

<b>Committee:</b> Strategic Development	<b>Date:</b> 15 <sup>th</sup> March 2007	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 6.2
<b>Report of:</b> Corporate Director of Development and Renewal		<b>Title:</b> Planning Application for Decision	
<b>Case Officer:</b> Rachel Blackwell		<b>Ref No:</b> PA/06/01992	
		<b>Wards:</b> Mile End East	

## 1. APPLICATION DETAILS

**Location:** 48-52 Thomas Road, London E14 7BJ

**Existing Use:** The site is currently vacant. (Formally used as an open yard, recycling plant facilities and warehousing).

**Proposal:** Redevelopment to provide a mixed use development within 3 buildings ranging from 5 to 12 storeys (including a mezzanine level at the top floor), 182 residential units, of which 91 will be affordable dwellings, 750 sqm of B1 floor space, 91 underground car parking spaces, 182 cycle spaces, landscaping and ancillary works.

**Drawing Nos:** 06074/100 Sept 06, 06074/209 Nov 2006, 06074/SK91 Sept 06, 06074/SK92 Sept 06, 06074/SK93 Sept 06, 06074/SK94 Sept 06, 06074/SK95 Sept 06, 06074/SK96 Sept 06, 06074/SK97 Sept 06, 06074/SK98 Sept 06, 06074/SK99 Sept 06, 06074/SK100 Sept 06, 06074/SK103 Sept 06, 06074/230 Sept 06, 06074/231 Sept 06, 06074/232 Sept 06, 06074/233 Sept 06, 06074/234 Sept 06, 06074/235 Sept 06, 06074/251 Sept 06, 06074/252 Sept 06, 06074/253 Sept 06, 06074/261 Oct 06, 06074/262 Oct 06, 06074/265 Oct 06, 06074/266 Oct 06, 06074/270 Oct 06, 06074/271 Oct 06, 06074/280 Oct 06, 06074/281 Oct 06, 06074/282 Oct 06, 06074/283 Oct 06, 06074/284 Oct 06, 06074/285 Oct 06,  
Planning Statement – Hepher Dixon  
Design & Access Statement – Child Graddon Lewis  
Sustainability Statement – RYBKA  
Transport Assessment – Paul Mew Associates  
Air Quality impact Assessment – Environs  
Wind/Microclimate Assessment – RYBKA  
Energy Strategy – RYBKA  
Ecohomes Pre Assessment Report - RYBKA  
TV and Radio Reception Report – Tom Paxton  
Geoenvironmental Conditions Survey – Southern Testing  
Code of Construction Practice – Durkan  
Socio Economic Impact Assessment – Hepher Dixon  
Ecology Report – Thompson Ecology  
Unexploded Ordinance Report – RPS  
Sunlight/Daylight Report – Gordon Ingram Associates  
Bat Survey – Thomson Ecology

**Applicant:** Genesis Housing Group C/- Hepher Dixon

**Owner:** ASDA Properties

**Historic Building:** N/A

**Conservation Area:** N/A

### 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		Rachel Blackwell 020 7364 0436

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstance of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

- a) In principle the redevelopment of the site to provide 182 units is acceptable, subject to an appropriate planning obligations agreement and conditions to mitigate against the impact of the development and minimise any adverse impact to future occupiers of the development; and,
- b) It is considered that the redevelopment of the site for 182 units would not have an adverse impact upon the amenity of surrounding properties. A number of conditions are recommended to secure submission of details of material, landscaping, external lighting, sound insulation and to control noise and hours of construction.

## 3.0 RECOMMENDATION

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

- A. The prior completion of a **Legal Agreement** to the satisfaction of the Chief Legal Officer, to secure the following:
  - a) Affordable Housing provision of 50% of the proposed residential units measured by habitable rooms with an 80/20 split between rented/shared ownership in accordance with the mix specified in this committee report.
  - b) A contribution of **£763,755** towards healthcare to mitigate the demand of the additional population on healthcare services.
  - c) A contribution of **£345,576** towards education to mitigate the demand of additional school places generated by the proposal.
  - d) A contribution of **£100,000** towards access to employment initiatives.
  - e) A contribution of **£150,000** towards highways, pedestrian & cycle improvements within the surrounding area and the funding of a study to investigate improved linkages in the wider area.
  - f) A contribution to TfL of **£20,000** towards improving bus accessibility and bus stop upgrades in the surrounding area.
  - g) Completion of a car free agreement to restrict occupants applying for residential parking permits.
  - h) Preparation of a Travel Plan (for both the residential and commercial component).
  - i) A contribution of **£10,000** towards improvements to the riverside walkways and access to the canal to be implemented by British Waterways. This would equate to approximately 25% of the current estimated cost of canalside works in the vicinity of the site.
  - j) Code of Construction Practice
  - k) TV and Radio Reception
- B. An agreement under Section 278 of the Highways Act for highways, pedestrian & cycle improvements within the surrounding area.

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

## Conditions

- 1) Permission valid for 3 years;
- 2) Submission of samples / details / full particulars;
- 3) Submission of a Secured by Design Statement;
- 4) This scheme shall include an unobstructed access strip of at least six metres between the new development and the canal wall;
- 5) Submission of a Landscaping scheme and landscape management plan, including the provision of landscaping within 6m buffer zone to the Limehouse Cut;
- 6) Submission of investigation to assess the degree of contamination of the site and determine water pollution potential;
- 7) Submission of details of site drainage;
- 8) No soakaways shall be constructed in contaminated ground;
- 9) Submission of details of site foundations;
- 10) Submission of an Investigation and remediation measures for land contamination;
- 11) Submission of a Noise and Vibration Survey and details of sound insulation/attenuation measures to ensure minimal impact during construction to surrounding properties and to protect future residents from surrounding industrial impacts.
- 12) Provision of a minimum of 214 cycle spaces;
- 13) Submission of a traffic management plan detailing all routes to be used by construction vehicles and maintenance programmes;
- 14) Parking, access and loading/unloading, manoeuvring;
- 15) No parking on site, other than in the basement car park;
- 16) Vehicular access;
- 17) Refuse and recycling facilities;
- 18) Hours of Construction (8.00am to 6.00pm Monday to Friday 9.00am to 5.00pm on Saturdays. You must not carry out the required building works on Bank Holidays.)
- 19) Power/hammer driven piling/breaking (10am – 4pm Monday – Friday);
- 20) Submission of full details of the proposed lighting and CCTV scheme;
- 21) Submission of a survey of the condition of the waterway wall, and a method statement and schedule of the repairs identified;
- 22) Submission of a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water;
- 23) Implementation of the mitigation measures detailed in the Bat Survey.
- 24) Any other condition(s) considered necessary by the Head of Development Decisions;
- 25) Lifetime Homes;
- 26) 10% Disabled Access; and
- 27) Renewable Energy Measures (at least 10% reduction in carbon dioxide emissions).

## Informatives

- 1) Section 106 of the Town and Country Planning Act 1990.
- 2) Locally native plant species only, of UK genetic origin.
- 3) During construction no solid matter shall be stored within 10 metres of the banks of the Limehouse Cut.
- 4) No lightspill onto the Limehouse Cut.
- 5) Adequate sewerage infrastructure in place
- 6) With regard to (Decontamination), contact Council's Environmental Health Department.
- 7) Code of Construction Practice, discuss this with Council's Environmental Health Department.
- 8) Consult with the Council's Highways Development Department regarding any alterations to the public highway.
- 9) During construction consideration must be made to other developments within the area and the impact to traffic movements on Bow Common Lane
- 10) Any discharge of surface water into the waterways requires British Waterway's written permission before development commences.
- 11) In the event of any balcony overhangs or other encroachments into British Waterway's

- airspace, land or water, enter into an appropriate agreement with British Waterways
- 12) Contact British Waterways engineer, "Code of Practice for Works affecting British Waterways."
  - 13) Contact the GLA regarding the energy proposals.

- 3.3 That if by the 15<sup>th</sup> September 2007 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer; the Head of Development Decisions be delegated power to refuse planning permission.

#### **4. PROPOSAL AND LOCATION DETAILS**

##### **Proposal**

- 4.1 An application has been made for full planning permission to redevelop land located at 48-52 Thomas Road, E3 for the construction of 182 residential units. The buildings would comprise three separate blocks with a multi storey form rising up to 12 storeys in height at the corner of Bow Common Lane and the Limehouse Cut (canal). The development also proposes 750m<sup>2</sup> of ground floor B1 commercial space provided at the Bow Common Lane frontage.

- 4.2 Of the 182 units proposed a total of 91 would be affordable and 91 for private sale. This would equate to 51% affordable housing provision calculated on a habitable room basis. In total, there would be 43 one bedroom units, 102 two bedroom units, 30 three bedroom units, 5 four bedroom units and 2 five bedroom units.

##### **Site and Surroundings**

- 4.3 The application site comprises land at 48-52 Thomas Road, Bow. The site has an overall area of 0.61ha and is bounded by Thomas Road to the north, Bow Common Lane to the east and the Limehouse Cut to the south.
- 4.4 The site contains a collection of buildings that have been developed over time and therefore the building, heights, styles, etc, vary across the site. The warehouse uses on the site ceased in 2005/06 and the buildings are currently vacant.
- 4.5 Located directly opposite to the site to the north of Thomas Road is residential development containing a block of flats rising to 3 storeys in form. To the east of the site on the opposite side of Bow Common Lane and to the west of the site on Thomas Road are commercial uses containing class B1, B2 and B8 uses. Directly to the south of the site is the Limehouse Cut a canal which forms part of the Lea Valley Regional Park and Blue Ribbon Network. Beyond the canal to the south is Cottal Street and Bartlett Park, which currently contains a block of flats.
- 4.6 The site has a public transport accessibility level of 2 (where 6b is the highest). Devons Road DLR Station is located approximately 700 metres to the north east of the site and Westferry DLR Station is located approximately 800 metres to the south. Bow Road Underground Station (Hammersmith & City and District Lines) is located approximately 1.16 kilometres to the north and can be reached in about 20 minutes by foot. There is a bus stop located on Bow Common Lane, which operates the 309 bus service (London Chest Hospital to Canning Town). Other bus services also operate from St Pauls Way and Burdett Road.

##### **Planning History**

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

PA/06/1537 (48-50)	Full planning permission was granted on the 13 <sup>th</sup> October 2006 for a change of use from business (class B1) to storage and distribution (class B8) and additional internal mezzanine floor.
-----------------------	--

- PA/03/1381 (48-50 unit 3/4) Full planning permission was granted on the 9<sup>th</sup> March 2004 in accordance with condition 5 of the councils planning permission of the 2<sup>nd</sup> May 1980 for the change of use from B1 (business) to B8 (Storage and distribution) with ancillary trade counter and business use.
- TH/1826/P495/0051 (unit 5) Existing use as a book packing plant deemed lawful on the 11<sup>th</sup> August 1995.
- PA/89/120 (48-50 unit 6/7) Planning permission was granted on the 27<sup>th</sup> March 1990 for a change of use to storage and distribution within classes B8 (units 6 and 7).
- TP/14164 (48-50) Planning permission was granted on 4<sup>th</sup> June 1982 for a change of use to a cash and carry textile warehouse.
- TH11826/1370 (unit B 48-50) Planning permission was granted on 20<sup>th</sup> November 1981 for external alterations to allow for additional internal office accommodation.
- TP/13701 (48-50) Planning permission was granted on the 20<sup>th</sup> November 1980 for external alterations to allow for additional internal office accommodation (unit B).
- TP/11811 (48-50) Planning permission was granted on 2<sup>nd</sup> may 1980 for the erection of 15 industrial and warehouse units and alteration to the elevation of existing warehouse unit A.
- TP/10517 (48-50) Planning permission was granted on the 16<sup>th</sup> May 1979 for the erection of 40,000sqft single storey building for the storage and parking of toys and books and construction of 28000sqft of industrial floor space/small units.
- TP/10082 (48-50) Planning Permission was refused on the 18<sup>th</sup> October 1978 for the construction of 75000sqft of single storey warehousing with ancillary parking and loading.

## 5. POLICY FRAMEWORK

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

### Unitary Development Plan

Proposals:		Industrial Employment Areas Green Chain Lea Valley Regional Park
Policies:	DEV1 DEV2 DEV3 DEV4 DEV6 DEV12 DEV13 DEV46 DEV48 DEV50 DEV51 DEV55 DEV56 DEV69	Design Requirements Environmental Requirements Mixed Use Developments Planning Obligations High Buildings Outside the Central Area & Business Core Provision of Landscaping in Development Design of Landscape Scheme Protection of Waterway Corridors Strategic Riverside Walkways and New Development Noise Soil Tests Development & Waste Disposal Waste Recycling Efficient Use of Water

EMP2	Retaining Existing Employment Uses
EMP8	Encouraging Small Business Growth
HSG2	Provision for Housing Development
HSG3	Affordable Housing
HSG7	Dwelling Mix & Type
HSG8	Mobility Housing
HSG9	Density of New Housing Development
HSG13	Standard of Dwelling
HSG16	Housing Amenity Space
T15	Location of New Development
T17	Planning Standards (Parking)
T21	Pedestrian Needs in New Development
T24	Cyclists Needs in New Development
OS9	Children's Play Space
OS14	Lea Valley Regional Park

### **Emerging Local Development Framework**

Proposals:	CP34	Development Sites
	CP34	Green Chain
	CP35	Lea Valley Regional Park
	CP36	Blue Ribbon Network
	CP43	Proposed Cycle Route – Thomas Road

Core Strategies:	IMP1	Planning Obligations
	CP1	Creating Sustainable Communities
	CP2	Equal Opportunity
	CP3	Sustainable Environment
	CP4	Good Design
	CP5	Supporting Infrastructure
	CP9	Employment Space for Small Businesses
	CP19	New Housing Provision
	CP20	Sustainable Residential Density
	CP21	Dwelling Mix & Type
	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP35	Lea Valley Regional Park
	CP36	The Water Environment & Waterside Walkways
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	A Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP42	Streets for People
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	CP48	Tall Buildings

Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV3	Accessibility & Inclusive Design
	DEV4	Safety & Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency & Renewable Energy
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality

DEV12	Management of Demolition and Construction
DEV13	Landscaping and Tree Preservation
DEV15	Waste and Recyclables Storage
DEV16	Walking & Cycling Routes & Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity of Utility Infrastructure
DEV22	Contaminated Land
DEV27	Tall Buildings Assessment
EE2	Redevelopment/Change of Use of Employment Sites
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-use Schemes
HSG4	Varying the Ratio of Social Rented to Intermediate Housing
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
OSN3	Blue Ribbon Network & the Thames Policy Area

### **Planning Standards**

- Planning Standard 1: Noise
- Planning Standard 2: Residential Waste Refuse and Recycling Provision
- Planning Standard 3: Tower Hamlets Density Matrix
- Planning Standard 4: Lifetime Homes

### **Supplementary Planning Guidance/Documents**

- Designing Out Crime
- Sound Insulation
- Residential Space
- Landscape Requirements
- Canalside Development

### **Spatial Development Strategy for Greater London (London Plan)**

- Policy 3A.7 Affordable Housing Targets
- Policy 3A.8 Negotiating Affordable Housing in Individual Private Residential and Mixed Use Schemes
- Policy 3C.2 Matching Development to Transport Capacity
- Policy 2C.24 Freight Strategy
- Policy 4A.6 Improving Air Quality
- Policy 4A.7 Energy Efficiency and Renewable Energy
- Policy 4A.8 Energy Assessment
- Policy 4A.9 Providing for Renewable Energy
- Policy 4A.10 Supporting the Provision of Renewable Energy
- Policy 4A.11 Water supplies
- Policy 4A.14 Reducing Noise
- Policy 4B.1 Design Principles for a compact city
- Policy 4B.2 Promoting world class architecture and design
- Policy 4B.3 Maximising the potential of sites
- Policy 4B.4 Enhancing the Quality of the Public realm
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.6 Sustainable Design and construction
- Policy 4B.7 Respect Local context and communities
- Policy 4B.8 Tall buildings, location
- Policy 4B9 Large scale buildings, design and impact
- Policy 4C.1 The strategic importance of the blue ribbon network

Policy 4C.2	Context for sustainable growth
Policy 4C.3	The natural value of the blue ribbon network
Policy 4C.8	Sustainable Drainage
Policy 4C.12	Sustainable growth priorities for the blue ribbon network
Policy 4C.14	Freight uses on the blue ribbon network
Policy 4C.17	Increasing access alongside and to the blue ribbon network
Policy 4C.20	Design Starting from the water
Policy 4C.28	Development Adjacent to Canals

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

PPG1	Generally Policy and Principles
PPG3	Housing
PPG13	Transport
PPG24	Planning & Noise
PPS1	Delivering Sustainable Development
PPS22	Renewable Energy

**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:

### **LBTH Housing**

- 6.2 The provision of affordable housing exceeds the minimum policy requirement for 35% affordable housing, meeting the target of 50%.

Within the affordable housing, the scheme proposes 63% social rent, and 37% intermediate (as shared ownership), and thus exceeds the targets set within the LDF.

The scheme complies with the LDF requirements on unit mix in relation to the affordable housing for social rent, providing 45% family units, and including 4 and 5 beds in the mix. The mix for the private and intermediate housing provides between 10% and 11% 3 beds, against a target of 25% in the emerging LDF.

The affordable housing is fully integrated within the scheme; larger units are on the ground floor with separate entrances, with smaller units on the higher floors.

All of the units have private balconies or terraces.

It is recommended that a condition be included to ensure that the units meet lifetime homes standards and 10% of the units are wheelchair accessible or easily adaptable for residents who are wheelchair users.

### **LBTH Education Development**

- 6.3 This mix of units will generate a need for 28 additional primary school places @ £12,342 = £345,576. The funding would be pooled with other contributions and other funding to



provide additional school places to meet the rising need in the Borough as a whole. This sum is sought at 100%.

#### **LBTH Corporate Access Officer**

6.4 No reply received.

#### **LBTH Energy Efficiency Unit**

6.5 No reply received.

#### **LBTH Highways Development**

6.6 This development is acceptable. Approval should only be granted the provision of a car free agreement for the site and pedestrian improvements.

##### Section 278 Requirements

Consideration must be given to the footways surrounding the site, due to large scale construction and the likely effects it will have on the road surface along Bow Common Lane and Thomas Road. The bridge on Bow Common Lane must also be included in any S278 contributions and consultation with the Council's structural engineers must be sought and given approval prior to construction.

##### Section 106 Requirements

The developer should enter into a car free agreement.

The development should contribute to wider pedestrian enhancement and improvement works from St Paul's Way School to Mayflower Primary and St Mary and St Joseph's Primary School. This contribution should be shared between this development and the development opposite known as 8-10 Bow Common Lane.

There is also a need to simplify and redesign the junction with Bow Common Lane and Devons Road to the North of the developments. This junction gets very congested because of right turning traffic, plus there is a need to facilitate better and safer crossing to St Pauls Way School. All the developments in this area will impact both on the pedestrian flows and the vehicle movements at this junction.

Therefore, £150,000 is sought as contributions to the Bow Common Lane/Upper North Street Corridor Improvements. This would include the funding of a study to investigate improved linkages in the wider area. The works envisaged will upgrade this corridor, improving safety, pedestrian facilities, road layout, pedestrian crossing and vehicular movements, all of which will be exacerbated by the developments that will be completed in this area. This will be of significant benefit to the developments in this area.

#### **LBTH Environmental Health**

6.7 Air Quality

The following conditions must be complied with:

- A traffic management plan must be submitted detailing all routes to be used by construction vehicles. The plan must also detail any vehicle maintenance programmes to be employed.
- All on and off-road vehicles must comply with the applicable European Emission Standards at the time construction begins.

Bonfires

- No bonfires shall be lit on the construction site.

Smoke Emission

- All vehicles and plant must be maintained so as to not emit black smoke
- No plant must be operated on site which emits black smoke.

#### Contaminated Land

No reply received.

(OFFICER COMMENT: Standard conditions can be applied in this instance.)

#### Noise

The proposed development is expected to be exposed to road traffic noise levels falling into Noise Exposure Category "B" of PPG 24. It is recommended that consideration should be given to change of layout, to place habitable rooms on quieter facades. Where this is not possible, windows giving higher sound insulation than normal single glazing should be fitted to habitable rooms, along with sound attenuating ventilators.

#### LBTH Sun/Daylight Officer

No objections.

#### **LBTH Cleansing Officer**

6.8 No reply received.

#### **LBTH Horticulture & Recreation**

6.9 No reply received.

#### **London City Airport**

6.10 No safeguarding objection.

#### **Tower Hamlets PCT**

6.11 Based on 2 years revenue contribution, calculates that the proposal would generate a requirement in revenue and capital contributions respectively of £763,755 + £164,150 = £927,905.

#### **Metropolitan Police**

6.12 No objections to the proposal. Recommendations made regarding improvements to safety and security within the development. These issues can be dealt with via a suitable management plan.

#### **British Waterways (Statutory Consultee)**

6.13 BW raises no objection to the proposed development subject to a legal agreement and suitable conditions.

Since the development would bring more people to the area, thus putting more pressure on local open spaces, including the canal and its towpath, it is considered that this scheme and other proposed developments in the area present opportunities for funding local canal side environmental improvements to enhance the attractiveness and capacity of the canal infrastructure.

(OFFICER COMMENT: It has been agreed that the developer contribute £10,000 to British Waterways to secure works to Bow Common Bridge, access improvements to the tow path and upgrade works. This is approximately 25% of the current estimated cost of canalside

works in the vicinity of the site).

#### **Environment Agency (Statutory Consultee)**

- 6.14 No objection to the application subject to a number of conditions relating to maintenance of the canal wall, drainage and sewerage, flood defences, landscaping, lighting, and contamination. The Environment Agency request that they are consulted on the details submitted in relation to the above conditions.

#### **Lea Valley Regional Park Authority (Statutory Consultee)**

- 6.15 No reply received.

#### **Greater London Authority (Statutory Consultee)**

- 6.16 In summary the GLA concluded that:

- The permanent net loss of employment land on this historically industrial site raises some UDP policy concern and the provision of a greater amount of employment space would have offered a better balance of land uses for a genuine mixed-use development. However, the Council's UDP is dated; there is no indication in the emerging development framework that the area would be allocated solely for employment uses, and perhaps even more significantly, it is not identified as a strategic employment location in the London Plan.
- For a location with good to moderate public transport accessibility, the site has evidently been underused both in terms of the existing quantum of development and the amount of employment it generated even before it became vacant. The submitted proposal would replace the old poor quality and dilapidated employment space with modern, albeit significantly less, business accommodation which is more likely to be let and to generate a significantly higher employment density on the site than would otherwise be the case.
- The scheme has the additional and important benefit of delivering a high density residential accommodation that would maximise the development potential of the site, secure an affordable housing provision exceeding the London Plan 50% target for the local area, with an appropriate mix of tenures and unit sizes, and deliver a landmark development that provides a satisfactory design solution to the prominent junction of Thomas Road and Bow Common Lane and set the tone for the regeneration of this declining locality.

## **7. LOCAL REPRESENTATION**

- 7.1 A total of 192 neighbouring properties within the area shown on the map appended to this report were notified of 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:

#### Consultation

No of individual responses: 2                      Objecting: 2                      Supporting: 0  
No of petitions received: 0

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

#### Objecting

*Impact to surrounding businesses*

- Adjoining printing company is concerned about damage during demolition and construction in terms of vibration, which may upset the balance of printing presses resulting in damage to this business.
- The rear of the adjoining building will be open to the public during demolition and construction on the subject site and security of the business may be compromised during this period.

#### *Traffic & Car Parking*

- Disruption to the traffic flow during demolition and construction may have the potential to impact upon local businesses.
- The proposed development would increase the amount of traffic in the area, resulting in traffic problems at the junction of Bow Common Lane and St Pauls Way.
- The proposed development does not accommodate enough car parking given that the road network in the surrounding area can only accommodate minimal car parking.

#### *Amenity*

- The proposal would result in loss of sun/daylight to surrounding residential properties.
- The proposed development will interfere with TV/radio and satellite reception. Other buildings approved and constructed in the past in the area have impacted upon the reception of surrounding residents.

#### *Other*

- Low rise flats are more appropriate for this site.

## **8. MATERIAL PLANNING CONSIDERATIONS**

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

1. Land Use
2. Density
3. Design and layout and the suitability of a tall building at this location
4. Affordable housing, dwelling mix and housing standards
5. The Blue Ribbon Network
6. Energy Efficiency
7. Transport and Parking
8. Associated amenity impacts to surrounding properties

### **Land Use**

8.2 The subject site and the surrounding area are nominated as an employment area in the UDP proposals map (1998). Land use within the area is presently evolving and the site and surrounds have been designated in the Local Development Framework Core Strategy and Development Control Submission Document as a suitable location for mixed use development. In essence the proposed development comprising both residential and B1 use is contrary to the adopted UDP (1998) yet is consistent with the emerging LDF, thereby reflecting the evolution of the area.

8.3 The site presently contains a number of buildings/warehouses which are vacant. The scheme proposes 750m<sup>2</sup> of B1 floor space at ground level. The provision of commercial floor space at the Bow Common Lane frontage of the site will make a positive contribution to the vibrancy and character of this frontage which presently exhibits minimal activity.

8.4 The applicant advised that when the previous businesses were operating on the site less than 15 people were employed. Based on the floor area proposed it is considered that the scheme would have the potential to provide B1 office/workspace for a greater number of persons (in the vicinity of 40 persons), than the previous uses, well above the current level of employment generated on the site. The commercial floor space has been designed to be

suitable to the needs of modern businesses. In order to complement and ensure compliance with Policy EMP2 of the UDP (1998). In addition, should the development be supported it is recommended that planning contributions be sought for employment and training initiatives for local people as well as physical and social infrastructure.

### **Residential Density**

- 8.5 UDP policy HSG9 which refers to a density of 247hrh has largely been superseded by the density policies of the London Plan 2004 and Policies of the Local Development Framework – Core Strategy and Development Control Submission Document. Core policy CP20 of the Local Development Framework states that Council will seek to maximise residential densities, taking into account the individual relative merits of sites and their purposes. The London Plan and LDF policy HSG1 include the implementation of a density, location and parking matrix, which links density to public transport availability as defined by PTAL (Public Transport Accessibility Level) scores which are measured on a scale of 1 (low) – 6 (high).
- 8.6 The site has a public transport accessibility level (PTAL) of 3. For urban sites with a PTAL range of 1 to 3 the appropriate density of 200-450 hrh. The proposed density of 900hrh exceeds the greater level of the density range, however the scheme is acceptable based on the following grounds:
- The development of the site for mixed use development is consistent with emerging policy and will assist in the regeneration of this area. Development within this area will enhance the appearance and character of the area and will promote investment in infrastructure and services in the long term which will benefit both existing and future residents.
  - A number of contributions towards health, education and public infrastructure have been agreed to mitigate any potential impacts on local services and infrastructure.
  - The development is located within an area with reasonable access to public transport services, open space and other local facilities. The site is located within walking distance of several DLR stations, (Devon's Road, Westferry and All Saints). The proposed Langdon Park DLR station (within 500m of the site) will further improve the PTAL of the site. Bus services also operate on Bow Common Lane. The site also has good cycle pedestrian linkages along the Limehouse Cut.
  - The proposal does not result in any of the common symptoms of overdevelopment, i.e., inappropriate height, bulk and massing, excessive site coverage, undersized flats and open space, or significant amenity impacts to surrounding properties, etc.
  - The proposal is of a high quality and complies with the Council's objectives for new development as outlined in the UDP and the Local Development Framework– Core Strategy and Development Control Submission Document.

### **Design & Layout and Suitability of a Tall Building at this Location**

- 8.7 The proposal is designed to the highest design quality standards and generally accords with policies DEV6 of the UDP (1998) and Policy DEV27 of the Local Development Framework – Core Strategy and Development Control Submission Document in relation to tall buildings.
- 8.8 In addition to tall building policies, the proposal also generally accords with the design and environmental Policies DEV1 and DEV2 of the 1998 UDP and Policy DEV2 of the Local Development Framework – Core Strategy and Development Control Submission Document, which requires the bulk, height and density of development to positively relate to surrounding building plots and blocks, and the scale of development in the surrounding area.
- 8.9 Furthermore the proposal provides a positive response to the general scale and character of the canal environs as required by policy DEV47 of the UDP (1998) and OSN3 of the Local Development Framework – Core Strategy and Development Control Submission Document.

### Site layout

- 8.10 The surrounding urban form is presently industrial in nature with residential development to the north. Buildings in the area range in height from 5-6 storeys, with 9-13 storey residential building to the west adjacent to the canal at Abbots Wharf.
- 8.11 A 5-6 storey form rising up in height to 12 storeys is proposed. The tall 12 storey element has been incorporated into the design given the site's prominent junction at a bridge crossing over the Limehouse Cut and adjacent to Bartlett Park, an area of open space.
- 8.12 Blocks A and D are designed to align with both Bow Common Lane and Thomas Road frontages. The building is further setback at the canal side to provide an open space linkage from which to access Bow Common Lane and the bridge which traverses the Limehouse Cut. Block A/D has been set back at the 5<sup>th</sup> floor level to allow for an improved relationship with Bow Common Lane.
- 8.13 A feature of block A is the cantilevered building line with walkway feature underneath adjacent to the canal. In accordance with British Waterways and Environment Agency requirements the development is setback 6 metres from the canal edge.
- 8.14 Block B fronts the canal. The setback between blocks A/D and B is utilised as an open space linkage between the core of the development, the canal edge and Bow Common Bridge. Changes in level at this location have been dealt with via the provision of ramped access.
- 8.15 The canal side walkways would be landscaped in accordance with the landscape plan details of which would be agreed as a condition of approval.
- 8.16 Block C containing larger family units would be located central to the Thomas Road frontage and is afforded access to the landscape courtyard accommodating amenity and play space.
- 8.17 It is considered that the design and layout of the scheme as discussed above seeks to provide appropriate linkages from the surrounding pedestrian network through the site to the central and canal side communal open space on the site and Bow Common Bridge to the south and surrounding community spaces at Bartlett Park. In addition the proposed commercial component will seek to provide an active frontage to Bow Common Lane which will greatly improve the interface of development with the road frontage whilst also promoting safety and security at this location.

### Building height, form & materials

- 8.18 The surrounding context is generally industrial in nature with surrounding residential development ranging in heights of up to 13 storeys. As discussed above Block A/D on Bow Common Lane has been set back at the 5<sup>th</sup> floor to provide an improved relationship with the width of Bow Common Lane whilst also seeking to maintain the characteristics of surrounding development to the north.
- 8.19 The tallest element of the scheme which is 12 storeys in height seeks to provide a landmark at this prominent junction of the bridge crossing over the Limehouse Cut. The diagonal orientation of this element seeks to address the relationship of the building to the canal side setting the adjacent parkland to the south.
- 8.20 The tall element is continued through to ground level and steps down to 6 storeys along the remainder of the canal frontage and at Bow Common Lane thereby providing a positive relationship to both of these frontages.
- 8.21 The design of the tower element is slim line incorporating the use of light reflective glazed and opaque panels. It is recommended that additional information be submitted as a condition of approval regarding the architectural treatments of all elevations including

materials and finishes to ensure that all elevations are appropriately articulated to ensure a high quality finish.

#### Amenity space

- 8.22 All residential units within the development would have direct access to private amenity space. The development also incorporates communal open space in terms of landscaped gardens, incorporating children's play space as well as roof gardens to all blocks.
- 8.23 In addition the site is located adjacent to the Limehouse Cut which provides an open space linkage in terms of the Blue Ribbon Network and Lea Valley Regional Park. Bartlett Park and Furze Green open space areas are also located in proximity to the site.
- 8.24 All residential units within the development achieve or exceed the Council's space standards. The distance between habitable room windows exceeds the Council minimum standard of 18 metres.

#### **Accessibility & Inclusive Design – Safety & Security**

- 8.25 UDP policies DEV1 and 2 and policy DEV 3 of the Local Development Framework – Core Strategy and Development Control Submission Document seeks to ensure that development incorporates inclusive design principles and can be safely, comfortably and easily accessed and used by as many people as possible. It is considered that the design and layout of public and private spaces within the development are inclusively designed resulting in improved permeability and connectivity and a high standard of amenity for future occupants.
- 8.26 Further UDP Policies DEV1 and 2 and Policy DEV 4 of the Local Development Framework – Core Strategy and Development Control Submission Document seek to ensure that safety and security within development and the surrounding public realm are optimised through good design and the promotion of inclusive environments.
- 8.27 The commercial component of the development is oriented to Bow Common Lane providing for an active frontage. The entries to the residential component of the development and individual units are provided off the central courtyard areas and would be visually identifiable and accessible promoting a high standard of amenity for future occupants.
- 8.28 The layout of the site and the through linkages proposed results in good accessibility and inclusive design which would lead to a high quality environment for future occupants.
- 8.29 Overall it is considered that the proposal represents a design, massing and scale which achieves a positive response to the sites context, including its relationship with the Limehouse Cut, Bow Common Lane, Thomas Road, and existing and emerging development in the surrounding area.

#### **Housing**

##### Affordable Housing

- 8.30 Adopted UDP Policy HSG3 seeks an affordable housing provision on sites capable of providing 15 or more units in accordance with the Plan's strategic target of 25%. Policy 3A.8 of the London Plan states that borough's should seek the maximum reasonable amount of affordable housing taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and in line with the Borough's own affordable housing targets.
- 8.31 The Local Development Framework – Core Strategy and Development Control Submission Document Policy CP22 seeks 50% affordable housing provision from all sources across the Borough with a minimum of 35% affordable housing provision on sites capable of providing

10 or more dwellings. Policy HSG10 confirms that affordable housing will be calculated in terms of habitable rooms with the exception of where this yields a disparity of 5% or more compared to calculation in terms of gross floor space.

- 8.32 The application provides 91 affordable housing units out of the total 182 units proposed, representing 50% provision overall (50% in terms of units and 50% in terms of the total habitable rooms). This scheme meets the Council's minimum target of 35% and the London Plan and LDF target of 50%.

Affordable Housing (Social Rent) Dwelling Mix

- 8.33 The affordable housing for social rent would comprise the following dwelling mix:

<b>Affordable Rented</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>	<b>5 bed</b>	<b>Total</b>
<b>Units</b>	12	16	16	5	2	<b>51 (28%)</b>
<b>Habitable Rooms</b>	24	48	64	25	12	<b>173 (31%)</b>

- 8.34 The scheme provides 45% family housing (including 4 and 5 bedroom units) in the social rent affordable housing component. The dwelling mix of the affordable housing thus complies with the Council's policies.

Affordable Housing (Intermediate) Dwelling Mix

The intermediate housing would comprise the following dwelling mix:

<b>Intermediate</b>	<b>1 bed</b>	<b>2 bed</b>	<b>3 bed</b>	<b>4 bed</b>	<b>5 bed</b>	<b>total</b>
<b>Units</b>	23	13	4	-	-	<b>40 (24%)</b>
<b>Habitable rooms</b>	50	42	16	-	-	<b>108 (20%)</b>

Ratio of Social Rented to Intermediate Housing

- 8.35 Of the affordable housing provision 63% would comprise social rented accommodation and 37% intermediate in terms of habitable rooms. This generally accords with the London Plan's objective that 70% of the affordable housing should be social rented and 30% intermediate. Policy HSG5 of the Local Development Framework – Core Strategy and Development Control Submission Document requires a social rented to intermediate ratio of 80:20 for affordable housing. The proposal exceeds this policy target and is generally consistent with the emerging LDF policy.

Overall Dwelling Mix

- 8.36 On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a "substantial proportion" of family dwellings of between 3 and 6 bedrooms.
- 8.37 Local Development Framework – Core Strategy and Development Control Submission Document HSG2 specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. In terms of family accommodation, the Policy requires that 25% of intermediate and market housing to comprise units with 3 or more bedrooms respectively.
- 8.38 The overall housing would comprise the following dwelling mix:



	<b>Total No of units</b>	<b>% of total units</b>	<b>HSG2 policy requirement</b>
<b>1 bed</b>	43	23.6%	
<b>2 bed</b>	102	56%	
<b>3 bed</b>	30	16.5%	25%
<b>4 bed</b>	5	2.7%	
<b>5 bed</b>	2	1.1%	
<b>TOTAL</b>	<b>182</b>	<b>100%</b>	

8.39 It is considered that on balance the scheme provides a reasonable match with the Council's preferred unit mix specified in the Local Development Framework – Core Strategy and Development Control Submission Document. Within the intermediate and market housing, the scheme provides a total of 21% family housing against a target of 25%. On balance this is acceptable, taking into account the higher amount of affordable housing proposed.

### **The Blue Ribbon Network – Limehouse Cut**

8.40 Immediately to the south of the subject site is the Limehouse Cut, which is designated in the proposals maps of both the UDP (1998) and Local Development Framework – Core Strategy and Development Control Submission Document as a site of nature conservation.

8.41 In addition the Limehouse Cut is part of the public realm contributing to London's Open Space Network. The Blue Ribbon Network identified in Section 4C of the London Plan sets out general policies for regeneration related to London's network of rivers, docks, canals and other open spaces, this is reiterated in Policy OSN3 of the Local Development Framework – Core Strategy and Development Control Submission Document.

8.42 It is acknowledged that in accordance with Policy DEV47 and DEV48 of the UDP (1998) the proposal will improve the aesthetic amenity of the site and the canal environs whilst also allowing for improved pedestrian access linkages through the site to the canal and its associated tow path.

8.43 Policy OSN3 of the Local Development Framework – Core Strategy and Development Control Submission Document states that development adjacent to the Blue Ribbon Network must respect its waterside location.

8.44 British Waterways were consulted given their role in the management, maintenance and preservation of the network of canals and other navigations. Both British Waterways and LBTH officers concur that the layout of the development has been designed to improve the relationship and to minimise the impact to the Limehouse Cut. The tallest element of the development is sited adjacent to the road bridge over the canal to give it a nodal function, and due to its orientation would not have any unacceptable overshadowing impact on the canal.

### **Energy Efficiency**

8.45 The Local Development Framework – Core Strategy and Development Control Submission Document contains a number of policies to ensure the environmental sustainability of new development. Policy DEV6 requires major development to incorporate renewable energy production to provide at least 10% of the predicted energy requirements on site. In addition all new development is required include a variety of measures to maximise water conservation (Policy DEV7) incorporate sustainable drainage systems (Policy DEV8) and construction materials (Policy DEV9). In addition all new development is required to make sufficient provision for waste disposal and recycling facilities (Policy DEV15).

8.46 The applicant has submitted an energy statement which outlines the proposed and potential energy efficiency and renewable energy measures within the scheme consistent with the London Renewables toolkit and Part L of the building regulations. Biomass heating supplying

the community heating system is proposed. Biomass gas fired boilers would be arranged in parallel with the biomass boiler(s) as lead. The proposed development incorporates fuel storage at basement level with fuel deliveries to be carried out at ground level. The applicant states that during the detailed design of the scheme the system would be developed and sized to ensure that a 10% reduction in carbon dioxide emissions is achieved.

- 8.47 The GLA concludes in their Stage 1 Referral response that further discussions are required on the final details of how the applicant's energy proposals would be delivered to secure the Mayor's policy objectives. Suitable planning conditions and an informative can ensure that this undertaking is upheld.

### **Transport & Parking**

- 8.48 Both the UDP and the Local Development Framework – Core Strategy and Development Control Submission Document contain a number of policies which encourage the creation of a sustainable transport network which minimises the need for car travel, lorries and supports movements by walking, cycling and public transport.
- 8.49 In accordance with Policy DEV17 the applicant has submitted a transport assessment which demonstrates the impacts of the development upon the local transport network and details a number of appropriate mitigation measures.
- 8.50 The site, which has a PTAL of 3 is generally well located in terms of public transport. TfL would expect a contribution towards bus services in the area via a Section 106 Agreement between the developer and the Borough.
- 8.51 Appropriate contributions as well as a Section 278 agreement, contributions for pedestrian and cycling improvements in the vicinity of the site, and a car free agreement are required and would be included in the Section 106 agreement. These contributions could be shared with other developments within the area.
- 8.52 76 cycle parking spaces are proposed in the basement area. TfL considered this level of provision inadequate and requires the level of cycle parking provision to be revised in line with TfL's Cycle Parking Standards. All the spaces should be secure and sheltered with lockers and changing room facilities provided for cyclists. CCTV is recommended for additional security in the basement parking area.

### **Amenity**

- 8.53 UDP Policy DEV2 and policy DEV 1 Amenity of the Local Development Framework – Core Strategy and Development Control Submission Document seeks to ensure that development where possible protects and enhances the amenity of existing and future residents as well as the amenity of the public realm.
- 8.54 It is considered that the proposed development would not result in overlooking or loss of privacy to surrounding development. The proposal is massed in three separate buildings each with a separate relationship, to Thomas Road, Bow Common Lane and the Limehouse Cut. Given the siting of the buildings on the site, habitable room windows of dwellings within the development would be located in excess of 18 metres from adjoining development to the north of the site thereby minimising potential for loss of privacy and overlooking of surrounding properties. Internally the Thomas road and the Limehouse Cut blocks are adequately separated in excess of 18 metres thereby minimising impacts of internal overlooking and providing a high standard of privacy and amenity for future occupants. There are no other opportunities for direct overlooking within the development. The roof terraces proposed to each of the blocks would be suitably landscaped/treated to ensure minimal overlooking impacts both from within the development and to surrounding properties.

- 8.55 In relation to sun and daylight the applicant has undertaken a daylight study which indicates that the proposal maintains a good level of daylight and sunlight to surrounding properties. Generally the scheme is compliant with the BRE daylight guidance with only one window (9-43 Upper North Street) from all of the surrounding buildings not meeting the guidance. This window 14/20 at 4-43 Upper North Street to the north of the site fails to meet the ADF value of 1.5 by 0.6 achieving 1.44. In comparison to the existing condition this represents a 24% reduction which would be considered minimal in the context of the site.
- 8.56 The microclimatic conditions (wind assessment) as a result of the development have been assessed. The report concludes that comfort conditions at the selected locations would remain unaltered for all activities with the exception of long term sitting at the following locations:
- Junction of Bow Common Lane and Thomas Road
  - Bow Common Lane – Bridge over Limehouse Cut
  - South Bank Limehouse Cut
  - Corner of Kiln Street and Thomas Road

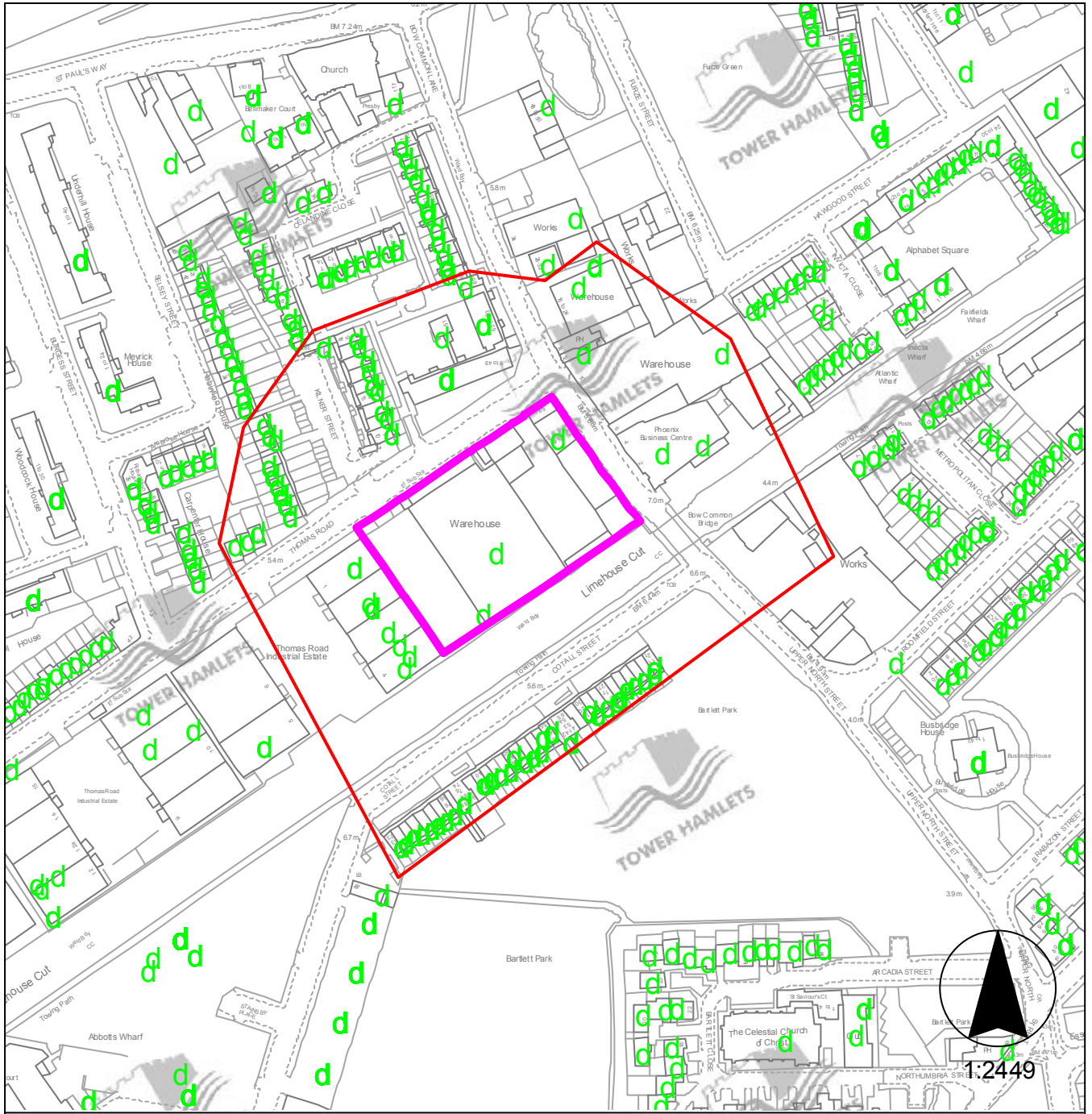
The microclimatic conditions are therefore considered to be acceptable.

- 8.57 Concerns have been raised as to the potential demolition and construction noise and vibration and associated impacts to the surrounding properties. A Demolition and Construction Method Statement (DCMS) would be required to be approved by the Council, prior to works commencing on site. The DCMS will also be required to comply with the Council's Code of Practice for Construction Sites.
- 8.58 Concerns have been raised regarding the impact of the development upon TV and radio reception in the surrounding area. The applicant has conducted a study on the effects of the development upon reception. It is concluded that there may be an adverse impact to the TV and radio reception of properties to the north depending on whether reception is provided from the Croydon/Crystal Palace or Poplar transmitters. Satellite dishes within the surrounding development are currently located close to the ground and may have to be relocated in order to improve reception. It is recommended that the developer consult with surrounding neighbours to ensure the reception is not adversely affected and if so reception is improved.

## **9.0 CONCLUSIONS**

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

# Site Map



## 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