

Committee: Strategic Development	Date: 18 th January 2007	Classification: Unrestricted	Agenda Item No: 8.4
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Terry Natt		Ref No: PA/06/01652	
		Ward(s): Bethnal Green South	

1. APPLICATION DETAILS

Location:	249-253 Cambridge Heath Road, London
Existing Use:	Mix of commercial uses including offices, car yard and light industrial
Proposal:	Demolition of existing two/three storey buildings. Redevelopment of the site to provide an eleven storey building in connection with the use of the site for B1/A1/A2/A4/A4 purposes at ground floor level and 305 student bedrooms on the upper floors with associated hard and soft landscaping.
Drawing Nos:	A3/Sch09/Drg010, A3/Sch09/Drg011, A3/Sch09/Drg012, A3/Sch09/Drg016, A3/Sch09/Drg017, A3/Sch09/Drg018, A3/Sch09/Drg020, A3/Sch09/Drg021, A3/Sch09/Drg031, A3/Sch09/Drg032, A3/Sch09/Drg033, A3/Sch09/Drg034, A3/Sch09/Drg035, A3/Sch09/Drg041, A3/Sch09/Drg042, A3/Sch09/Drg043, A3/Sch09/Drg044, A3/Sch09/Drg051, A3/Sch09/Drg053, A3/Sch09/Drg054, A3/Sch09/Drg055.
Applicant:	Unite
Owners:	Universal Button Company, A and J Clayton, Mapco Investments Ltd, Neptune Property Developments
Historic Building:	N/A
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 Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- a) In principle, the demolition of the existing two/three storey buildings and redevelopment of the site to provide B1/A1/A2/A4/A4 uses at ground floor and 305 student bedrooms with associated hard and soft landscaping is acceptable, subject to appropriate planning obligations agreement and conditions to mitigate against the impact of the development;
- b) It is considered that the proposed use would not have an adverse impact on the residential amenity of the surrounding properties. A number of conditions are recommended to secure submission of details of materials, landscaping, external lighting, and plant, and to control noise and hours of construction;
- c) The scheme would bring the benefits of job creation and enhance the streetscape and public realm.
- d) The proposal incorporates a number of sustainability measures.

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

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Xxxx Xxxx 020 7364 xxxx

3. RECOMMENDATION

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

A. Any **direction** by **The Mayor**

B. The prior completion of a **legal agreement**, to the satisfaction of the Chief Legal Officer, to secure the following:

- a) Car Free Agreement
- b) Preparation of a Green Travel Plan
- c) Public realm improvements including footpath upgrade, signage and street furniture: **£200,000**
- d) Bus improvements: **£20,000**
- e) Local labour in construction: **£15,500**
- f) Contributions to Bethnal Green gardens: **£100,000**

3.2 That the Head of Development Decisions is delegated power to impose conditions and informatives on the planning permission to secure the following:

Conditions

- 1) Time limit for Full Planning Permission
- 2) Details of the following are required:
 - Elevational treatment including samples of materials for external fascia of building;
 - Ground floor public realm (detailed landscape plan for amenity courtyard as well as roof garden and ground floor public realm improvements);
 - The design of the lower floor elevations of commercial units including shopfronts and community space.
- 3) Landscape Management Plan required
- 4) Student housing Management Plan required
- 5) Restriction on hours of use of 5th floor roof terrace: 8am to 8pm
- 6) 278 (Highways) agreement required
- 7) Hours of construction limits (0800 – 1800, Mon-Fri, 0800 – 1300 Sat)
- 8) Details of insulation of the ventilation system and any associated plant required
- 9) Hours of operation limits – hammer driven piling (10am – 4pm, Mon –Fri))
- 10) Details required for on site drainage works
- 11) Full particulars of the refuse/ recycling storage required
- 12) Code of Construction Practice, including a Construction Traffic Management Assessment required
- 13) Details of finished floor levels required
- 14) Details of surface water source control measures required
- 15) Biomass heating and Renewable energy measures to be implemented
- 16) Black redstart habitat provision required
- 17) Land contamination study required to be undertaken
- 18) Any other condition(s) considered necessary by the Head of Development Decisions

Informatives

- 1) Environment Agency advice
- 2) Site notice specifying the details of the contractor required
- 3) Standard of fitness for human habitation, means of fire escape and relevant Building Regulations

3.3 That, if by 18 July 2007 the legal agreement has not been completed to the satisfaction of

the Chief Legal Officer, the Head of Development Decisions is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 It is proposed to construct a high density student housing led mixed redevelopment comprising the following:
- The provision of a total 305 student rooms, consisting of a mix of studios and cluster flats;
 - The provision of replacement B1 and A1/A2/A3/A4 uses at ground floor level
 - The provision of B1 commercial floorspace along Birkbeck Street to ensure suitable levels of replacement commercial use, including purpose built accommodation for a specified retained occupier (Account 3);
 - Contemporary designed buildings rising from 7 storeys along the Cambridge Heath Road frontage, stepping upwards to an 11 storey element at the rear of the site;
 - Provision of amenity space through an internal courtyard and roof terrace accessible to all residents;
 - Two car parking spaces including one disabled. 88 cycle parking spaces.
 - Additional landscaping, including new street trees along the Cambridge Heath Road and Witan Street frontages.

Site and Surroundings

- 4.2 The application site has an area of 0.2 hectares and comprises land bound by Cambridge Heath Road to the east, Birbeck Street to the north, an elevated railway line to the west and Witan Street to the south.
- 4.3 The site consists of a mix of uses and building heights. Along the northern part is a 2/3 storey building housing Bartlett's building materials with an associated 2 storey building to the rear. On the southern part of the site is a 2 storey building occupied by a chemical laminate business, whilst to the east is a single storey building occupied by Account 3, a community based organisation re-training women for a range of forms of employment. A used car lot is located on the corner of Witan Street and Cambridge Heath Road.
- 4.4 The site is situated on the western side of Cambridge Heath Road some 400 metres to the south of Bethnal Green train and underground station. The site has a public transport accessibility level (PTAL) of 5.
- 4.5 Surrounding Area
Council offices (the LEB building) are situated immediately to the north of the site on the western side of Cambridge Heath Road. These extend some distance along the main road frontage with the main building set back from the main road and extending to some 7/8 storeys in height (with historic large floor to ceiling heights). At the southern part of the Council office site, the neighbourhood centre buildings vary between 1 and 3 storeys in height. Further north along Cambridge Heath Road are a range of shops and services to the south and west of Bethnal Green underground station.
- 4.6 Outside the application site on the south eastern corner of Witan Street and Cambridge Heath Road is the Cambridge Heath motor company, with a single storey building and sales area at the front of the site.
- 4.7 To the south of Witan Street the uses are varied. On the corner of Witan Street and Cambridge Heath Road at 231-237 Cambridge Heath Road is the Backyard comedy club. Elsewhere within the significant area bound by Three Colts Lane, Witan Street, Cambridge

Heath Road and the railway line, the character is predominantly industrial or light industrial uses within 2-3 storey buildings, including electrical, metal work and general industrial occupants.

- 4.8 To the west of the site on the opposite side of the railway line is a 5 storey residential development at 1 Witan Street. The building is situated in very close proximity to the railway line.
- 4.9 On the eastern side of Cambridge Heath Road are Bethnal Green Gardens. Hard standing play areas are situated at the southern part of the gardens with more open recreational space within the centre and northern parts. There are a number of public buildings on the eastern side of the gardens, including a library, together with 4/5 storey residential properties.

Planning History

- 4.10 The following planning decisions are relevant to the application:

No Number	Change of use to iron mongers and builders merchants yard. Permission Granted 13/08/61
BG/91/272	Change of use of first floor from storage and distribution (B8) to business use (B1) together with ground floor rear extension for warehouse use and alterations to elevations. Permission granted 16/06/92
BG/91/224	Change of use from petrol filling station to storage and distribution. Alterations to frontage and site wall. Permission granted 04/03/92
BG/92/262	Extension at second floor level to provide additional office floor space. Permission granted 16/03/93
PA/05/01842	Mixed use commercial and student accommodation. Withdrawn

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

Unitary Development Plan

Policies:	DEV1	General design and environmental requirements
	DEV2	Development requirements
	DEV3	Mixed use developments
	DEV4	Planning obligations
	DEV6	High buildings
	EMP1	Employment growth
	EMP2	Sites in employment use
	EMP3	Redevelopment of office floor space
	EMP8	Small businesses
	HSG14	Special needs accommodation
	HSG15	Development affecting residential amenity
	HSG16	Amenity space
	T17	Parking and vehicular movement standards
	T21	Improvement of pedestrian routes
	S6	New retail development

Emerging Local Development Framework

Proposals:	C24	Unspecified use- awaiting Central Area AAP
------------	-----	--

Core Strategies:	CP9	Employment space for small businesses
	CP11	Sites in employment use
	CP24	Special needs and Specialist housing
	CP41	Integrating development with transport
	CP48	Tall buildings
Policies:	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy efficiency
	DEV10	Disturbance from noise pollution
	DEV12	Management of demolition and construction
	DEV17	Transport assessments
	DEV27	Tall buildings assessment
EE2	Redevelopment/change of use of employment sites	

Spatial Development Strategy for Greater London (London Plan)

Policies	3A.22	Higher and Further education
----------	-------	------------------------------

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

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

6. CONSULTATION RESPONSE

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

Environmental Health

6.2 Air Quality

Recommended the following:

- Support for 'car free' development;
- Condition to ensure that the Code of Construction Practise is approved by LBTH prior to the commencement of site works; and

Noise and Vibration

Recommended the following:

- Night time works are not allowed and will be considered via dispensation process under a Section 61 agreement;
- The LBTH impulsive vibration limits are 1mm/s ppv and 3mm/s ppv at residential and commercial respectively;
- Adequate mitigation measures for the construction noise will be required and should be submitted as part of the Section 61 consent application in order to ensure the Council's 75dB(A) limit is complied with;
- The mitigation measures suggested for road traffic noise are adequate; and
- The developer is to obtain a Section 61 consent from the Environmental Health Department before commencement of work onsite.

OFFICER COMMENT: The above requirements will be ensured in the relevant Environmental Health legislation.

Contaminated Land

The proposal is acceptable, subject to conditions.

Micro-climate (Sunlight/ Daylight and Overshadowing)

The effects of daylight and right to light issues in respect to other properties have been addressed satisfactorily. Further discussion follows below.

Highways

- 6.4 There are 2 off-street parking places, one for disabled parking and one for general servicing use. The cycle store at 156 spaces is appropriate for the development use.

The sub-station and bin store doors on Witan Street are shown as opening outwards. Legally, these should be reversed but Witan Street is very lightly trafficked so the sporadic use of the stores as indicated could be acceptable.

There will be extensive works to the public highway surrounding the site. These works will be carried out by the Council, under a S278 agreement, and at the developers cost. There are additional paved areas under the upper floors oversail which will not be adopted as public highway so a S177 licence will not be required.

The development of 305 student bedrooms will be subject to a S106 car free agreement. A Green Travel Plan will be required and a Plan co-ordinator appointed. In addition we will require a financial contribution for additional pedestrian signing.

Access Officer

Access statement

Greater London Authority

No comments received

TfL

Car Parking

The 'car free' approach to this development and the provision of 2 spaces off Witan Street for servicing and disabled parking purposes are noted and supported. TfL also welcomes the proposed S106 legal agreement in preventing students from applying for residents parking permits on the surrounding streets. Detailed monitoring arrangements and mitigation measures should be put forward and included as part of the Travel Plan (see point on Travel Plan below).

Travel Plan

There is no mention of a Travel Plan in the TA. TfL would like to see a green Travel Plan being submitted, detailing how sustainable travel to and from the proposed development will be promoted among students residents and staffs working on-site. This should be secured, monitored and reviewed as part of the Section 106 agreement. TfL now expects all referable planning applications to be accompanied by a Travel Plan as part of its commitment to implementing travel demand management measures.

Cycling and walking

More details on the quality of pedestrian facilities in the vicinity should be provided. These would include details such as lighting levels, surface quality, compliance with pedestrian

crossing standard etc. for routes leading to Bethnal Green tube station, national rail station and several bus stops around. Given that walking and cycling will be the major modes of transport for predominantly residential student use of the development, there will be contributions sought for potential improvements towards lighting, footways upgrades, pedestrian safety, security measures and cycling facilities in the vicinity of the development. .

Cycle Parking

A total of 156 cycle parking spaces are proposed TfL consider this level of provision appropriate given the scale of the development and its 'car free' nature and note that it is in line with TfL's Cycle Parking Standards.

Contributions towards Bus Improvements

Given that this application will increase the amount of bus passenger activity in the local area, contributions will be sought for upgrades of bus stops on Cambridge Heath Road to the north and south of the site as well as improved accessibility to the Buses. Subject to detailed site assessments, a capped sum of £20,000 should be provided as contribution by the developer towards bus facility and accessibility improvements.

Traffic Management Act (TMA)

There is no mention in the TA of the likely traffic impacts during the construction period. Consultation should take place with TfL on the routing and the hours that construction vehicles would be allowed to access the site. A construction management plan will be required along with possible temporary scheme Notification under the TMA, given the site's proximity to A11 which forms part of the Transport for London Road Network (TLRN).

London Underground

No comment

Thames water

No comments received

BBC Reception advice

No comments received

Crime Prevention Officer

No comments received

LFEPA

No comments received

7. LOCAL REPRESENTATION

- 7.1 A total of 270 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 17 Objecting: 15 Supporting: 2

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

- Loss of sunlight and daylight
- Increased wind effect
- Dust and detritus during construction
- No resident parking is proposed
- An increase in traffic noise will result
- Proposed height of the building contrasts with surrounding area
- This building will set a precedent for other tall buildings in the vicinity
- Additional residents will be additional strain on local services
- Loss of view of skyline of East London
- Loss of privacy as a result of overlooking
- Additional noise and disturbance caused by student residents
- Bethnal Green tube station will not cope with increased peak hour traffic
- Nature of commercial properties allowed on ground floor should be scrutinised
- Additional traffic congestion
- Sense of enclosure from both Green heath business centre and proposed development
- Proposal will kick-start regeneration of this area
- Additional residents will increase the natural surveillance of surrounding area and will contribute to public safety
- Purpose built student flats take pressure off the demand for young persons and family housing in the local area

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Acceptability of student housing in this location
2. Accommodation of employment uses on site- is there a loss of employment resulting from this scheme?
3. Design and height of proposed building – including density
4. Impact on the amenity of the adjacent area, including sunlight, daylight, noise and loss of privacy of surrounding properties
5. Energy efficiency and sustainability

Student housing

- 8.2 Policy HSG14 states that the Council will seek to encourage the provision of housing to meet the needs of residents with special housing needs. It goes on: *“Such housing should be appropriately designed and suitably located”*.
- 8.3 Paragraph 5.29 states that the Council will consider student housing in a variety of locations providing there is no loss of permanent housing or adverse environmental effects. It also notes: *“Additional provision could release dwellings elsewhere in the Borough in both the public and the private rented sector”*.
- 8.4 Policy CP24 of the draft LDF Core Strategy and Development Control DPD issued in November 2006 states that the Council will promote special needs and specialist housing by focusing purpose built student housing ... *“in close proximity to the London Metropolitan University at Aldgate.”*
- 8.5 London Plan policy 3A.22 states that the Mayor will ensure that the needs of the education

sector are addressed and will support the provision of student accommodation, subject to other policies contained in the London Plan.

- 8.6 The draft Core Strategy notes that student housing should be focused around the borough's existing higher educational establishments or within close proximity, being 5 minutes walking distance, from London Metropolitan University. The site is close to Bethnal Green Tube station, but is approximately 15 mins walk from the LMU at Aldgate. In addition, Bethnal Green lies on the Central Line, whilst Aldgate East is on the District/Hammersmith and City lines: As such, a simple one-stop tube ride is impossible, although it is acknowledged that there are buses that connect Bethnal Green and Aldgate (the 106 and 254 travel along Cambridge Heath Road from Aldgate/Whitechapel).
- 8.7 From a strategic perspective, there is a shortage of student accommodation across London. However, the London Plan provides no indication as to the most appropriate locations for student accommodation. The adopted UDP, whilst not specifically identifying any specific area as appropriate for student housing, is flexible in its approach. The use of this site for student accommodation may initially be considered inappropriate given the policy direction outlined in the draft Core Strategy. However, the London Plan indicates that there is strong demand for student housing across London as a whole.
- 8.8 When considered against the policy situation with regard to student housing, it is clear that emerging policy does not support student housing upon this site. However, the adopted UDP and the London Plan do provide strategic support for student housing within the borough. Given the draft status of the core strategy, it is difficult to justify a refusal. Taking into consideration the noted policy position, the use of this site for student housing is supportable.

Employment

- 8.9 A total of 813sq.m of commercial uses is proposed. This comprises a mix of Retail (A1, A2, A3) and Office (B1) accommodation. The proposal includes two separate commercial units fronting Cambridge Heath Road measuring approximately 325m² and 83m², which can be subdivided in a number of ways if required. To the rear of the commercial unit and extending along Birbeck Street is a 405 m² (gross internal) ground floor commercial unit accessed via the Birbeck Street frontage. This unit will be occupied by Account 3 (a community based organisation re-training women for a range of forms of employment) who are currently on site.
- 8.10 Policies EMP1 and Policy EMP2(1) of the UDP seek the upgrading of employment sites already or last in employment use, to produce more employment opportunities for all sectors of the community. In particular, EMP2 states that council will oppose development resulting in a loss of employment except where the loss is made good by replacement with good quality buildings likely to generate a reasonable density of jobs.
- 8.11 Policy CP11 of the draft Core Strategy states that the Council will seek to protect viable employment sites (not specifically allocated for employment uses) which may form part of a mixed use development.
- 8.12 Further, the Council will seek to retain sites for industrial employment:
- where the site is well-located in relation to the strategic or local highway networks; or rail or water transport;
 - where the site benefits from high public transport accessibility and/or are on the edge of town centres;
 - where there is current or future demand for them as employment uses; and
 - where sites are not viable for employment uses.
- 8.13 Policy EE2 of the draft LDF states that redevelopment/change of use of employment sites may be considered:

- where the applicant has shown the site is unsuitable for continued employment due to its size, location, accessibility and condition;
- there is evidence that there is intensification of alternative employment uses on site;
- the retention or creation of new employment and training opportunities which meets the needs of local residents are maximised; and
- there is evidence that the possibilities to reuse the or redevelop the site has been fully explored.

8.13 It is acknowledged that the proposal provides less employment space, as calculated by area, than is presently on site. It is also acknowledged that this under-provision, although a significant improvement in quality over the existing buildings, does not necessarily *maximise* the employment return for this site.

8.14 Although smaller than the existing employment floorspace on site, the mix of uses and the likely employment will be greater, given the improvement in quality of the commercial spaces to be provided. Indeed, as noted, the site currently has 2 people employed at the Universal Button Company, 2 at Fine Food Mix, 4 people at Bartletts Paint Shop and 12 at Account 3 offices. The redevelopment of the site will provide 405 sq.m. of new offices for Account 3 and their 12 staff (who have provided support for the proposal) along with new flexible commercial premises totalling 408 sq.m in area. It is expected that these would accommodate more people than are currently employed on site and new jobs would also be created in relation to the management of the student accommodation.

8.15 With regard to the existing businesses, the owners of both Bartletts (paints) and Universal Buttons are looking to retire in the near future and Fine Food Mix are relocating as their current premises are too large for their requirements. The existing buildings are outdated and in need of significant refurbishment / investment, which is unlikely to represent a viable proposition to future occupiers.

8.16 In line with policy EMP 2 of the UDP, the proposal provides good quality replacement buildings likely to generate an appropriate density of jobs for this location. In addition, the construction of new premises for Account 3, with potential for this important community organisation to expand is supported. Due to the location of the site outside the principal commercial centres and employment areas, and by virtue of the relatively low levels of employment associated with the existing occupiers, it is acceptable that the Council would not be seeking a replacement level of Class B employment floorspace.

Height, Density and Scale

8.17 The tower is 11 storey high (32.5m) and is located to the rear of a podium that is 7 storeys in height (21m). UDP Policy DEV6 specifies that high buildings may be acceptable subject to considerations of design, siting, the character of the locality and their effect on views. Considerations include, overshadowing in terms of adjoining properties, creation of areas subject to wind turbulence, and effect on television and radio interference. Policy DEV27 of the draft LDF Core Strategy states that tall buildings may be acceptable subject to a number of criteria

8.18 The proposal satisfies the relevant criteria of UDP Policy DEV6 and draft LDF Policy DEV27 as follows:

- the architectural quality of the building is considered to be of a high design quality and the design is sensitive to the context of the site;
- it contributes to an appropriate skyline, but is not dominate in terms of height when compared with other buildings in the immediate vicinity;
- it meets the standards of sustainable construction and resource management;
- it meets the Council's requirements in terms of micro-climate;
- appropriate planning obligations are included to mitigate the impact of the development on the existing social facilities in the area;

- the proposal satisfies the Council's requirements in terms of impact on privacy, amenity and overshadowing;
- impacts on the telecommunications and radio transmission networks can be mitigated via an appropriate clause in the S106 agreement;
- the transport capacity of the area now and in the future is appropriate. TfL and the Council's Highways Authority have concluded that the transport assessments submitted satisfy the Council's requirements (including the cumulative impact) and the proposed density is appropriate in this location;
- as discussed above, the mix of uses proposed are considered appropriate. The Council's urban design officer has recommended that a landscape plan for the courtyard, the roof garden and ground floor public realm improvements be conditioned to ensure that the development contributes to its surroundings at street level.

Design and External Appearance

- 8.19 Policy Dev 2 of the UDP states that all development proposals should:
1. Take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the Use of materials;
 2. Be sensitive to the development capabilities of the site, not result in over-development or poor space standards; be visually appropriate to the site and its setting;
 3. Normally maintain the continuity of street frontages, and take account of existing building lines, roof lines and street patterns; and
 6. Include proposals for the design of external treatments and landscaping.
- 8.20 Policy Dev 2 of the Core Strategy and Development Control DPD requires that all new development is required to be designed to the highest quality standards, incorporating principles of good design, including (amongst others):
- a) taking into account and respecting the local character and setting of the development site, including the surrounding:
 - i. scale, height, mass, bulk and form of development;
 - ii. building lines and setbacks, roof lines, streetscape rhythm and other streetscape elements;
 - iii. building plot sizes, plot coverage and street patterns;
 - iv. design details and elements;
 - v. building materials and external finishes; and
 - i) creating visual interest in the urban environment, including building articulation;
 - k) ensuring the use of high quality building materials and finishes;
 - l) ensuring development is designed to be easily adaptable to different uses and the changing needs of users; and
 - m) ensuring the internal design and layout of development maximises comfort and usability for occupants and maximises sustainability of the development, including through the provision of adequately sized rooms and spaces.
- 8.21 The proposal has been assessed by the Council's conservation and design team who note that the design proposal has been negotiated after number of revisions and the current proposal will provide high quality student housing.
- 8.22 To this end, the proposal takes into account and respects the local character and setting of the development site, through:
- the provision of a scale and form of development that it appropriate for this area;
 - a strong building form within the streetscape that provides definition to the block upon which it is located;
 - an appropriate density for this location;
 - conditions requiring details of building materials and external finishes;
 - the improvement of the western side of this section of Cambridge Heath Road in pace of disjointed and ill-defined building stock;
 - the provision of flexible employment space and retail frontage to create bustle and

- activity; and
- the provision of good quality replacement office floorspace for use by Account 3.

8.23 On the basis of the above, the proposal satisfies the requirements of both the adopted UDP and emerging LDF and is acceptable.

Amenity impacts

8.24 Overlooking

Concerns have been raised with regard to the overlooking by the proposed student accommodation, particularly with regard to Sunlight Square. Concern is raised regarding the 7th floor outdoor rooftop terrace located on the podium and the tower bedrooms.

8.25 Sunlight Square is located to the western side of the railway viaduct to the rear of the site. Its distance, across the railway viaduct, ranges between 25 m to 35 m from the proposed development (the width of an average London street). This separation distance is satisfactory and complies with the Council's SPG for housing developments that requires a 15m separation distance between dwellings. Further, a condition will be added to any planning permission restricting the hours of usage for the roof terrace.

Daylight /Sunlight Access

8.26 Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use.

8.27 The change in sky visibility or VSC method only provides an indication as to whether there will be changes in lighting levels. It does not necessarily reveal whether the predicted quantity and quality of light is adequate, following the construction of a new development. However, the ADF method provides a means for making such an analysis.

8.28 Sunlight is assessed through the calculation of what is known as the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south or, in other words, windows that receive sunlight.

8.29 Sunlight Square – Existing VSC (Vertical Sky Component) readings at first floor level all exceed 31% which is higher than would be normal in an urban situation. This is mainly as result of the railway viaduct which represents the only obstruction. The proposed design of the west elevation extends up eleven floors with the elevation set back as it progresses to the north. At effectively the lowest level to the elevation facing the development to Sunlight Square, the daylight readings at first floor level indicate compliance with the relevant VSC standards. Of the three closest windows on the first floor, two exceed the 27% VSC requirement whilst the third window is slightly less than this. Its loss of light when compared with the existing situation is acceptable given the urban context of the immediate area.

8.30 In summary, the quality of light available within the properties will either be close to the existing or at a reasonable level assuming rooms are to be used as habitable rooms. On the basis that the quality of light remaining is close to British Standard BS8206 Part II, it has been concluded that the light levels are reasonable.

Sunlight Results

8.31 Sunlight Square – Three east-facing, first floor windows will be affected by the proposed development. Of these, it is estimated that they will not lose more than 20% of their Annual Probable Sunlight hours (APSH) and that the resultant summer sunlight is close to BRE recommendations. It is again considered that the resultant level of sunlight (between a half and three quarters of the ideal criteria) is reasonable for an urban location. However, these

noted windows already receive a low level of sun and the proposal will leave a similar amount. As such, it is not considered that a reason for refusal on loss of sunlight grounds could be justified relating to this building. Other windows will not be affected as they are not east facing or higher in the building.

Daylight and Sunlight Conclusions

- 8.32 BRE guidelines state clearly that different light criteria is often appropriate in urban centres, as compared to more suburban environments. Whilst the proposal clearly will have an affect to neighbouring buildings light, the quality of the remaining light to adjacent residential properties would not be unacceptable or unusual for this urban location. On balance, the proposal is considered acceptable by Council officers, following detailed consideration of the applicant's light study.

Noise

- 8.33 Internally: The proposed scheme is located adjacent to a well used railway viaduct and the busy Cambridge Heath Road. In recognition that there may be concerns regarding noise impact, an noise impact assessment has been undertaken by the independent consultants WSP. They have determined that the site is suitable for residential development on the assumption that that sufficient noise mitigation is incorporated into the building façade.
- 8.34 The noise impact assessment notes that elevated viaduct is 4 metres from the eastern boundary of the site. In order to control external noise intrusion from both the railway lines and Cambridge Heath Road, the applicant has placed appropriate glazing systems in windows facing those noise sources so that the relevant British Standard (BS8233 internal noise levels in habitable rooms) can be achieved. This will enable the achievement of an appropriate level of amenity for future inhabitants of the scheme.
- 8.35 Externally: Subject to conditions restricting noise and discharge from any new plant proposed on this site, it is not considered that any unacceptable impact will be created. Furthermore, subject to conditions controlling the usage of the outdoor terrace area on the 7th floor of the podium, the proposed terrace is unlikely to materially affect the amenity of adjacent residents in terms of noise and disturbance.
- 8.36 Whilst some residents consider that the proposal could result in the exacerbation of noise from the 24/7 usage of the site by students, it is difficult to see how such a contention could reasonably be justified given the site's separation from the residential street areas by the railway viaduct and there being few residential properties along Cambridge Heath Road which would connect this site with the main transport links. As such, a reason for refusal based on these grounds could not be sustained.
- 8.37 Officers understand that the size of the proposed development creates concern about construction noise, debris from the site and traffic. In these circumstances, the Planning Department proposes to include a condition ensuring a stringent construction environmental management plan to this scheme to minimise noise and disturbance to nearby residents caused by construction noise, debris and traffic.

Conclusion

- 8.38 It is considered that the proposal complies with Policy DEV2 of the UDP which seeks to ensure that adjoining buildings are not adversely affected by loss of privacy, excess noise or a material deterioration of their daylighting and sunlighting conditions.

Energy Efficiency

- 8.39 Policy SEN3 of the Draft Core Strategy Document requires that all new development should incorporate energy efficiency measures. The proposal includes a south facing array of solar panels to enhance domestic hot water generation. The proposal is generally consistent with the London Plan energy policies and an appropriate condition will be included to ensure the

implementation of the proposed renewable energy measures.

Access

- 8.40 Policy HSG8 of the UDP requires the Council to negotiate some provision of dwellings to wheelchair standards and a substantial provision of dwellings to mobility standards –this should also extend to student housing. To this end an informative will be added to an approval requiring the scheme comply with the Building Regulations.
- 8.41 With regard to wheelchair housing, there is a strong argument for the “peppering” of wheelchair unit through out the development and this would be the desired outcome in terms of mixed and balanced communities. However, the concentration of units allows for a better quality of services to be provided on the relevant floors and is safer with regard to emergency ingress/egress. On this basis, the scheme is acceptable

Other Planning Issues

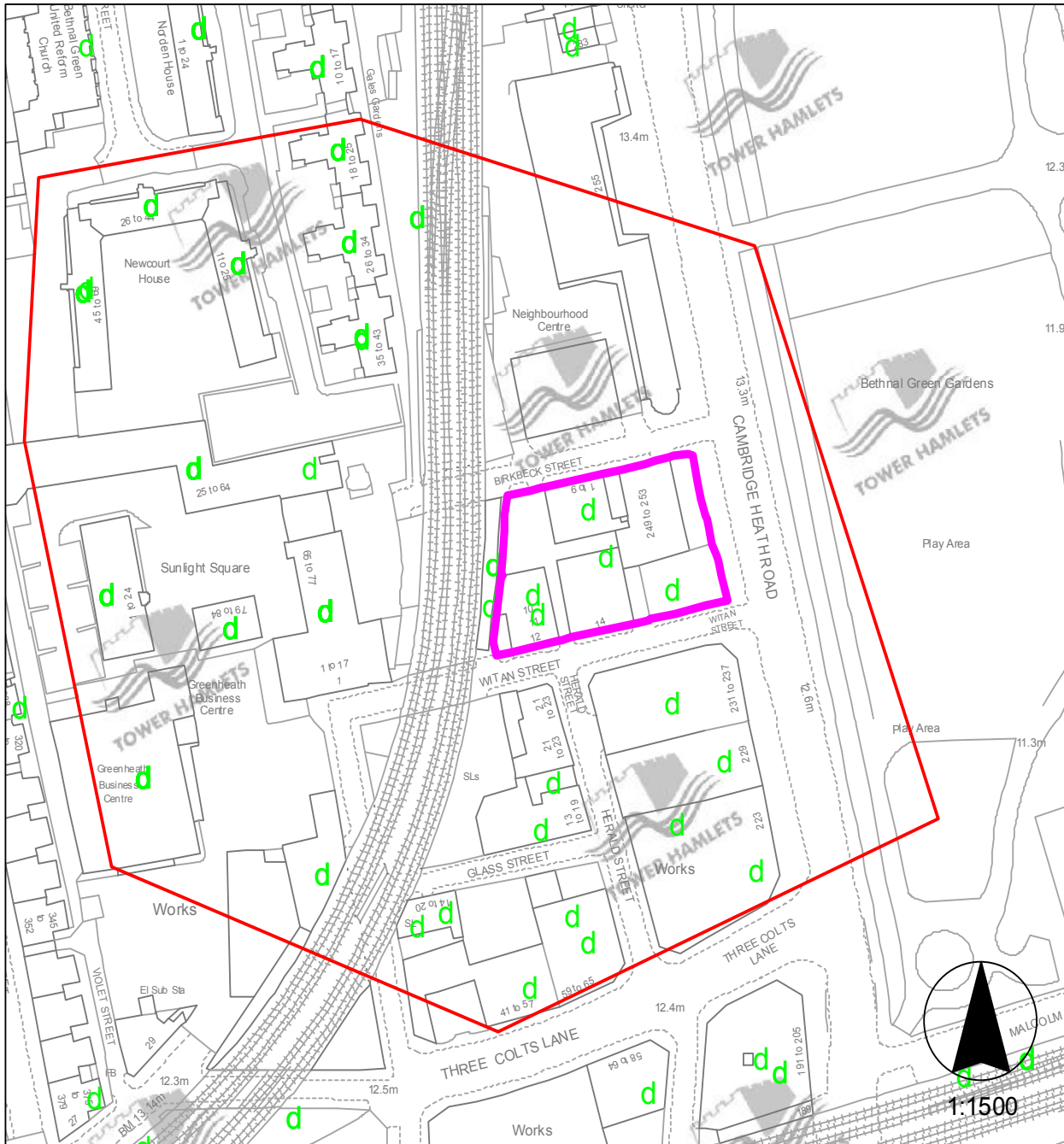
- 8.5 In response to concerns raised in submissions, the following issues not mentioned in previous discussion are considered:
- Increased wind effect – It is not expected that the proposal will result in an increase in wind turbulence
 - Dust and detritus during construction – The applicant is required to submit a Construction management plan to be assessed by Council Environmental Health Officers.
 - This building will set a precedent for other tall buildings in the vicinity – All applications are assessed on their own merits.
 - Additional residents will be additional strain on local services – Development Contributions are sought to reduce the impact on local services.
 - Loss of view of skyline of East London – Not a material consideration in this case
 - Additional noise and disturbance caused by student residents – a management plan will be submitted to for the student component of the development. This will be assessed by Council officers
 - Sense of enclosure from both Greenheath business centre and proposed development – there is no evidence that any sense of enclosure will occur- all residential properties are over 20 metres away from the proposed development
 - Additional residents will increase the natural surveillance of surrounding area and will contribute to public safety - Noted
 - Purpose built student flats take pressure off the demand for young persons and family housing in the local area - Noted

Conclusions

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

Site Bounded By Cambridge Heath Road, Birkbeck Street And Witan Street, Cambridge Heath Road, London

Site Map



Legend

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

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