilated to minimise sound and air pollution, balconies at lower level are protected from air borne pollutants by folding glazed screens.
- 9.75 The noise assessment submitted was reviewed by the Councils Environment Health officer who is of the opinion that the development can achieve 'good standard' of BS8233 'Good internal noise design standard'. Conditions are recommended to require reasonable levels of noise insulation, including glazing and adequate acoustic ventilation to meet our requirements, for a good internal living standard.
- 9.76 Conditions are also recommended whilst restrict construction hours and noise emissions and requesting the submission of a Construction Management Plan which will further assist in ensuring noise reductions.
- 9.78 Therefore subject to conditions it is considered that the proposed development would comply with policy 7.15 of the London Plan, policies SP03 & SP10 of the Core Strategy

and policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise minimising the existing potential adverse impact and separate sensitive development from major noise sources and the NPPF.

OPEN SPACE PROVISION

Communal and Private amenity space

- 9.79 Policy DM4 of the Managing Development Document (2013) sets out standards for new housing developments with relation to private and communal amenity space. These standards are in line with the Mayor's Housing Design Guide (2010) recommending that a minimum of 5 sqm of private outdoor space is provided for 1-2 person dwellings and an extra 1 sqm provided for each additional occupant.
- 9.80 The proposal would provide private amenity space in the form of balconies, terraces and/or private gardens. The total policy requirement for private amenity space arising from the mix of dwellings proposed would be 252sqm and the total proposed amount is 397 sqm. As such, the proposal exceeds the requirement by 163 sqm which is supported by officers.
- 9.81 With reference to communal amenity space, the Council's policy DM4 states that communal amenity space should be calculated on the basis of:
- "50 sqm for the first 10 units, plus a further 5sqm for every 5 additional units thereafter".
- 9.82 The scheme should provide 50 sqm for the first ten units and then a further 30 sqm for the remaining 27 units at the King David Lane site. Therefore a total of 75 sqm of communal amenity space is required for the scheme. The development provides well in excess of this amount of communal amenity space in the form of a landscaped roof garden of 304sqm at the top of the four storey element of the proposed building at King David Lane, Communal open space within the site boundary would not be required to serve the two additional units at Juniper Hall, although the total provision would exceed that required in aggregate.
- 9.83 In addition, Eastend Homes will be carrying out estate improvement works and have agreed to include public open space improvements to the equivalent value of the usual contribution as calculated by the Planning Obligations SPD. In this respect, an analysis of the current provision of open space and the requirements following development of the sites has been carried out. This shows that there is a total of approximately 5, 781 sqm of existing green space on the estate and as such, the estate with the new development continues to provide sufficient open space to accommodate the increase in demand arising from the proposed development.

	Scheme proposals	LBTH and the London minimum requirement	Variance (+ or -)
Private amenity space (both sites)	397 sqm	252 sqm	+ 145 sqm
Communal amenity space (King David Lane)	304sqm	80 sqm	+ 224sqm
Total	7001sqm	332 sqm	369sqm

9.84 In addition, there are public realm improvements to the north of the proposed King David Lane site within the red line boundary. These are a mix of hard and soft landscaping works which include new shared surface in block paving; cast stone steps, raised planted area and block paved garden space with raised planting beds and boundary hedge. This adds to the overall design quality of the scheme.

Child playspace

8.85 Planning Policy Statement 3 sets out the importance of integrating play and informal recreation in planning for mixed communities.

8.86 Policy 3.6 of the London Plan (2011), policy SP02 of the Core Strategy (2010) and policy DM4 of the Managing Development Document (2013) requires the provision of new appropriate play space within new residential development. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor’s SPG on ‘Providing for children and young people’s play and informal recreation’ (which sets a benchmark of 10sqm of useable child plays pace per child).

9.87 Using LBTH child yield calculations and based on the overall submitted unit mix, the overall development is anticipated to accommodate 17 children and accordingly the development should provide a minimum of 164 sq.m of play space in accordance with the London Plan and the emerging Managing Development Document standard of 10 sqm per child. Children’s play space is provided for 0-3 year olds at roof level at King David lane which results in the development delivering 66 sqm of dedicated child playspace, resulting in under provision of 69 sqm for the 4-10 year olds and 29 sqm for the 11-15 year olds onsite.

	Child yield	Provided on site (sqm)	Policy requirement (sqm)	Plus or minus
Under 3’S provision	6.6 (7)	66	66	0
4-10 years provision	6.9 (7)	0	69	-69
11-15 years provision	2.9 (3)	0	29	-29
TOTAL	17	66	164	-98

9.88 The roof top/amenity area has a total area of 280 sqm. The development requires a total of 80 sqm of communal space and a total of 164 sqm of play space. Whilst the plans only show dedicated playspace for the 0-3 age cohort, the roof area in numerical terms would achieve the total policy requirement for communal open space and playspace for the scheme within its site boundary.

9.89 Whilst purpose built child playspace for all groups is not proposed on site, here is an adventure play area adjacent to the estate on Glamis Road. This is located within 5 minute (400 m) walking distance from the site.

9.90 As such, given the on-site provision of children’s play space and adjacent playable soft landscaped area and availability of public play space within Glamis Estate and nearby park your officers are satisfied that the proposed development will have a beneficial impact on play space in the local area. The applicant has taken the view to nominate a

toddler play area on the roof garden and assume that the older children will play elsewhere on the estate and the local area.

A condition has been suggested requiring the submission of details of accessible play equipment.

Conclusion on amenity space matters

- 9.91 The provision of private, communal open space and child playspace is acceptable in accordance with relevant policy.

TRANSPORT AND ACCESS

- 9.92 The NPPF and policy 6.1 of the London Plan 2011 seek to promote sustainable modes of transport and accessibility and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within the relative capacity of the existing network.
- 8.92 CS Policy SP08 & SP09 and Policy DM20 of the Managing Development Document (2013) together seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.

As detailed earlier in this report, the site has a good public transport accessibility level (PTAL) of 4 (1 being poor and 6 being excellent).

Highways

- 9.93 A trip generation assessment has been carried out to assess the change in trip attraction of the site under the development proposals. The traffic impact of the development is expected to be minimal and insignificant on the adjoining highways.

Loss of garages

- 9.94 The applicant has advised that the garages onsite have been vacant of many years. They were formally used as private domestic garages operated by Eastend Homes and rented to occupiers on Glamis Estate. As they have been vacant for many years the demolition of these garages are not of concern to Officers and no objections from local residents have been received on this matter.

Servicing and Refuse

- 9.95 Both refuse and recycling storage would take place onstreet. Two refuse storage areas have been proposed at King David Lane. These can be accessed from King David Lane for the ground floor store and via Redcastle Close for the lower ground floor store. The applicant has identified the single yellow line on King David Lane as a suitable area for refuse vehicles. The carriageway is wide enough to maintain free flow of traffic while refuse collection operations are taking place. The applicant has also submitted a swept path analysis to demonstrate that a refuse vehicle can access and exit the site via Redcastle Close in forward gear.
- 9.96 Full details of the waste, refuse and recycling would also be managed and co-ordinated through a Delivery & Servicing Plan (DSP) to be prepared and submitted prior to occupation. The servicing and waste collections arrangements are acceptable with

operations taking place off the public highway within the existing Lanark Square courtyard ensuring compliance with London Plan Policy 6.13 and Core Strategy Policy DEV17, which states that developments need to provide adequate servicing and appropriate circulation routes.

- 9.97 Local residents raised concerns on the accessibility of an emergency fire truck to the site. LBTH Highways have reviewed the details submitted for assessment and are satisfied that an emergency fire truck could successfully manoeuvre into and out of the site in a forward gear.

Car parking

- 9.98 Policies 6.13 of the London Plan, Policy SP09 of the Core Strategy and Policy DM22 of the Managing Development Document (2013) seek to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision and refers to the parking standards set out in appendix 2 for the provision of parking for different types of development. As the site of a PTAL rating of 4-5, the following table sets out the policy requirement of sites with PTAL levels of 4 and 5.

9.99

<u>Location</u>	<u>Less than 3 bedroom units</u>	<u>3 bedroom plus units</u>
<u>PTAL 3-4</u>	<u>0.3</u>	<u>0.4</u>
<u>PTAL 5-6b</u>	<u>0.1</u>	<u>0.2</u>

- 9.100 Based on the above, sites with a PTAL of 4 can make provision for 5 spaces and sites with a PTAL of 5 should make provision for 12 parking spaces; In terms of accessible car parking, the proposal should make provision for 2 spaces or 10% of the total parking (whichever is the greatest).
- 9.101 The proposal would result in the loss of three existing car parking spaces and the introduction of 7 new car parking spaces on the lower ground floor at King David Lane; 4 of which are accessible parking spaces. It should be noted that the building will be constructed over three existing estate car parking bays and therefore the 3 regular parking spaces proposed will not result in a net increase in parking spaces and in accordance with policy. It should be noted that the building will be constructed over three existing estate car parking bays. The swept path analysis of a 4.3m long car shows there is sufficient room for cars to enter and exit the car park in forward gear. The dimensions for the parking bays is 2.5m x 5.0m with the accessible bays being 3.75m wide which meets the Councils standards.
- 9.102 The application proposes a 'car free' agreement which would prevent residents from applying for car parking spaces onsite. However, should the future occupants be relocated from existing social housing within the borough, they would benefit from the Council's Permit Transfer Scheme which allows the transfer of existing parking permits to new housing within the borough boundary.
- 9.103 Officers are of the view that the proposed car parking onsite is considered acceptable. It will serve to meet the demands of the proposed development, whilst not causing detriment to the free flow of traffic on the surrounding highway network and accordingly complies with policies 6.13 of the London Plan; policy SP09 of the Core Strategy (2010) and policy DM22 of the Managing Development Document (2013) which seeks to encourage sustainable non-car modes of transport and to limit car use by restricting car parking provision.

Cycle parking

- 9.104 Policy 6.1 of the London Plan (2011) seek to promote sustainable modes of transport and reduce the need to travel by car. Policy 6.3 also requires transport demand generated by new development to be within capacity.
- 9.105 Core Strategy policy SP08 & SP09 and policy DM20 of the Managing Development Document (2013) seek to deliver accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on the safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.
- 9.106 The scheme will accommodate cycle parking to the Council's standards and the mayor's standards within table 6.3 of the London Plan (2011) and the London Housing Design Guide (Interim edition 2010). For the King David Lane site, a total of fifty two cycle spaces are proposed, twenty two spaces proposed at lower ground level. Twelve Sheffield stands would provide capacity for 24 bicycles are proposed at lower ground floor. The ground floor cycle store would hold 22 cycles using the wall mounted vertically hung system. This provision is supported by Officers.
- 9.107 At Juniper Hall, there is now a provision for dedicated and secure cycle storage with a single Sheffield stand to provide one cycle space for each of the two new dwellings.

Inclusive access

- 9.108 Policy 7.2 of the London Plan (2011), policy SP10 of the Core Strategy and policy DM23 of the Managing Development document (2013) seek to ensure that developments are accessible, usable and permeable for all users and that a development can be used easily by as many people as possible without undue effort, separation or special treatment.
- 9.109 There is an existing large level change between The Highway and Redcastle Close making a ramp inappropriate due to its length a stepped access is provided to the east of the site. The lower ground level is also accessed by a lift. The existing level access between Redcastle Close and The Highway via Juniper Street has been replaced with new access that is wheelchair accessible.
- 9.110 Local residents raised concern with regard to the 'right of way' between the proposed development at King David Lane and the adjoining student development has been removed.
Officers note that this access does not exist at present and previously the site was occupied by garages. In addition the site has been hoarded for at least the last 5 years. The proposed development does not remove any pedestrian access but proposes a new pedestrian access directly between the courtyard area (Redcastle Close) onto the pavement of The Highway and to the nearest bus stop. This new pedestrian access is generous in width and of a high quality and is just 20 metres from the route of the existing pedestrian access. There are also enhancements being made to the quality of the route to the north of the site where step free access is provided from Redcastle Close to Juniper Street and onto King David Lane.

Conclusion on transport/highway matters

- 9.112 Subject to conditions and appropriate S106 contributions, transport matters, including vehicular and cycle parking, vehicular and pedestrian access are acceptable and the proposal should not have a detrimental impact on the public highway.

Energy efficiency & sustainability

- 9.113 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in Chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the Managing Development DPD Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 9.113 The London Plan sets out the Mayor's energy hierarchy which is for development to be designed to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 9.114 The Managing Development 'Development Plan Document' Policy DM29 includes the target to achieve a minimum 35% reduction in CO₂ emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy. Policy DM 29 also requires sustainable design assessment tools to be used to ensure the development has maximised use of climate change mitigation measures. At present the current interpretation of this policy is to require all residential developments to achieve a minimum Code for Sustainable Homes Level 4 rating.
- 9.115 Policy SO3 of the Core Strategy (2010) seeks to incorporate the principle of sustainable development, including limiting carbon emissions from development, delivering decentralised energy and renewable energy technologies and minimising the use of natural resources. The London Borough of Tower Hamlets Core Strategy Policy SP11 requires all new developments to provide a reduction of carbon dioxide emissions through on-site renewable energy generation.
- 9.116 The Energy Statement, follows the Mayor's energy hierarchy as detailed above. The development would make use of energy efficiency and passive measures to reduce energy demand (Be Lean). The integration of communal heating schemes, incorporating a Combined Heat and Power (CHP) engine for King David Lane and connection to an existing communal boiler system (Cable Street) for Juniper Hall to provide hotwater and space heating requirements is in accordance with policy 5.6 of the London Plan. These measures will result in significant reductions in CO₂ emissions (Be Clean) for both of the sites.
- 9.117 The current proposals for delivering the space heating and hot water are considered acceptable; however an appropriately worded condition should be applied to any permission to ensure developments of King David Lane and Juniper Hall are supplied by a CHP (~10kWe) and existing communal system respectively, upon completion and prior to occupation of the developments.
- 9.118 For both sites a ~3.75kWp photovoltaic array is proposed to provide a source of on-site renewable energy (Be Green). The total 7.5kWp technologies employed would result in a 8.6% carbon savings over the regulated energy baseline. Through the maximisation of the communal system to deliver space heating and hot water it is acknowledged that achieving a 20% reduction in CO₂ emissions through renewable energy technologies is technically challenging and not feasible for all developments. Whilst the proposed

development is not meeting Core Strategy Policy SP11, the Sustainable Development Team support the application as the applicant has demonstrated that the design has followed the energy hierarchy and sought to integrate renewable energy technologies where feasible.

- 9.119 The total anticipated CO2 savings from the developments are 40.3%, through a combination of energy efficiency measures, a CHP power system/communal system and renewable energy technologies. The CO2 savings exceed Policy DM29 requirements and are supported by the sustainable development team. It is recommended that the energy strategy is secured by Condition and delivered in accordance with the submitted Energy Statement.
- 9.120 In terms of sustainability, the submitted information commits to achieving a Code for Sustainable Homes Level 4 rating and a pre-assessment has been submitted to demonstrate how this level is deliverable. It is recommended that achievement of the Code Level 4 rating is secured through an appropriately worded Condition with the final certificate submitted to the Council within 3 months of occupation. This is to ensure the highest levels of sustainable design and construction in accordance with Policy 5.3 of the London Plan 2011 and Policy DM29 of the London Borough of Tower Hamlets Managing Development Document (2013).

Summary on energy and sustainability matters

- 9.120 Subject to the recommended conditions, it is considered that energy and sustainability matters, including energy, are acceptable and in line with policies S03& SP11 of the Core Strategy (2010) and DM29 of the Development Management Document (2013) which seek to promote sustainable development practices.

Air Quality

- 9.121 Policy 7.4 of the London Plan seeks to ensure design solutions are incorporated into new developments to minimise exposure to poor air quality. Saved policy DEV2 of the UDP, policy SP02 & SP10 of the Core Strategy and policy DM9 of the Managing Development DPD seek to protect the borough from the effects of air pollution.
- 9.122 The development fronts The Highway and as such the quality of air enjoy by local residents must be carefully considered. The building has been mechanically ventilated to minimise sound and air pollution. The residential units are protected from air borne pollutants by folding glazed screens.
- 9.123 Conditions are recommended to control implementation of road traffic mitigation measures in the design of building facades facing the Highway, assessment of ground contamination, and implementation of air quality mitigation measures.

Planning Obligations

- 9.124 As set out in Circular 05/2005, planning obligations should only be sought where they meet the 5 key tests. The obligations should be:
- (i) Relevant to planning;
 - (ii) Necessary to make the proposed development acceptable in planning terms;
 - (iii) Directly related to the proposed development;
 - (iv) Fairly and reasonably related in scale and kind to the proposed development; and

(v) Reasonable in all other respects.

9.125 More recently, regulation 122 of the Community Infrastructure Levy Regulations 2010 brings into law policy tests for planning obligations which can only constitute a reason for granting planning permission where they are:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Are fairly and reasonably related in scale and kind to the development.

9.126 Policies 8.2 of the London Plan (2011), Saved policy DEV4 of the UDP (1998), and policy SP13 in the Core Strategy (2010) seek to negotiate planning obligations through their deliverance in kind or through financial contributions.

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

- Affordable Housing
- Employment, skills, training and enterprise
- Community facilities
- Education

The borough's other priorities include:

- Health
- Sustainable Transport
- Public Realm
- Environmental Sustainability

9.128 The proposal makes provision for 37% affordable housing by habitable rooms with a 70/30 split between social rent/intermediate housing. The applicant has advised that they have been successful in securing grant funding to deliver this affordable housing.

9.129 In order to ensure that the proposed development is deliverable and viable, a financial appraisal was submitted by the applicants. This was independently assessed on behalf of the Council and through the course of negotiations. The following section sets out what officers propose should be secured from this development, taking into account advice relating to viability.

Financial contributions

9.130 In terms of planning obligations, if the priorities and standard calculations set out in the Planning Obligations are applied, the following contributions should be secured to mitigate against the development:

Tower Hamlets SPD priority requests	Standard SPD contribution
Health facilities	£55,218
Education facilities	£101,610
Idea stores and libraries	£10,471
Indoor leisure facilities	£32,176
Public Open Space	£66,685
Smarter travel	£1,259

Public realm contributions	£73,536
Employment and Training (construction phase)	£7,076
	£348,031

9.132 As illustrated in the table above, the Planning Obligations sought amounts to £348,031. The total amount of financial contributions sought could not be secured as it would impact on the viability and deliverability of the scheme. The overall financial contributions to the Council which would be secured in the legal agreement would be £97,500. A further £140,211, specifically for public realm and open space which would be ring fenced as part of the wider estate regeneration works at Glamis Estate, to be implemented directly by the applicant.

9.133 It is recommended that the financial contribution of £97,500 would be apportioned as follows:

- £94,050 towards education facilities
- £1,950 towards S106 Monitoring fee

9.134 It is considered that securing contributions towards education facilities is of greater priority in this instance.

Public realm & public open space

9.135 The commitment for improvement works for the wider Glamis Estate is part of the stock transfer agreement between Eastend Homes and Telford Homes. The applicant has committed, as part of stock transfer to re-invest the land receipt of £1 million on the estate regeneration works, subject to receipt of affordable housing grant of £400,000 from the GLA.

9.136 If the scheme is not delivered by March 2015 the GLA may withdraw the grant therefore until the applicant has secured planning permission, they can only commit to £600,000 of the £1 million land value for Decent Homes Plus works in the wider estate.

9.137 Notwithstanding the applicant is willing to commit to the ring fencing of £66,685 towards open space works & £73,536 towards public realm works.

Community facilities

9.138 Similar to public realm & public open space, the applicant is willing to commit to the ring fencing of £50,000 towards improvements works to Glamis Hall within Glamis Estate.

Enterprise and employment

9.139 The SPD on Planning Obligations notes that employment, skills, training and enterprise should be key priority areas. As part of the non financial contributions to be secured in the legal agreement, the following will be secured:

-20% goods/services procured during the construction phase should be supplied by businesses in Tower Hamlets to ensure local businesses benefit from the development.

-20% of the construction phase workforce will be local residents of Tower Hamlets. LBTH Enterprise & Employment team will support the developer in achieving this target through providing suitable candidates through skillsmatch Construction Services.

-20% target for jobs created within the development.

- 9.140 It is considered that securing the financial contribution of £7, 075 to support private training and skills needs of local residents is not of priority in this instance and could adversely impact on the deliverability of the scheme.

Smarter travel

- 9.141 Whilst there is no direct financial contribution attached to smarter travel, the applicant would be required to submit a Travel Plan to promote sustainable modes of transport and this would be reviewed by the Councils Highways team.

Idea store, leisure and health facilities

- 9.142 Contributions towards idea stores; leisure and health facilities have not been secured as in this instances contribution towards 37% affordable housing and an financial contribution towards education facilities were of greater priority. Securing further financial contributions could jeopardise the deliverability of the scheme.
- 9.143 Whilst there is no direct financial contribution attached to smarter travel, the applicant would be required to submit a Travel Plan to promote sustainable modes of transport and this would be reviewed by the Councils Highways team.

Human Rights Considerations

- 9.144 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:-
- 9.145 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
 - Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
 - Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".
- 9.146 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.
- 9.147 Members need to satisfy themselves that the measures which are proposed to be taken to minimise, inter alia, the adverse effects of noise, construction and general disturbance are acceptable and that any potential interference with Article 8 rights will

be legitimate and justified.

- 9.148 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.
- 9.149 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 9.150 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.
- 9.151 In this context, the balance to be struck between individual rights and the wider public interest has been carefully considered. Officers consider that any interference with Convention rights is justified. Officers have also taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement to be entered into.

Equalities Act Considerations

- 9.152 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:
1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.153 The contributions towards various community assets/improvements and infrastructure improvements addresses, in the short-medium term, the potential perceived and real impacts of the construction workforce on the local communities, and in the longer term support community wellbeing and social cohesion.
- 9.154 Furthermore, the requirement to use local labour and services during construction enables local people to take advantage of employment opportunities.
- 9.155 The community related uses and contributions (which will be accessible by all), such as the improved public open spaces, play areas and youth club, help mitigate the impact of real or perceived inequalities, and will be used to promote social cohesion by ensuring that sports and leisure facilities provide opportunities for the wider community.
- 9.156 The contributions to affordable housing support community wellbeing and social cohesion.

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

9.157 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

9.158 In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

9.159 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy

9.160 In this context “grants” might include the New Homes Bonus.

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

9.162 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides non-ring fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.

9.163 Using the DCLG’s New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £68,675 in the first year and a total payment of approximately £412,050 over 6 years. There is no policy or legislative requirement to discount the new homes bonus against the planning obligation contributions, and therefore this initiative does not affect the financial viability of the scheme. the first year and a total payment 6 years

9.164 With regard to Community Infrastructure Levy considerations, following the publication of the Inspector’s Report into the Examination in Public in respect of the London Mayor’s Community Infrastructure Levy, Members are reminded that that the London mayoral CIL became operational from 1 April 2012 and will be payable on this scheme. The likely CIL payment associated with this development would be in the region of £93,685.

9 Conclusions

9.1 All other relevant policies and considerations have been taken into account. Planning permission should not 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.

