

Committee: Strategic Development	Date: 20 th September 2007	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Terry Natt/Joe Salim		Ref No: PA/07/01239	
		Ward(s): Millwall	

1. APPLICATION DETAILS

Location: 4 Mastmaker Road, London E14 and 1 Millharbour, E14
Existing Use: N/A
Proposal: Alterations of previously approved scheme ref PA/05/1781, for the development of buildings up to 23 storeys in height comprising 199 residential units, associated retail (A1) or food and drink (A3/A4) and community uses (D1/D2), together with new access arrangements, parking, open space and landscaping.

The application includes the submission of an Environmental Statement under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

Drawing Nos: 364 drg 300 rev A, 364 drg 305, 364 drg 301 rev A, 364 drg 302 rev A, 364 drg 303 rev A, 364 drg 304 rev A, 364 drg 310 rev B, 364 drg 311 rev A, 364 drg 312 rev A, 364 drg 313 rev B, 364 drg 314 rev A, 364 drg 315 rev B, 364 drg 316 rev A, 364 drg 317 rev C, 364 drg 318 rev C, 364 drg 319 rev C, 364 drg 320 rev B, 364 drg 321 rev B, 364 drg 322 rev B, 364 drg 323 rev B, 364 drg 324 rev B, 364 drg 325 rev A, 364 drg 326 rev A, 364 drg 327, 364 drg 329 rev A, 364 drg 330 rev C, 364 drg 331 rev C, 364 drg 332 rev C, 364 drg 333 rev C, 364 drg 334 rev C, 364 drg 335 rev C, 364 drg 336 rev C, 364 drg 337 rev C, 364 drg 338 rev C, 364 drg 339 rev C, 364 drg 375 rev B;

The following is a list of accompanying technical reports relevant to this application:

- Design and Access Statement, April 2007;
- Landscape Strategy, April 2007;
- Planning Statement, April 2007;
- Sustainability Statement, April 2007;
- Energy Strategy Statement, April 2007;
- Flood Risk Assessment, April 2007;
- Statement of Community Involvement, April 2007; and
- Environmental Statement and Non-Technical Summary, April 2007;
- ES: Vol4 Appendix 6.3 – Transport Assessment;
- ES: Vol3 Appendix 6.4 – Construction Traffic Study; and
- Environmental Statement Regulation 19, July 2007.

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		Eileen McGrath 020 7364 5321

Applicant: Bellymore Millharbour Limited
Owner: Bellymore Millharbour Limited
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 alterations to a previously approved scheme ref PA/05/1781, for the development of buildings up to 23 storeys in height comprising 199 residential units, associated retail (A1) or food and drink (A3/A4) and community uses (D1/D2), together with new access arrangements, parking, open space and 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 the submission of details of materials, landscaping, external lighting, plant, and to control noise and hours of construction;
- c) The submitted Environmental Impact Assessment is satisfactory, including the cumulative impact of the development, with mitigation measures to be implemented through conditions and a recommended legal agreement
- d) The increase in the number of approved housing units from 190 to 199 is supported, as is inclusion a total of 71% affordable housing as calculated by habitable rooms.

3. 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) A total of 142 affordable housing units (530 habitable rooms). The affordable housing consists of 24 units (71 habitable rooms) provided onsite associated with the onsite private housing and 118 units (459 habitable rooms) provided onsite associated with the scheme at 1 Millharbour (PA/05/1782) and in accordance with the mix and type as specified in Section 7.7.7 of this report. The overall tenure mix set at 69% social rented and 31% intermediate housing;
 - b) Provide £305,465 towards the improvements and upgrades of the transport infrastructure, public realm and open spaces, provision of training and employment and securing community facilities and achieving the objectives of the Millennium as set out within the Millennium Quarter Master Plan;
 - c) Provide £261,475 towards education to mitigate the demand of the additional population on education facilities;
 - d) Provide £837,895 towards medical facilities to mitigate the demand of the additional population on medical facilities;
 - e) Secure Public Access Routes through the site;
 - f) Secure the connection to and use the Argentine Combined Heat and Power Unit;
 - g) A Travel Plan (for both the commercial and residential component) which promotes sustainable transport by reducing dependency on the private motor car and implements a shift towards more environmentally sustainable means of servicing the travel requirements of occupants and visitors;
 - h) The use of local Labour in Construction and the occupation of the development;
 - i) Compliance with a post construction Environmental Management Plan;

- j) Details of a monitoring and control regime (Liaison Group) to secure the delivery of development works associated with the development (as set out in Schedule 1 of the signed S106 agreement for PA/05/01781);
- k) Section 72 and 38 agreement to widen Byng Street to provide a footpath along the site;
- l) A car free agreement to restrict the occupiers from applying for residents parking permits in the area;
- m) Improvements/ connection to the existing children's play space;
- n) contribution of £175K to improve pedestrian linkage via alpha Grove to the riverside walkway.

3.2 That the Head of Development Decisions be delegated authority to impose conditions and informative 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 courtyards and ground floor public realm improvements);
 - Means of enclosure;
 - Refuse provision;
 - External lighting and security measures; and
 - Design of lower floor elevations (shopfronts).
- 3) Landscape Management Plan required;
- 4) Detailed parking layout, including parking maximum cars and minimum cycle and motorcycle spaces;
- 5) Construction in accordance with Lifetime Homes standards;
- 6) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 7) Construction work limitations;
- 8) Foundation design and ground works;
- 9) Details required for soil survey, including pollution of water;
- 10) Programme of archaeological work;
- 11) Defined management of microclimate studies and remedial measures included in the Environmental Statement;
- 12) Detailed Environmental Management Plan;
- 13) Detailed Air Quality Management Plan;
- 14) Construction Traffic Management Assessment required;
- 15) Management of construction transportation;
- 16) Construction Management Plan, including matters such as noise, dust and nuisance;
- 17) Restriction of ground borne vibration;
- 18) Details of surface water source control measures required;
- 19) 278 agreement to be entered into for Highway works surrounding the site;
- 20) Signage strategy for site; and
- 21) Any other condition(s) considered necessary by the Head of Development Decisions

Informative

- 1) Use of highest quality of materials;
- 2) Requirements of Control of Pollution Act 1974;
- 3) Compliance with Environmental Management Plan;
- 4) Compliance with Millennium Quarter Code of Construction Practice;
- 5) Implementation of green biodiversity objectives;
- 6) Encourage to use all sources of transportation during construction;
- 7) Consideration of the environmental information in connection with the development as required by the Town and Country Planning (EIA) Regulations 1999;

- 8) Environment Agency advice; and
- 9) Highway works as required under Section 278/72/38 of the Highways Works Act.

3.3 That, if by 21st December 2007 the legal agreement has not been completed to the satisfaction of the Chief Legal Officer, the Head of Development Decisions be delegated authority to refuse planning permission.

3.4 That the Committee agree the variation of the Section 106 legal agreement (of the planning application PA/05/01782, approved on 20th June 2007) for the development at number 1 Millharbour by updating the off-site affordable housing provision schedule, in Schedule 2, Part 2.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 Redevelopment by the erection of buildings up to 23 storeys in height comprising 199 residential units, associated retail (A1) or food and drink (A3/A4) and community uses (D1/D2), together with new access arrangements, parking, open space and landscaping.

4.2 A previous scheme on this site obtained a resolution for approval at the Council's Development Committee meeting on 22nd June 2006. On 20th June 2007, the associated S106 legal agreement was completed and the decision notice issued. The following table describes the amount of floorspace and units proposed under the current application and changes from the previously approved scheme.

	Area	Change from previously approved scheme
Total Floorspace	26,486sqm	+115
Residential Units	199	+9
Market Units	57	+3
Affordable Units	142	+6
Affordable family units	44%	+9%
Retail (A1, A2, A3, A4, A5)	90sqm	+12sqm
Community (D1/D2)	544	+274sqm
Car parking spaces	72	-10
Disabled parking spaces	10%	No change
Cycle parking spaces	150	No Change

To summarise, the changes include:

1. An increase in the number of residential units on site from 190 to 199;
2. A change in the mix of units proposed on site, including and increase in the number of family housing units;
3. Design changes to the approved scheme including elevational changes and internal reconfiguration (There is no increase in the height of any component of the scheme)

Site and Surroundings

Site

4.3 The site is located south of Byng Street and west of Mastmaker Road in the Isle of Dogs.

The total site area is 0.62 hectares. Marsh Wall forms the northern boundary of the site. The site has recently been vacated by the South Point Mercedes dealership and all buildings relating to this use have been demolished and a hoarding erected around the site. The current vehicle access to the site is from Mastmaker Road. The site is approximately 450 metres south of Canary Wharf Station and approximately 100 metres from the South Quay DLR station. The site is located within the Millennium Quarter which is the subject of the Millennium Quarter Masterplan (MQM), September 2000. The MQM provides a framework for the future of the Isle of Dogs as part of the strategic centre of the Borough, and aims to bring significant economic, social and environmental benefits.

Surrounding Area

- 4.4 A mix of commercial and residential uses surround the site. The area to the immediate north of the site is occupied by a commercial building (approximately 3 – 4 storeys). West of the site is the Argentine Estate which comprises predominantly two to four storey residential buildings.
- 4.5 North of the site is West India Dock and development north of this dock is characterised by high-rise development up to 37 storeys. Further north is the 55 storey office tower of 1 Canada Square, the Citigroup and HSBC buildings, each of 48 storeys. The area to the north west of the site is characterised by small scale commercial uses and the recently approved scheme at 22 – 28 Marsh Wall which included four buildings, the largest of which is 40 storeys high.
- 4.6 West of the site are the medium-rise buildings such as Knighthead Point, Topmast Point, and Bowspirit Point. Amongst these are several two or four storey homes. East of the site, the area is characterised by two to three storey high business units, including offices and car dealerships.
- 4.7 A number of redevelopment schemes have been approved in the surrounding area. These include the following:
- Lanterns Court: Outline planning permission granted for 651 residential units arranged in a building of 4 – 21 storeys;
 - Indescon Court: Outline application for a mixed use development up to a maximum height of 19 storeys (78.5 metres) comprising residential and commercial floorspace;
 - Arrowhead Quay: planning permission for a 16/ 25 storey office building, including retail/ restaurant use on part of the ground floor;
 - South Quay – resolution to grant planning permission for a high-density mixed scheme; and
 - 22 Marsh Wall – planning permission granted for high-density mixed use development.

Planning History

- 4.8 The following planning decision is relevant to this application:

PA/05/01781 Erection of buildings up to 21 storeys in height comprising 190 residential units, retail (Class A1) or food and drink (Class A3/A4) and community uses (Class D1/D2) together with new access arrangements, parking, open space and landscaping. **Approved 20th June 2007**

- 4.9 Relevant planning permission at 1 Millharbour, which relates to the application site:

PA/05/01782 Erection of two buildings of 48 storeys and 39 storeys to provide 763 residential units, retail (Class A1), food and drink (Class A3, A4), business (B1) and leisure (D2) uses with new vehicular access, parking, open space and landscaping. **Approved 20th June 2007**

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:

5.2 Unitary Development Plan

Proposals:		Central Area Zone
		Flood Protection Area
Policies	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Development
	DEV4	Planning Obligations
	DEV5	High Buildings
	DEV6	Buildings Outside the Central Area and Business Core
	DEV18	Art and Development Proposals
	DEV50	Noise
	EMP6	Employing Local People
	HSG2	New Housing Development
	HSG3	Affordable Housing
	HSG7	Dwelling Mix
	HSG8	Access for People with Disabilities
	HSG9	Density
	HSG13	Internal Standards for Residential Developments
	HSG16	Amenity Space
	T16	Impact of Traffic
	T17	Parking Standards
	T19	Pedestrians
	T21	Pedestrians
	T23	Cyclists
	T26	Use of Waterways for movement of Bulky Goods
	S6	New Retail Development
	OS0	Children’s Play Space
	U2	Tidal and Flood Defences
	U3	Flood Protection
	U9	Sewerage Network

5.4 Emerging Local Development Framework

Proposals:	ID22e	<ul style="list-style-type: none">• Gateway to Alpha Grove forming a key east-west connection,• Should be planned so as to become a focus for family play and gathering• Open space delivered through implementation of Millennium Quarter Master Plan
Core Policies:	IMP1	Flood Risk Area
	CP1	Planning Obligations
	CP2	Creating Sustainable Communities
	CP3	Character and Design
	CP4	Sustainable Environment
	CP5	Good Design
	CP7	Supporting Infrastructure
	CP11	Job creation and growth
	CP14	Sites in employment uses
	CP19	Combining Employment and Residential Use
	CP20	New Housing Provision
	CP21	Sustainable Residential Density
		Dwelling Mix and Type

	CP22	Affordable Housing
	CP25	Housing Amenity Space
	CP27	High Quality Social and Community Facilities to Support Growth
	CP29	Improving Education and Skills
	CP30	Improving the Quality and Quantity of Open Spaces
	CP31	Biodiversity
	CP37	Flood Alleviation
	CP38	Energy Efficiency and Production of Renewable Energy
	CP39	Sustainable Waste Management
	CP40	Sustainable Transport Network
	CP41	Integrating Development with Transport
	CP42	Streets for People
	CP43	Better Public Transport
	CP46	Accessible and Inclusive Environments
	CP47	Community Safety
	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 and 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
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclable Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contamination Land
	DEV24	Accessible Amenities and Services
	DEV25	Social Impact Assessment
	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
	HSG5	Estate Regeneration Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing
	SCF1	Social and Community Facilities
	IOD18	Employment uses in the Central sub-area
	IOD19	Residential uses in the Central sub-area
	IOD20	Retail and leisure uses in the Central sub-area
	IOD21	Design and built form in the Central sub-area
	IOD22	Site allocations in the Central sub-area

5.5 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.8	Sustainable Drainage
Policy 4C.12	Sustainable growth priorities for the blue ribbon network
Policy 4C.14	Freight uses on the blue ribbon network

5.6 Government Planning Policy Guidance/Statements

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

5.7 **SPG's** The following SPG is relevant to this application:

Millennium quarter Masterplan

5.8 **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:

Greater London Authority (Statutory)

- 6.2 The Mayor considers that the current application does not raise strategic issues other than that identified under the approved planning permission PA/05/01781, and has therefore directed the Council to proceed to determine the application without further reference to the GLA.

TfL (Statutory)

- 6.3 The development is broadly in line with the London Plan policies for improving London's transport infrastructure but further information is needed on the Section 106 agreement for transport infrastructure improvements, in order to ensure that the proposed development can be accommodated within the transport network.

Environment Agency (Statutory)

- 6.4 No objection to the proposal in principle subject to the application of conditions relating to the following:
- Development not to commence until the width of the breach area in the breach analysis is in accordance with guidance
 - Contamination constraints
 - Control of surface water
 - Piling and foundation design
 - Construction of drainage system
 - Adequate sewerage infrastructure

English Heritage (Statutory)

- 6.5 No objections raised.

English Heritage (Archaeology) (Statutory)

- 6.6 No objections, subject to conditions securing the implementation of a programme of archaeological work in accordance with a written scheme for investigation.

London City Airport (Statutory)

- 6.7 No safeguarding objection

NATS (Statutory)

- 6.8 No Safeguarding objection

Greenwich Council (Statutory)

- 6.9 No objections raised

CABE

- 6.10 Consulted about more schemes than they have the resources to deal with and will not be able to comment on this scheme

Natural England (Statutory)

- 6.11 No objection raised.

BBC

6.12 No adverse comments

Metropolitan Police

6.13 Generally supportive of the design – the more active frontages at ground floor the better. However, the submission of details relating to landscaping should include defensible space shown in front of ground floor residential windows and doors. Regulation of car parking will be required in the management plan.

LBTH Highways

6.14 No objection to the development subject to:

- A Section 278 agreement for off site highway works;
- A Section 72 agreement to wide Byng Street to provide footpath along the site;
- A Section 106 contribution of £175K to improve pedestrian linkage via alpha Grove to the riverside walkway; and
- The Millennium Quarter Master Plan contributions framework.

LBTH Environmental Health

6.15 The Environmental Impact Assessment was considered to be satisfactory. The following observations are made and conditions are required to ensure that the environmental health impacts of the proposal are minimised:

- Food premises are to be registered with Environmental Health;
- Site contamination mitigation measures are required including redemption strategy;
- Need for a Section 61 consent for noise abatement although it is recognised that works have already begun on site in response to the previous approval;
- Restriction on hours of work;
- Ventilation provision for kitchen/bathroom areas;
- Hours of delivery to be restricted;
- A code of construction practice detailing how the applicant intends to mitigate for dust and emissions from the construction site. Due regard must be given to the London Best Practice Guide; and

Wind Assessment

Satisfied with the wind conditions. It is recommended that the wind mitigation measures identified in the wind report are implemented, including evergreen trees on ground floor and porous screens at 4th and 5th floor to mitigate wind.

Sunlight/ Daylight

Satisfied with the Sunlight/ daylight conditions to adjoining residential properties, including Bosun Place. Satisfied with the overshadowing conditions.

7. LOCAL REPRESENTATION

7.1 A total of 112 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 responses: 1 Objecting: 1 Supporting: 0

7.2 The following local groups/societies made representations:

Association of Island Communities

7.3 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:

- Site not suitable to accommodate additional family housing;
- Increase in traffic and associated parking demands;
- Adverse impact on existing residential amenity.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. An increase in the number of housing units on site and provision of affordable housing units;
2. Mix of housing units provided;
3. Design changes resulting from the amended scheme;
4. Amenity impacts on surrounding properties as a result of changes to the scheme.

Land Use

8.2 In response to the previous approval, the site is currently under redevelopment with the building associated with the previous use currently being demolished. The surrounding area predominantly comprises a mix of commercial and residential uses.

8.3 The site is identified on the emerging LDF Proposals Map as site ID22e. The emerging Isle of Dogs AAP states that this site should be developed in line with the Millennium Quarter Masterplan (MQM). The MQM is a material consideration for developments within this area and sets out a series of guidelines for development including building height, open space, access and linkages. The Millennium Quarter is broadly split into three 'zones'. The northernmost zone is predominantly commercial and relates to the existing Canary Wharf uses. The southern part of the Quarter is intended as residential with the intermediate zone combining both residential and commercial uses.

8.4 The proposal will provide 199 residential units, being consistent with the requirements of UDP Policy HSG2 and LDF Policy HSG1 and Council's aims to meet the housing targets of 41,280 homes between 2006 and 2016. Additional uses proposed include 90sqm of retail and 544sqm of office space. This is consistent with UDP Policies CAZ3, DEV3 and Draft UDP Policy EMP2, which promote mixed-use developments.

8.5 The current scheme includes a mix of uses consistent with the Millennium Quarter Masterplan and emerging Isle of Dogs AAP. Whilst it is noted that the total floorspace has increased overall (largely to accommodate the increase in residential units) and the amount of office, apart-hotel and retail floorspace has decreased, the proposed scheme is still in line with the requirements of the LDF and can be supported.

Community facility

8.6 The scheme includes a health and fitness facility of 544sqm. This larger to that approved as part of the previous scheme. A management plan will be required to ensure proper community access is secured for the local community for this facility, but otherwise it is supported by emerging policy SCF1 in the LDF which seeks to secure appropriate community facilities.

Affordable Housing

Background

- 8.7 The proposed scheme must take into account the planning history of not only the previous approval listed above, but also a proposal currently under construction at 1 Millharbour. The permission granted for 1 Millharbour included arrangements for the large proportion of affordable housing not secured on 1 Millharbour to be secured by way of a 106 agreement and to be provided at 4 Mastmaker. Notwithstanding the transfer of affordable housing from 1 Millharbour, 4 Mastmaker, as a stand-alone development is required to provide an appropriate amount of affordable housing in its own right.
- 8.8 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. The Local Development Framework – Core Strategy and Development Control Submission Document Policy CP22 seek 50% affordable housing provision from all sources across the Borough with a minimum of 35% affordable housing provision on site's capable of providing 10 or more dwellings.

Affordable Housing

- 8.9 A total of 142 affordable housing units out of the total 199 units is proposed, representing 71% provision overall. Whilst this scheme exceeds the Council's minimum target of 35% and the London Plan and LDF target of 50% as calculated by the number of units, this also includes the allocation of affordable housing from 1 Millharbour. The total provision from Millharbour remains at 33% (as calculated by habitable rooms) and the breakdown of affordable housing from 1 Millharbour proposed to be provided on 4 Mastmaker is as follows:

1 Millharbour Affordable Housing (Proposed)

	Units	Habitable Rooms
1 Bed	29	58
2 Bed	27	86
3 Bed	12	49
4 Bed	50	266
Total	118	459

This compares to the previously approved breakdown from 1 Millharbour as demonstrated in the following table

1 Millharbour Affordable Housing (Approved)

	Units	Habitable Rooms
1 Bed	15	30
2 Bed	46	138
3 Bed	28	140
4 Bed	30	150
Total	19	458

- 8.10 Removing these from the overall calculation of affordable housing, this leaves the following breakdown provided by 4 Mastmaker in its own right:

4 Mastmaker Affordable Housing (Stand alone – Proposed)

	Units	Habitable Rooms
1 Bed	1	2

2 Bed	23	69
3 Bed	0	0
4 Bed	0	0
Total	24	71

4 Mastmaker Affordable Housing (Stand alone – Approved)

	Units	Habitable Rooms
1 Bed	5	10
2 Bed	6	18
3 Bed	3	15
4 Bed	3	15
Total	17	58

8.11 Combined, the overall affordable housing provision at 4 Mastmaker includes 142 units (530 Habitable rooms) as compared to the previously approved 136 units (516 habitable rooms). These tables demonstrate that although the 4 Mastmaker affordable housing component has decreased slightly in terms of absolute numbers, the mix provided is better balanced in favour of family housing. This is also true with respect to the component from 1 Millharbour where the number of overall units and the number of habitable rooms allocated to family housing within the social component has increased from the approved 58 family housing units (290 habitable rooms) to 62 units (315 habitable rooms). Discussion on the mix of units is contained below. Overall, the affordable housing provision is acceptable taking into account the history of both schemes and policies contained in the London Plan, the UDP and emerging LDF.

8.12 Overall, 69% of the affordable housing would comprise social rented accommodation and 31% intermediate. This generally accords with the London Plan's objective that 70% of the affordable housing should be social rented and 30% intermediate but does not meet the requirements of Policy HSG5 of the Local Development Framework – Core Strategy and Development Control Submission Document that requires a social rented to intermediate ratio of 80:20 for grant free affordable housing. The applicant has been involved with discussions with the Council's housing department who have agreed this tenure split on this site. On this basis the proposed tenure split is acceptable.

Housing Mix

8.13 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.

8.14 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. Family accommodation is again identified as a priority reflecting the findings of the Borough's Housing Needs Survey as well as the draft East London SRDF. In terms of family accommodation, the Policy requires 45% of social rented housing and 25% of market and intermediate housing to comprise family housing (units with 3 or more bedrooms respectively).

8.15 The proposal would provide for 199 residential units. For comparison, this is set alongside the approved scheme and comprises the following mix:

	Total No of Units (Approved Scheme)	Total No of Units (Proposed Scheme)	% of total Units (Proposed Scheme)
Studio	8	0	0%

2 bed	67	93	47%
3 bed	31	12	6%
4+ bed	33	50	25%
TOTAL	190	199	100%

8.16 The total affordable housing for rent at 4 Mastmaker would comprise the following dwelling mix:

	No of Units (Proposed)	No of habitable rooms	% of total habitable rooms	LBTH Housing Needs Survey Unit basis
1 bed	21	42	11%	20%
2 bed	15	45	11.5%	35%
3 bed	12	48	12.5%	30%
4 bed	50	250	65%	10%
TOTAL	98	385	100%	100%

8.17 The scheme provides 31% family units (3 and 4 bedroom units) across all tenures. More importantly, the scheme provides 62 out of a total of 98 (63%) family housing units within the socially rented affordable housing component (67.5% when calculated by habitable rooms). The intermediate and market component of family housing is 0% as compared to the LDF requirement of 25% for family housing across these two tenures. Clearly the market and intermediate component do not comply with the emerging requirements for family housing across all tenures.

8.18 To this end, the applicant has submitted a toolkit analysis that demonstrates that the scheme is on the borderline of viability. This can be read alongside social rented component that incorporates 63% family units, which is well in excess of the LDF requirement of 45% family housing. In addition, the family housing provision within the affordable housing tenure is an improvement on the previously approved scheme and has been endorsed by the Council's Housing Department.

8.19 Across all tenures, there is a prima facie shortage of family housing. However, in comparison with the previously approved scheme, it maintains a similar amount of affordable housing and the provision of a high number (63%) of family units within the socially rented component of the scheme. On this basis the scheme can be supported.

Design, Density and Scale

8.20 The changes to the scheme will result in a density of approximately 1078 habitable rooms per hectare (hrh) which is marginally more than the previously approved 1018 hrh. The density is still acceptable in light of the previously approved scheme and Table 4B.1 of the London Plan which indicates that densities of 700-1100 hrh are appropriate in urban sites with good transport links.

8.21 Policies CP1, DEV2 and HSG1 and of the LDF specifies that the bulk, height, and density of development must consider the surrounding building plots, scale of the street, building lines, roof lines, street patterns and the streetscape. The development must also respond in a sustainable manner to the availability of public transport, community facilities and environmental quality.

8.22 Influencing the assessment of this scheme is the previous scheme approved on 20th June 2007. The overall massing, building alignment and layout have not changed significantly with the amended scheme retaining more or less the same layout as the previously approved scheme. In respect of detailed design, landscaping, height and scale the features and differences between the two schemes are follows:

- Elevational changes. This has generally resulted a similar articulation of elevations to

the residential components, improved locations of balconies and improved visual interest

- Extra floor added to towers 1 and 3 (The tower elements of the scheme remain at the same height as that already approved)
- Floor to floor heights reduced
- Setting out of tower 1 building form
- Byng St entrance area projection removed from tower 2 base
- Substation relocated from basement to top of ramp
- Planter to edges of roof terraces and balconies omitted
- Winter gardens omitted
- Framing to end terraces of block omitted
- Balconies, windows, cladding types and brise-soleil re-arranged
- Changes to internal layouts
- Gap to side of wedge in block C infilled
- Windows omitted from rear garden walls
- Windows added overlooking east-west link
- Change of level introduced to publicly accessible courtyard
- Minor adjustments made to Floor levels
- Internal layout of flats adjusted
- Private/social lobby split removed
- Core layout changed
- Block C access from basement to courtyard moved within core
- Plant space in basement omitted beneath tower 1 and block E omitted and relocated in basement under block D and top of ramp
- Basement area reduced and re-planned
- Escape stair added from basement to block D
- Configuration of café/retail to base of tower 1 changed
- Community room omitted from third floor of tower 1
- Internal layout of community space at base of tower 2 altered
- Materials changed

8.23 Policy DEV27 of the Draft LDF Core Strategy states that tall buildings will be permitted in identified clusters as detailed in the Area Action Plans subject to a number of criteria. Further, the site is included in the “Proposed Tall Buildings Areas” in the Draft AAP. The proposed change listed above satisfy the relevant criteria of Policy DEV27 as follows:

- The architectural quality of the building is considered to be of a high design quality;
- The scheme contributes to an interesting skyline, and contributes to the general graduation of maximum building heights from west to east
- The scheme meets the standards of sustainable construction and resource management;
- The scheme meets the Council’s requirements in terms of micro-climate;
- The scheme enhances the movement of people through the site;
- 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;
- The transport capacity of the area now and in the future was considered as part of the Environmental Impact Assessment process. The Council’s Highways Authority has concluded that the transport assessments submitted satisfy the Council’s requirements (including the cumulative impact);
- A total of 5434 sqm of open space is in the form of private, communal gardens and balconies, green roofs across the site, a courtyard, and childrens play space;
- The proposal also includes an appropriate S106 contribution to based upon the Millennium quarter tariff system; and
- As discussed above, the mix of uses proposed are considered appropriate. The Council’s urban design officer has recommended that the detailed design of the ground

floor be conditioned to ensure that the development contributes to its surroundings at street level.

- 8.24 The overall design is acceptable in policy terms and will make a positive contribution to the site and immediate area. The amended scheme is not significantly different from the scheme approved in June 2007. The overall design, height, massing and footprint of the building is almost identical to the previously approved scheme and responds positively to the typology of the area. Amendments are negligible in terms of the overall design and changes made to the approved scheme can be supported.

Open space/ Amenity space

- 8.25 Policy HSG16 of the UDP requires that all new housing developments include adequate provision of amenity space. The Council's SPG for residential space sets out a total amenity space requirement for the current scheme.
- 8.26 The proposal will provide a total of 5,434 sqm of open space in the form of private (including private gardens for family houses, terraces at upper floors and balconies) and communal gardens, balconies, green roofs, a courtyard area with a mix of hard and soft landscaping, a community garden and a play ground. The proposal complies with the Council's residential space SPG. In addition the scheme allows for improvements and connections to the existing playground at the west of the site adjoining Bosun Close. Provision is also included for indoor play space as part of the community areas.

Amenity

- 8.27 With regard to the amenity impacts of the scheme, the proposal does not result in any changes in height, massing or scale. Amenity concerns were considered acceptable in the previous scheme approved in June 2007. Hence, there are no amenity issues relating to outlook, privacy, daylighting and sunlighting of adjoining dwellings. The proposed scheme is considered appropriate in terms of mass, scale and design to the application site.

Parking

- 8.28 The scheme will provide 72 car parking spaces at basement level and 150 cycle parking spaces. The number of car parking spaces is supportable in light of Planning Standard 3 contained in the Core Strategy and the London Plan that specifies a *maximum* car parking provision of 0.5:1 for residential units and 1: 1250 sq.m (B1). Both TfL and the Council's highways department have expressed support for the level of parking spaces provided.

Sustainable Development/ Renewable Energy

- 8.29 Policy DEV6 of the emerging LDF requires that all new development should incorporate energy efficiency measures. 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. In addition to objectives as set out in the Environmental Statement, the applicant confirms that the development will be connected to the Barkantine Combined Heat and Power plant. It is recommended that the above measures be secured by way of condition and an appropriate legal agreement.

Access

- 8.30 The scheme will yield much needed accommodation including affordable homes and accommodation for key workers. The access statement submitted highlighted the developer's commitment to provide all accommodation to lifetime home standards to be adaptable for mobility housing. Most of the units have relative ease of access to disabled parking bays. The statement confirms that 10% of the resulting accommodation will be

accessible by wheelchair. The applicant has also amended the scheme to address concerns raised by the access officer.

Environmental Impact Assessment (EIA)

- 8.31 The applicant has submitted an updated EIA with the application. The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Bureau Veritas. Mitigation measures required are to be implemented through conditions and/ or Section 106 obligations.

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.
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