

<b>Committee:</b> Development Committee	<b>Date:</b> 17December 2014	<b>Classification:</b> Unrestricted
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Applications for Planning Permission
<b>Case Officer:</b> Kamlesh Harris	<b>Ref No:</b> PA/14/02585
	<b>Ward:</b> Bromley South

## 1.0 APPLICATION DETAILS

**Location:** Watts Grove Depot, bounded by Watts Grove, Glaucus Street and Yeo Street, London E3 3QS

**Existing Use:** Council Depot Site

**Proposal:** Complete redevelopment consisting of the demolition of all buildings and structures on the old depot site and associated areas of hardstanding to provide 148 new homes (flats and houses) in buildings of varied heights ranging from three storeys to seven storeys (Use Class C3) together with new and upgraded vehicular access, new pedestrian accesses, open space, landscaping and associated works including relocation of existing telecommunications mast.

**Drawings:** D(20)100\_revD, D(20)101\_revB, D(20)102\_revB, D(20)103\_revB, D(20)104\_revB, D(20)105\_revB, D(20)106\_revB, D(20)107\_revB, D(20)108\_revA, D(20)110\_revB, D(20)111\_revB, D(20)112\_revB, D(20)113\_revA, D(20)114\_revB, D(20)115\_revA, D(20)116\_revA, D(20)120\_revA, D(20)150\_revA, D(20)151\_revA, D(20)200\_revC, D(20)201\_revA, D(20)202\_revB, D(20)250\_revA, D(21)01\_revA, D(31)01\_revA and D(34)01\_revA.  
Landscape plan – IA-372-LP-P01\_revE

**Document:**

- Design and access statement
- Landscape design statement
- AHS Viability Report
- Air Quality Assessment
- Daylight and Sunlight Report
- Ecology Report
- Drainage Strategy
- Flood Risk Assessment
- Phase 1 Preliminary Geo-environmental Assessment
- CGI BookletrevB
- Bin CalculationsrevB
- Accommodation SchedulerevB

- Heritage Assessment
- Energy Statement
- Code Pre-Assessment Report
- Structural Report for Existing Building
- Transport Assessment
- Statement of Community Involvement
- Planning Statement

London Borough of Tower Hamlets

**Applicant:**

**Ownership:**

London Borough of Tower Hamlets  
(Veolia Environmental Services and EEE Ltd and  
Hutchison 3G UK Ltd are leaseholders)

**Historic Building:**

None

**Conservation Area:**

None

## 2.0 EXECUTIVE SUMMARY

- 2.1 This report considers an application for the demolition of all buildings and structures on site to create a residential development of 148 new dwellings (13 houses and 135 flats). The three storey houses would be situated to the north of the site; the flats would be arranged over four blocks (B1, B2, C1 and C2) of varied heights ranging from five to seven storeys together with new and upgraded vehicular access, new pedestrian accesses, open space, a substation, landscaping and other associated works. The proposal would also include the temporary relocation of an existing telecommunication mast (currently located to the south of the site) to the north of the site during construction phases. After construction is completed, the mast would be permanently moved on the roof of one of the tallest buildings, Block C1.
- 2.2 Officers have considered the particular circumstances of this application against the provisions of the Development Plan and other material considerations as set out in this report and would recommend approval of planning permission, subject to appropriate and reasonable conditions.
- 2.3 The proposal is a Council lead initiative whereby the Council is both developer and site owner. The proposal would result in the provision of 100% affordable units on site (148 homes/565 habitable rooms), which would assist in reducing overcrowding in the Bromley South Ward. The new homes would be managed by Tower Hamlets Homes. On and off street parking spaces would also be managed by Tower Hamlets Homes.
- 2.4 The proposed redevelopment of this brownfield site which would include the loss of a depot site and some employment to create a residential led development is considered acceptable, given the size, location, accessibility and condition of the existing accommodation. The depot use would be decanted to other depot sites in the borough.
- 2.5 The residential quality of the scheme would be very high. Out of the 148 affordable rented units, 45% would be suitable for families. The family-sized units would be provided as a mix of three and four bedroom units. A small proportion of these units (13) would be provided as townhouses with sizeable private amenity space and individual front doors. All the family units and some smaller units would be provided with separate kitchens and living/dining rooms. All of the dwellings would meet Code

of Sustainable Homes and Lifetime Homes standards, and 10% would be provided as wheelchair accessible. All of the proposed units would meet or exceed the floorspace and layout standards with family sized and wheelchair units being more spacious, and the quantity and quality of housing amenity space, communal space, child play space and open space are considered to be good and of a well-considered design that effectively meets the needs of the development.

- 2.6 The design of the scheme as a whole, including the proposed massing, siting, architectural appearance and response to the site's setting, is of a high quality. The proposed heights do not cause concern. High quality materials and detailing would be used throughout. The proposal also includes a new north/south pedestrian link, providing improved pedestrian permeability through the site from Maddams Street.

### **3.0 RECOMMENDATION**

- 3.1 That the Committee resolve to GRANT planning permission

- 3.2 That the Corporate Director, Development & Renewal is delegated authority to issue the planning permission and impose conditions and informative to secure the following matters:

- 3.3 Conditions

1. Three year time limit
2. Compliance with approved plans and documents
3. Personal Permission – The London Borough of Tower Hamlets only
4. Samples and details of all facing materials, including balconies, windows and doors
5. Details of hard and soft landscaping, including boundary treatment and a Landscaping Management Plan
6. Archaeological Report
7. Thames Water (water infrastructure capacity)
8. Piling Method Statement
9. SUDS (drainage)
10. Details of play equipment
11. Details of rooftop PV array
12. Details of biodiversity enhancement measures
13. Details of all boundary treatments including hedges, fences, railings and walls
14. Details of all Secure by Design measures
15. Details of external lighting and CCTV
16. Hours of construction and demolition
17. Demolition and Construction Management Plan
18. Delivery and Servicing Management Plan
19. Contamination
20. Communal play space and child space accessible to all future residents of the development
21. Public access to the areas of open space and gates to be fully opened during the day and locked in dark hours
22. Code for Sustainable Homes Level 4 post completion testing
23. Lifetime Homes
24. Compliance with Energy Statement/single energy centre and CHP system to serve all flats
25. 10% wheelchair housing
26. Details of cycle parking

27. Waste and recycle storage
28. Scheme of highway improvement works as requested by LBTH Highways
29. Protection of retained trees
30. Fire hydrant location and access requirements (Fire Brigade)
31. Prior notification for relocation and retention of telecommunications mast
32. Securing financial contributions as follows:

- a) A contribution of £597,328 towards education facilities
- b) A contribution of £55,059 towards Idea Stores, libraries and Archives.
- c) A contribution of £30,559 towards construction phase, skills and training.
- d) A contribution of £6,554 towards smarter travel.
- e) A contribution of £25,000 towards health facilities.
- f) A contribution of £30,500 for S106 monitoring fee (1%).

Total: £745,000

33. Affordable housing 100% by habitable room (148 units) Affordable Rent at Borough Framework affordable rental levels.

34. Access to employment
- 20% Local Procurement
  - 20% Local Labour in Construction – 8 apprentices

35. Car free agreement

36. Travel plan monitoring

37. Necessary Highway Works – reinstate and improve footway adjacent to site, at Maddams Street;

3.4 Any other conditions considered necessary by the Corporate Director Development & Renewal.

3.5 Informative:

1. Thames Water standard informative
2. Building Control
3. CIL

3.6 Any other informative considered necessary by the Corporate Director Development & Renewal.

#### **4.0 PROPOSAL AND LOCATION DETAILS**

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

4.1 The application site has an area of approximately 0.76ha and is rectangular in shape; it is currently used as a council vehicle depot and general storage. The site is

bounded by Watts Grove to the west, Glaucus Street to the east and Yeo Street to the south. To the north is Maddams Street which is a cul-de-sac and ends at the edge of the depot site.

- 4.2 The site comprises brownfield land with buildings mostly to the north-east and north-west. Of note here are the former offices to the electricity generating station located at 13 Watts Grove. This building is unoccupied and used for storage purposes. The central area consists of parking spaces and open storage. It is noted that all buildings and structures on site would be demolished to make way for this residential scheme. There is a telecommunication mast to the south of the site near Yeo Street, which would be relocated during construction works to finally rest on top of the new building, after construction.
- 4.3 No parts of the application site fall within the curtilage of a listed building or within a conservation area. The nearest conservation area, Limehouse Cut, is due south and shares its boundary with the canal. The site does not have any specific policy designations and is located within a predominantly residential area interspersed with commercial uses.
- 4.4 The site has a Public Transport Accessibility Level (PTAL) of 2. It is approximately 450m from Devons Road DLR to the north east. The main road further north, Devons Road is served by several bus routes. The nearest underground station is Bromley by Bow, which is about a kilometre due north east.

#### **Relevant planning history**

- 4.5 None

#### **Proposal**

- 4.6 The proposal is for the complete redevelopment of the old depot site consisting of the demolition of all buildings and structures and associated areas of hard standing to provide 148 new homes (flats and houses) in buildings of varied heights ranging from three storeys to seven storeys (Use Class C3) together with new and upgraded vehicular access, new pedestrian accesses, open space, a new substation, landscaping and other associated works including relocation of existing telecommunications mast.
- 4.7 The scheme consists of 13 three storey houses to the north of the site, together with four individual blocks of flats ranging from five to seven storeys in height. These would be arranged to the east and west leaving room for an internal courtyard and pedestrian accesses, thus opening the site from north to south. This north-south pedestrian access through the site would be particularly valuable if/when a link is established to the canal in future developments; it is also proposed to restrict access right through the site to daytime hours only. An east/west vehicular access is also proposed to the north with a narrower pedestrian route further down the site.
- 4.8 It is noted that the residential proposal is for a 100% affordable rent scheme with a high percentage of family housing (45%), including 17% of four beds. The rent levels would be all affordable rents.

## **5.0 POLICY FRAMEWORK**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires that the determination of these applications must be made in accordance with the plan unless material considerations indicate otherwise. For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

### **5.2 Government Planning Policy**

National Planning Policy Framework 2012  
National Planning Practice Guidance

### **5.3 London Plan 2011 with Revised Early Minor Alterations published 11/10/2013**

- 2.9 - Inner London
- 2.14 - Areas for regeneration
- 2.18 - Green infrastructure: the network of open and green spaces
- 3.1 - Ensuring equal life chances for all
- 3.2 - Improving health and addressing health inequalities
- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people's play and informal recreation facilities
- 3.7 - Large residential developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.10 - Definition of affordable housing
- 3.11 - Affordable housing targets
- 3.13 - Affordable housing thresholds
- 4.12 - Improving opportunities for all
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Building London's neighbourhoods and communities
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character

- 7.5 - Public realm
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.19 - Biodiversity and access to nature
- 7.21 - Trees and woodland
- 8.2 - Planning obligations

#### 5.4 **Core Strategy 2010**

- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero-carbon borough
- SP12 - Delivering placemaking
- SP13 - Planning Obligations

#### 5.5 **Managing Development Document 2013**

- DM0 - Delivering Sustainable Development
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM13 - Sustainable drainage
- DM14 - Managing Waste
- DM20 - Supporting a sustainable transport network
- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place sensitive design
- DM25 - Amenity
- DM27 - Heritage and the historic environments
- DM29 - Achieving a zero-carbon borough and addressing climate change
- DM30 - Contaminated Land

#### 5.6 **Supplementary Planning Guidance/Documents and Other Documents**

##### Mayor of London

- Further Alterations to the London Plan - Draft (2014) ("FALP")
- Shaping Neighbourhoods: Play and Informal Recreation (2012)
- Sustainable Design and Construction - Draft (2013)
- Sustainable Design and Construction (2006)
- Accessible London: Achieving an Inclusive Environment (2004)
- Housing Supplementary Planning Guidance (November 2012)

## Other

- Planning Obligations SPD (LBTH 2012)
- Affordable Housing SPD - Engagement Version (LBTH 2013)
- By Design 'Urban Design in the Planning System: Towards Better Practice' (CABE 2000)

### **5.7 Tower Hamlets Community Plan objectives**

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

## **6.0 CONSULTATION RESPONSE**

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The summary of consultation responses received is provided below.

6.2 The following were consulted regarding the application:

### **External Consultees**

#### *London Fire and Emergency Planning Authority*

6.3 Access requirements must be met; No information on location of fire hydrants and the distance from the proposed development.

6.4 [OFFICER COMMENT: Full details have been reserved by condition and would be approved in consultation with the London Fire and Emergency Planning Authority.]

#### *Thames Water*

6.5 Waste Comments - With the information provided Thames Water, has been unable to determine the waste water infrastructure needs of this application. Should the Local Planning Authority look to approve the application, TW requests condition be applied for a drainage strategy detailing any on and/or off site drainage works.

6.6 Water comments - The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. TW recommend a condition to secure Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

6.7 [OFFICER'S COMMENT: The requested conditions and informative would be secured accordingly.]

6.8 **Port of London Authority** – No comments

6.9 **Environment Agency** – No objection

6.10 **Canal & River Trust** – No objection



## **Internal Consultees**

### *Biodiversity*

- There is nothing of significant biodiversity value on the application site and the existing buildings have been assessed as being unsuitable for bats. There will not, therefore, be any significant biodiversity impacts.
  - No green roofs, or any other elements of living buildings, appear to be proposed. The addition of biodiverse green roofs to all the main buildings would be a significant biodiversity benefit. It would also increase the efficiency of the proposed photovoltaics by reducing ambient temperatures on the roofs. Green roofs could also be installed on the proposed small buildings, such as bin stores and bike sheds.
  - The applicant should be asked to consider installing biodiverse green roofs. This would be a significant benefit for biodiversity, and would contribute to objectives and targets in the Local Biodiversity Action Plan.
- 6.11 [OFFICER'S COMMENT: The proposal would include the installation of photovoltaic array to the roofs of all residential blocks; a condition would be secured to look at creating some living roofs where possible]

### *Trees Officer, Parks & Open Spaces*

- 6.12 The Tree Officer has advised that the trees situated in close proximity to the proposed development site boundary, should receive adequate protection to canopy and root zone during construction. This should include the installation of root barriers along the boundary of the highway and the site footprint, to prevent future root extension/encroachment. Landscape section - An adequate maintenance schedule should be in place for all new plantings.
- 6.13 [OFFICER'S COMMENT: A condition to secure the safeguarding of existing trees would be imposed together with the provision of a landscape strategy.]

### *Environmental Health - Noise and Vibration*

- 6.14 Environmental Health have expressed concerns about lift shafts and plant rooms. The EHO officer has requested that nohabitable roomsadjoin the lift shaft or plant room. The applicant must show in the form of an acoustic report that no noise emanating from the lift shaft would be audible in any habitable room.
- 6.15 [OFFICER'S COMMENT: A condition will be secured to ensure a noise assessment report is submitted and approved by the Council. Current Building standards are such that this concern is easily resolved by condition.]

### *Environmental Health - Housing*

- 6.16 Standard comments were provided with relation to thermal insulation, heating and ventilation of the dwellings as well as automatic fire detection and alarm systems.
- 6.17 [OFFICER'S COMMENT: These areas are appropriately controlled under the Building Regulations and Building Control approval would be required]

### *Environmental Health - Contamination*

- 6.18 No adverse comments subject to appropriate conditions which would be secured accordingly

*Transportation and Highways*

- 6.19 Subject to the below matters being secured through conditions, Highways have no objection to the application:
- Agreement prohibiting residents from obtaining on-street car parking permit;
  - The on-site car parking for wheelchair users is acceptable;
  - The proposed works to public highway around the site to create two new crossovers and remove redundant crossovers are acceptable.
  - The northern access appears to have been designed to give vehicular access to the substation. Alternative access options should be pursued including from the east west vehicle route through the site;
  - Reference is made in the documentation to the limited use of the vehicular link for servicing. This should be the primary location for servicing of the adjoining blocks;
  - The east west vehicle route should be one way to prevent waiting on carriageway for oncoming vehicles to exit and oncoming passing situations on the private route itself;
  - The proposed cycle parking is acceptable;
  - Delivery and Service Plan;
  - Construction Management Plan;
  - Travel Plan; and
  - Scheme of Highways works necessary to facilitate the development.

[OFFICER'S COMMENT: The above comments are noted. Suggested conditions have been included.]

*Housing*

- 6.20 The application for the reuse of the depot site is supported together with the proposed development delivering 100% affordable housing, being all affordable rent. Given the size of the development, this is considered acceptable.
- 6.21 The proposed mix gives exactly 45% family units, as per our policy, with a satisfactory 17% of 4 bed units. The balance of 1bed and 2 beds is slightly at variance with policy: 1beds 26% instead of policy 30% and 2 beds 30% instead of policy 25%, but again, the provision of additional 2 bed units is desirable in terms of maximizing the rehousing of families possibly already in overcrowded 1 bed accommodation.
- 6.22 Wheelchair accessible units are welcome and the provision of 13two/three/four bed WC units is in line with the needs of families waiting for fully accessible housing on the Common Housing Register. This contributes towards the 10% requirement for this type of housing as stated in the Managing Development Document. Furthermore, all units would be designed with separate kitchens and living areas.
- 6.23 This proposal is made by the Council and the homes would be managed by Tower Hamlets Homes.

[OFFICER'S COMMENT:Appropriate conditions would be secured accordingly.]

### *Inclusive Access Officer*

- 6.24 The detailed floor layouts for the proposed wheelchair accessible units have been reviewed and following receipt of explanation and further amendments are considered to be acceptable and to fully meet the appropriate requirements.

### *Employment and Enterprise*

- 6.25 The developer should exercise best endeavours to ensure that 20% of the construction phase workforce would be local residents of Tower Hamlets.
- 6.26 To ensure local businesses benefit from this development we expect that 20% goods/services procured during the construction phase should be achieved by businesses in Tower Hamlets.
- 6.27 The Council seeks to secure a financial contribution of £30,559 to support and/or provide the training and skills needs of local residents in accessing the job opportunities created through the construction phase of all new development. This contribution would be used by the Council to provide and procure the support necessary for local people who have been out of employment and/or do not have the skills set required for the jobs created.
- 6.28 Due to the nature and scale of the proposed development, 8 apprenticeships posts would also be secured.
- 6.29 [OFFICER'S COMMENT: The financial and non-financial obligations are discussed further in the report and would be secured by way of condition.]

### *Energy Efficiency and Sustainability*

- 6.30 The applicant has submitted code for sustainable homes pre-assessment which shows the scheme is designed to achieve a Code Level 4 which is supported by the sustainable development team. The originally submitted proposals incorporated measures to reduce CO2 emissions by 19% which is significantly less than the policy requirement. These proposals were for individual gas boilers, which are not supported by the sustainable development team as it does not meet London Plan Policy 5.6 and does not demonstrate that the scheme is future proofed to connect to a district system. Acceptable energy system: 1) Connect to existing heating or cooling networks. 2) Site wide CHP 3) Communal heating and cooling.
- 6.31 Following negotiations, the proposal has been revised in accordance with the advice given above and the scheme would now incorporate measures to reduce CO2 emissions by about 45% which is considered acceptable and much closer to the 50% target.
- 6.32 [OFFICER'S COMMENT: These matters are discussed further in the report. Appropriate conditions would be included and secured accordingly.]

### *Waste Collection*

- 6.33 Waste management plan as explained in the design and access statement and as detailed in further information received is considered acceptable.

[OFFICER'S COMMENT: This would be conditioned.]

## 7.0 LOCAL REPRESENTATION

### Statutory Consultees

7.1 A total of 672 neighbouring properties, within the area shown on the map appended to this report, were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses:                      Objecting: 4                      Supporting: 0

No of petitions received:                      0

7.2 The following issues were raised in objection to the scheme:

- Overlooking
- Local amenities
- Increase in traffic
- Loss of light
- Loss of privacy
- New park
- New community hall

(OFFICER COMMENT: The above issues are fully discussed in the Land Use, Design, Landscape and Amenity sections of this report)

### Applicant's Consultation

7.2 The applicant has provided information in relation to public consultation carried out prior to the submission of this application.

7.3 A number of consultation events were organised. The consultation began with a leaflet drop in July this year, aimed at 449 households. The leaflet briefly described the proposal, invited residents to planned exhibition events, sought feedback and gave details of the exhibition website together with a simple questionnaire. A translation assistance service was also offered in the leaflet.

7.4 The first planned exhibition took place on 18 and 19 July in at the Linc Centre on Fern Street, which was wheelchair accessible and easily accessible for pedestrians. Attendance was fairly low for these two events. A second set of planned events took place in September on the Watts Grove Depot site itself on 12 and 13 September. Again attendance was fairly low for these two events. A total of 6 people signed in for the exhibitions.

7.5 The response to the questionnaire sent to 449 households yielded a percentage of 6% or 28 returned forms. Of these 28 responses no objections were received. 9 were supportive but had concerns and 19 were supportive. The pedestrian friendly spaces, open spaces and play areas were well received by all those who responded.

7.6 The areas of concern were inter alia, lack of parking spaces, 100% affordable housing and too much housing, vehicular access within the site and gated parts of the scheme.

## 8.0 MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Housing
- Design
- Amenity
- Transport, Access and Servicing
- Sustainability and Environmental Considerations
- Planning Obligations

### Land Use

#### Loss of Employment Use

- 8.2 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles: an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure; a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and an environmental role – protecting and enhancing the natural, built and historic environment. These economic, social and environmental goals should be sought jointly and simultaneously.
- 8.3 Paragraph 9 of the NPPF highlights that the pursuit of sustainable development includes widening the choice of high quality homes, improving the conditions in which people live and take leisure, and replacing poor design with better design. Furthermore, paragraph 17 states that it is a core planning principle to efficiently reuse land that has previously been developed and to drive and support sustainable economic development through meeting the housing needs of an area.
- 8.4 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there.
- 8.5 The Core Strategy place-making policy SP12 identifies a vision for this area as *'Establishing Bow Common as a family focused residential neighbourhood set around the civic spine of St Paul's Way'*. The main priorities surrounding this area would be community focussed while linking new residential developments to the civic, commercial and educational uses along St Paul's Way and transport link on Devons Road. The area would remain largely residential and offer high quality new housing alongside improved accessibility and safety and good quality public realms; in particular improving the accessibility and permeability to the Limehouse Cut.
- 8.6 The proposal seeks complete redevelopment and change of use from vehicle depot (sui generis) to C3 (Dwelling Houses). Although some very low-density employment

is provided on the site as a 'vehicle depot', it is not classified as a protected employment site in the local plan.

- 8.7 It is noted that the Council has ensured an undertaking to provide alternative sites for this facility. The depot site is predominantly used for parking of Council vehicles. Other depot sites are provided on Commercial Road and Leven Road, and given that the local plan does not designate this site for employment use, residential use would be welcome. It is noted that the area in the vicinity of the site is becoming increasingly residential with developments such as Caspian Wharf, Bow Enterprise Park and Parkside Apartments coming forward.

#### Principle of residential use

- 8.8 Delivering new housing is a key priority both locally and nationally. Policy 3.3 of the London Plan (2011) seeks to increase London's supply of housing, requiring Boroughs to exceed housing targets. For new developments, this should offer a range of housing choices in terms of the mix of housing sizes and types plus provide better quality accommodation for Londoners.
- 8.9 Policy SP02 of the Core Strategy seeks to deliver 43,275 new homes from 2010 to 2025 in-line with the housing targets set out the London Plan. The Further Alterations to the London Plan (FALP) sets a more ambitious target for the Borough of approximately 4,000 new homes per year. The census 2011 indicated that there is significant overcrowding in the South Bromley ward and that a total of 1550 additional rooms would be required to tackle the huge need for more homes.
- 8.10 The Core Strategy place-making policy SP12 pictures the Vision for Bow Common as that of a housing-estate regeneration and new development to reinstate a traditional street network to facilitate a more walk-able neighbourhood and improve access to the Limehouse Cut Canal. This proposal would seek to create a through access from Maddams Street to Yeo Street. There would also be accesses within the site from east to west, both vehicular and pedestrians.
- 8.11 Three of the objections received cited other uses that would be more beneficial in this area rather than housing. The creations of a community hall or a local park as well as local amenities were some of the suggestions. Housing remains one of the greatest needs and priorities for this Borough; this applies to Bromley South area as well. This report will go on to show that the proposal includes community benefits such as a community garden and home zone area together with improved accesses for all and not just the new residents. It is also noted that some shops/local amenities are situated along Devons Road. The proposal would not include a community hall in this instance, however there are many community benefits as detailed above, and the local plan does not designate this area to provide community halls, but rather directs such uses toward town centres.
- 8.12 To conclude, given the predominantly residential character of the site's environs, the need for more housing in the area and the Borough in general, the principle of intensification of housing use on this brownfield site is supported in policy terms.

#### **Housing**

- 8.13 The NPPF identifies as a core planning principle the need to encourage the effective use of land through the reuse of suitably located previously developed land and buildings. Section 6 of the NPPF states that "housing applications should be

considered in the context of the presumption in favour of sustainable development” Local planning authorities should seek to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 8.14 As mentioned in the Land Use section of this report, delivering new housing is a key priority both locally and nationally. This application would provide additional housing pursuant to Policy 3.3 of the London Plan (and the FALP) and Local Plan policy SP02. The 149 residential units would be a mixture of houses and flats, all with affordable rent levels. The main communal amenity space, open space and new thoroughfare would be readily accessible for all residents and the general public.

#### Residential density

- 8.15 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council’s town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.
- 8.16 The application site measures approximately 0.7646 hectares with a site PTAL rating of 2. In areas of PTAL 2 (very low/poor) and a central setting, the density matrix associated with policy 3.4 of the London Plan suggests a density of between 300-650 habitable rooms per hectare. This density range is provided by the sustainable residential quality density matrix that underpins Policy 3.4 Optimising Housing Potential of The London Plan (July 2011). The proposal, at 148 units, represents a density of 565 habitable rooms per hectare, which sits comfortably within the density matrix.
- 8.17 The policy acknowledges that it is not appropriate to apply the matrix mechanically to arrive at the optimum potential of a given site. Generally, development should maximise the housing output while avoiding any of the adverse symptoms of overdevelopment.
- 8.18 Officers consider that the proposal would provide good quality affordable homes with an appropriate mix, including a good proportion of family sized units, in a high quality scheme that positively responds to local context and does not result in any symptoms of overdevelopment. As such, taking into account the context of the site, it is considered that the proposal optimises the use of the site and the site can comfortably accommodate the proposed density in line with the relevant local, regional and national policies, in particular London Plan policies 3.4 and 3.5 and with Local Plan policy SP02.

#### Affordable housing

- 8.19 In line with section 6 of the National Planning Policy Framework, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London’s population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy

3.13 states that the maximum reasonable amount of affordable housing should be secured.

- 8.20 The Council's Strategic Housing Market Assessment (2009) identifies that there is an affordable homes shortfall of 2,700 homes per year. Additionally, current rates of over-occupation (over-crowding) are at 16.4%, significantly higher than the national average at 2.7%. The LBTH Community Plan identifies the delivery of affordable homes for local people as one of the main priorities in the Borough and Policy SP02 sets a strategic target of 35-50% affordable homes on sites providing 10 new residential units or more (subject to viability).
- 8.21 Policy DM3 (3.3) of the Managing Development Document states that the Council would give favourable consideration to proposals which exceed its strategic target of 50% affordable housing.
- 8.22 This scheme, a Council owned development, would provide 100% affordable housing including a significant proportion of family units (45%). This substantially exceeds the minimum on-site requirement of 35% affordable as specified by the Core Strategy policy SP02 and policy DM3 of the MDD and would make a significant contribution towards the Council's overall strategic target for 50% of new homes across the borough to be affordable.
- 8.23 All 148 proposed units would be provided in the affordable rent tenure.
- 8.24 The residential units would be managed by Tower Hamlets Homes. The affordable rent levels, inclusive of all service charges(except charges for heating and hot water, if any), would be as follows:
- 1bed £172
  - 2bed £202
  - 3bed £230
  - 4bed £254
- 8.25 Overall and to conclude, it is noted that the proposal would exceed policy targets and would result in a significant uplift in the quantum of much needed affordable accommodation.

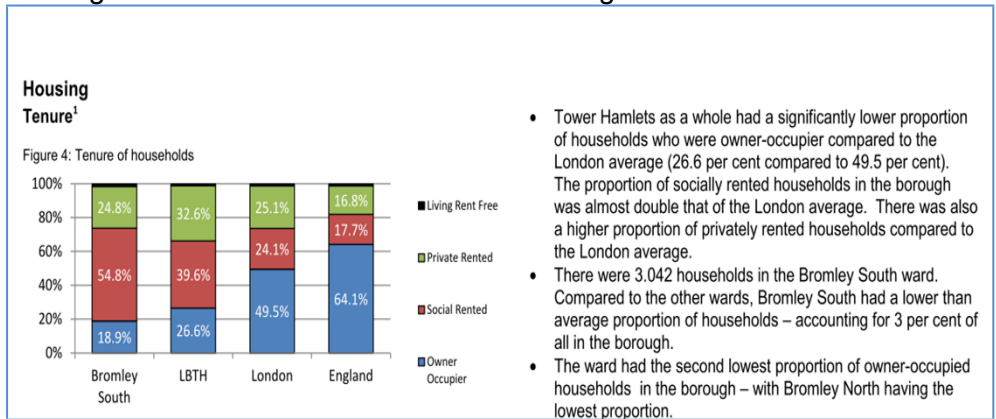
#### Mixed and balanced communities

- 8.26 It is acknowledged that providing 100% affordable housing on this site would not represent a mix of tenures. An analysis of the socio-economic make-up of the area has been carried out.
- 8.27 As a visual aid, the maps below outline the areas that have been assessed:





8.28 The following table is formulated from census data and shows the make-up of the existing housing tenure:



Tenure	Borough Average	Bromley South Ward
<b>Owner occupier</b>	27%	19%
<b>Social/affordable rented</b>	40%	55%
<b>Private rented</b>	33%	26%

8.29 Changes to percentages if development would be constructed at 100% affordable rented housing:

Tenure	Borough Average	Bromley South Ward
<b>Owner occupier</b>	27%	18%
<b>Social/affordable rented</b>	39%	57%
<b>Private rented</b>	33%	25%

8.30 The site is located within Bromley South Ward, and census data indicates approximately 8,677 people to be living in this ward, within 3,042 households. The table above shows an increase of 2% within the social/affordable housing tenure. At ward level, the addition of 148 affordable rented homes would not significantly alter the level of social/affordable housing in the area.

8.31 It should also be noted that this is an area of significant change and the proportion of social housing in the area has also significantly changed. New developments have been built since the 2011 census, namely Caspian Wharf, Bow Enterprise Park and Parkside Apartments. These developments were all built with a high percentage of private units. From the table below, it can be seen that these developments did not deliver the full policy ask of 35 – 50% affordable housing in accordance with policy and under delivered in the social/affordable tenure. This is calculated as a deficit of 60% in social/affordable units that these developments could have provided.

SITE	NO OF UNITS	MARKET TENURE	SOCIAL/AFFORDABLE TENURE	DEFICIT (out of 50% policy compliance)
Caspian Wharf	390	286 (73%)	104 (27%)	23%
Enterprise Park	557	386 (69%)	171 (31%)	19%
Parkside Apartments	78	53 (68%)	25 (32%)	18%

8.32 The table below shows the level of overcrowding in the Bromley South Ward, at 23%. This is considered significantly higher than the average for the Borough. The number of bedrooms required to overcome this overcrowding would be 1,551. The introduction of 148 additional affordable rented units and 565 habitable rooms therefore, would help to reduce overcrowding among households. It is not considered that this scheme would disproportionately affect the levels of social/affordable housing in the area when comparing with the recent market housing that has been built. It is considered, that on balance, the scale of this development would not adversely affect the mix of the area.

Area	Overcrowded (-1 or less)		Required Bedrooms (0)		Under Occupied (+1 or more)	
<b>Bromley South</b>	689	23%	1,551	51%	802	26%
<b>Tower Hamlets</b>	16,605	16%	51,058	50%	33,594	33%
<b>London</b>	370,531	11%	1,282,883	39%	1,612,759	49%
<b>England</b>	1,024,473	5%	5,885,951	27%	15,152,944	69%

(Source: Census 2011 QS406EW - Household size)

8.33 A balanced view would need to be taken on this proposal; it is acknowledged that Bromley South is an area with higher than average social/affordable housing; however, overcrowding is also higher than average. Therefore, the proposed habitable rooms would provide much needed additional housing stock for those on the Council's waiting list. This is therefore, a significant benefit of the scheme which would need to be weighed against any concern arising from whether this is undermining the objectives of creating a mixed and balanced community.

8.34 It is officers' view that the scheme would be an example of an exceptional circumstance, whereby 100% affordable housing could be considered acceptable. It is worth noting that the Council is the applicant and they would be building this development which would then be managed by Tower Hamlets Homes. The benefits of the scheme would be 148 units at affordable rent, of which 45% would be for family housing.

#### Dwelling mix

8.35 In line with section 6 of the National Planning Policy Framework and London Plan policy 3.8, the Council's Core Strategy policy SP02 and policy DM3 of the Managing Development Document, developments should provide a mix of unit sizes in accordance with the most up-to-date housing needs assessment. The relevant targets and the breakdown of the proposed accommodation are shown in the table below.

	Affordable Rented			
Unit size	Units	% on offer	Policy Target	Wheelchair units
1 bed	38	26%	30%	0
2 bed	43	29%	25%	5
3 bed	42	28%	30%	6
4 bed	25	17%	15%	2
<b>Total</b>	148	100%	100%	13 (10.1% by habitable room)

- 8.36 Within the entire development, the housing mix would be as follows: one-bed 26% against a policy target of 30%; two-bed 29% against a policy target of 25%; three-bed 28% against a policy target of 30%; and four-bed 17% against a policy target of 15%. The proposed provision of a substantial number of larger family units - 45% of three bed and four bed units meets with the Council's policy target of 45%. Within this provision, 13(10.1% by habitable room)of the units by habitable room are wheelchair accessible. This is especially welcome and supported by Housing colleagues. The slight shortfall in one bed units and over provision of two beds are not considered to be of concern.
- 8.37 There is a slight shortfall within the provision of three bed units by 2%. However, there is an overprovision of four beds units also by 2%. The provision of these two types of units would balance itself and overall the provision of family sized dwellings is policy compliant. The over provision of two bed units by nearly 4% is desirable and welcome in terms of maximizing the rehousing families already in overcrowded one bed accommodation. It is also noteworthy that a large proportion of the proposed family sized affordable units – 13 in total - would be provided as townhouses with sizeable private amenity space.
- 8.38 Overall and to conclude, in light of the 100% affordable provision of units and the proposed quantity/quality of family housing in this development, the mix of unit sizes is considered an acceptable mix and consistent with Policy 3.8 of the London Plan (2011), Policy SP02 and Policy DM3 (part 7) of the Local Plan which seek to ensure developments provide an appropriate housing mix to meet the needs of the Borough. Any shortfall would be easily mitigated with the overprovision of the larger units and is considered to be acceptable and would not prejudice the relevant policy objectives.

#### Standard of residential accommodation

- 8.39 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, of high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be "fit for purpose in the long term, comfortable, safe, accessible, environmentally

sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime.”

- 8.40 All of the proposed 148 units would meet or exceed the baseline floorspace standard. In particular, the proposed family sized units would be more spacious as would be the wheelchair units. It is also noteworthy that all family units, including some two beds and even some one bed units would be provided with separate kitchens. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements. The 13 townhouses include sizeable private rear gardens.
- 8.41 The proportion of dual aspect units would be maximised, with only a small number inevitably designed as single aspect. The distances between opposite elevations with habitable rooms would exceed the requirements of policy DM25. All of the proposed units would benefit from adequate privacy and defensible space and would not be subject to undue overlooking. The applicant has submitted a Daylight & Sunlight report addressing daylighting and sunlighting to the proposed units. All rooms would be adequately lit.
- 8.42 The townhouses have individual front doors to the street to provide a sense of ownership and generate activity and passive surveillance of spaces around the development. Access cores to the flats are spread throughout the development and have similarly been designed and sited to ensure safety, security and passive surveillance, in locations where there is an element of overlooking and activity.
- 8.43 Overall, it is considered that the proposal would meet and exceed the relevant qualitative and quantitative design standards, and would represent an exemplary standard of living accommodation and amenity to the future occupiers of the scheme.

#### Wheelchair Accessible Housing and Lifetime Homes Standards

- 8.44 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 8.45 13 wheelchair accessible homes (all flats) are proposed at ground level; out of these ten units would be located at ground floor level with individual front doors, with the remaining four accessed via the core of the buildings. Each block would have three/four wheelchair units which create an even distribution of such units throughout the site. The 13 units would also cater for a combined unit mix of five x two bed, six x three bed and two x four bed flats.
- 8.46 This is in accordance with the needs of families waiting for fully accessible housing on the Common Housing Register. The detailed floor layouts and locations within the site for the wheelchair accessible homes have been reviewed by the Council's Inclusive Access Officer and are considered to meet the appropriate requirements. 7 accessible parking spaces would be provided throughout the development and allocated in accordance with need. However, there is capacity on-street for further parking should the need arise for dedicated parking spaces.
- 8.47 All 148 units would be constructed in line with Lifetimes Homes Standards. A condition would be included to ensure that these standards are indeed secured. Furthermore, the 13 wheelchair units would exceed the 10% (in habitable room)

standard level. Accordingly, the scheme is considered in accordance with the requirement of London Plan policy 3.8 and policy SPO2 of the Core Strategy.

#### Private and communal amenity space

- 8.48 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 8.49 The private amenity space standard is set at a minimum of 5sqm for 1-2 person dwellings with an extra 1sqm for each additional occupant. All of the upper storey flats would have adequately sized balconies or terraces all meeting or exceeding the minimum standard. All ground floor units and town houses would benefit from urban gardens, private terraces and/or patios which would substantially exceed the policy requirement.
- 8.50 For all developments of 10 units or more, 50sqm of communal amenity space plus 1sqm for every additional unit should be provided. This would equate to a requirement of just under 200sqm. The application would however, propose to deliver 645sqm of community open space/garden, centrally within the site. This proposed provision would significantly exceed the required level of amenity space. It is noted that all this open spaces/garden would be accessible to all residents and the general public.
- 8.51 Overall, the proposed provision of private and communal amenity space would significantly exceed the policy requirements and would make a significant contribution to the creation of a sustainable, family friendly environment. The significantly large provision of communal space would further strengthen the quality of this scheme.

#### Child play space

- 8.52 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments. Policy DM4 specifically advises that applicants apply LBTH child yields and the guidance set out in the Mayor of London's SPG 'Shaping Neighbourhoods: Play and Informal Recreation' which sets a benchmark of 10sqm of useable child play space per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.
- 8.53 Using the LBTH child yield calculations, the development is anticipated to yield a total of 175 children, outlined as follows: 64x under 5s, 64x 5-10 year olds and 47x 11-15 year olds. Accordingly, 1750sqm of playspace is required overall; with 1280sqm of on-site play space required for 0-10 year olds. It is noted that the proposal would only provide a total of 274sqm of dedicated on-site play space. This would be well below policy requirement. However, the Mayor's SPG specifies that lack of on-site provision could be accepted if there are other play facilities within a 100m walking distance of the site.
- 8.54 The submitted Landscape Strategy outlines how the surplus of communal space would be beneficial to this proposal in terms of meeting the child play space provision. The entire central courtyard would be designed to accommodate the full requirement of doorstep play in line with government guidance. It is also noted that

there are existing green and open spaces within 400m of the site, namely Furze Green, Fern Green and Wyvis Street. Officers consider that the benefit of the development would outweigh the shortfall of child playspace and the provision of the existing playspace is considered sufficient in this instance. The Access officer has requested that some of the external furniture and play facilities in landscaped areas be designed so as to be sensitive and compliant with the needs of disabled children and other individuals. This would be secured by conditions as would full details of play space facilities and equipment would be reserved by condition.

- 8.55 For older children, the London Mayor's SPG sees 400m and 800m as an acceptable distance for young people to travel for recreation. This is subject to suitable walking or cycling routes without the need to cross major roads. The proposal does not include any dedicated on-site play space for older children; however, there are many open/play spaces within 400 to 800m from the site, namely Bartlett Park, Alton Street open space, Langdon Park, Jolly's Green and Mile End Park which could accommodate the needs of older children.
- 8.56 Officers consider that the overprovision within the communal garden and public realm is "genuinely playable" and will therefore contribute toward the play offer for residents. Furthermore, the private amenity space provision for the 13 town houses could be added to this quantum to boost this provision, as many children (out of the predicted 175) would be living in these houses.
- 8.57 Overall, it is considered that the proposal would provide a good play environment. The lack of on-site provision for older children and teenagers is mitigated by the options for play, sport and recreation within walking distance of the site. As such, the proposal would meet the requirements of Policy 3.6 of the London Plan (2011), Policy SP02 of the adopted Core Strategy (2010) and Policy DM4 of the Managing Development Document (2013) which seek to ensure that new developments make sufficient provision for children's play space.

## Design

- 8.58 The National Planning Policy Framework attaches great importance to the design of the built environment. It sets out seven qualities that well-designed new or changing places should exhibit:-
- *be functional;*
  - *support mixed uses and tenures;*
  - *include successful public spaces;*
  - *be adaptable and resilient;*
  - *have a distinctive character;*
  - *be attractive; and*
  - *encourage ease of movement*
- 8.59 Similarly, the London Plan (Chapter 7) places a strong emphasis on robust design in new development. In particular:
- Policy 7.1 seeks creation of distinct, liveable neighbourhoods and requires new buildings to interface with surrounding land, improve access to social and community infrastructure, local shops and public transport. The character, legibility, permeability and accessibility of neighbourhoods should be reinforced.

- Policy 7.2 seeks creation of an inclusive environment catering to the needs of all sections of the population, while policy 7.3 requires development to reduce the opportunities for criminal behaviour and to contribute to a sense of safety and security.
- Policy 7.4 requires development to respect local character - this should be achieved by a high quality design response informed by the surrounding historic environment and which has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Development should be human in scale, ensuring that buildings have a positive relationship with street level activity.
- Policy 7.5 the public realm should be secure, accessible, inclusive, and legible. Opportunities for greening should be maximised.
- Policy 7.6 specifies that in terms of assessing the architecture of a development as a whole the development should make a positive contribution to a coherent public realm, streetscape and wider townscape. It should incorporate the highest quality materials and design appropriate to the site's context.
- Policy 7.7 gives detailed guidance on design of tall and large buildings which should not have an adverse effect on the character of their surroundings, should relate well to the surrounding buildings, urban grain and public realm, and incorporate the highest standard of architecture and materials.

8.60 The Council's policy SP10 sets out the broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. Further guidance is provided through policy DM24 of the Managing Development Document. Policy DM26 gives detailed guidance on tall buildings and specifies that building heights should be considered in accordance with the town centre hierarchy, and generally responds to predominant local context. Policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces. The placemaking policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.

#### Layout,height and scale

8.61 The application site lies south of Devons Road and covers an area of 0.76 hectares. The site is used as a Council Depot and therefore has an industrial feel to it which results in a poor environmental quality, in an area which is becoming increasingly residential. The local and historic contexts however, are interesting and offer a lot of potential for this scheme. This proposal would seek to build on the principles of this local historic fabric which consists of linear links to the canal further south and draw on the established north/south routes to create a layout that would enhance the whole area.

8.62 In terms of layout and design, any new development in this location, would be expected to create a sense of place and connection to the existing locale. The design approach would reinforce the street pattern and would seek to cover a range of factors such as accessibility, security, safety, privacy, community interaction and the provision of adequate space for leisure. It is considered that the proposal would successfully relate to the existing pattern and layout of existing buildings, routes and

spaces within the estate and that the scheme would deliver a high quality public realm solution to create a strong sense of place.

- 8.63 The proposal would create a very dominant north/south route through the site with secondary east/west routes. The layout would lead to a surround development with buildings on all four corners, and in between, together with a series of avenues, new routes and walkways running east/west. The proposal would occupy the entire plot of land and would start from the very top at Maddams Street where an opened frontage to this proposal would be created.
- 8.64 Building heights in the local area range from two to five storeys to the north, south and west; Caspian Wharf to the south east is six storeys rising to nine and fourteen in the taller parts of that development. To the north east corner of the site is a five storey residential building situated along Glaucus Street. Along Yeo Street the buildings are fairly low rise. The height of the new buildings would start at three storeys from the north for the town houses while becoming progressively higher through the site at five storeys and would end at the edge of Yeo Street with buildings of seven storeys. The middle blocks would also enjoy a recess at fifth floor level.
- 8.65 It is considered that the progressive height of this development would allow a vista through the site and would allow for long visibility all the way to Yeo Street. The massing of the town houses would be reminiscent of mews style houses; this has been well thought through so as not to dominate the north of the site. This mass would afford a clear view from Devons Road, when viewed from Maddams Street. The two middle blocks would sit comfortably in the centre within the courtyard and when viewed from Watts Grove and Glaucus Street. And the final two blocks close the site and wrap around the whole development with a much higher elevation. At these heights, the new buildings would complement the existing surrounding buildings and the three surrounding street frontages, namely Watts Grove, Glaucus Street and Yeo Street.
- 8.66 The three storey houses would front Watts Grove, Glaucus Street and the new vehicular route designed as a home zone. Six disabled parking spaces would be created along this home zone which would be a one way route. This route would also be used by pedestrians; therefore, two different colours would indicate the vehicular and pedestrian surfaces, with the layout requiring vehicles to travel slowly, with priority for pedestrians. The flats would be arranged in a square within four blocks known as Blocks B1, B2, C1 and C2; B1 and B2 being the two middle five storey blocks. The other side of the home zone would provide direct accesses into the wheelchair accessible flats within blocks B1 and B2. All 13 units at ground floor level in the four blocks would be wheelchair accessible. Formal entrances for all blocks are via Glaucus Street and Watts Grove. Secondary entrances are through the central courtyard and the new pedestrian routes known as garden entrances.
- 8.67 The proposal would also consist of the erection of a substation building at the entrance of the site from Maddams Street. This building would be to the east/rear of the northern-most house on Watts Grove. Primary access to the substation would be from the mews thus ensuring the retention of three on-street parking spaces. A series of bollards would be installed along the edge of Maddams Street; these would be retractable to allow for emergency vehicles. Similar bollards would also be at the southern end of the mews near the home zone area.
- 8.68 A telecommunications mast is located to the south east corner of the existing site. It is proposed to relocate this mast during the construction phases of the development



which has been agreed in principle with the telecommunications provider. The mast would be positioned to the north east corner until such time when it is ready to be moved permanently on the roof of Block C1, to the west of the site. A prior notification application would be required to assess the relocation and final location of this mast. This would be conditioned.

- 8.69 It is considered that the height of the proposed development despite being taller than some of the surrounding existing buildings would still relate well to the established prevailing building heights in the surrounding area, and the Caspian Wharf development. The progressive height of the buildings would afford a viewing corridor through the entire development and would help to break down the mass that could have created a negative impact on adjoining buildings. The proposed buildings would have street prominence along all four edges of the application site without appearing bulky and dominating.
- 8.70 Overall, the design of the proposed development would be appropriate in terms of layout, height and scale and would relate well to the surrounding streets, the existing buildings, their layout and townscape. It is considered that the proposal would be sensitive to and would enhance the local character and setting of the development, in accordance with policy DM24 of the MDD 2013.

#### Safety and security

- 8.71 The proposal has been developed in accordance with the principles of Secured by Design (SBD). The scheme would deliver significant benefits in terms of safety and security by providing active frontages around and throughout the site. The design, layout and landscape strategy of this scheme lend itself well to the aims of Secured by Design.
- 8.72 Starting from the north at Maddams Street, the site provides permeability into the whole site to Yeo Street. This road would not be a dead end anymore (to the edge of the application site) but would rather integrate itself and the wider community to the new proposal. This would create natural surveillance both to the north and south of the site. All entrances to the town houses would be from either from Watts Grove or Glaucus Street plus the newly created vehicular avenue.
- 8.73 The rest of the proposal consists of the four blocks. The careful positioning of main entrances and windows would ensure that there are active frontages and natural surveillance. This is also repeated internally within the courtyards which overlook all four blocks. All buildings would also have a buffer space between the main road and the front entrances. Besides having a formal access from street level – two blocks from Watts Grove and two from Glaucus Street – the scheme would provide separate accesses into the community gardens. This would result in a high level of passive surveillance and have a positive effect on actual and perceived safety and security. No concealment points or poorly overlooked areas would be created.
- 8.74 The applicant has engaged with the Tower Hamlets Crime Prevention Design Advisor whose comments influenced the detailed development of the scheme. Details of all Secured by Design measures as well as external lighting would be conditioned.
- 8.75 The Crime Prevention officer supports the provision of an “open for all” (all residents and general public) approach for the communal area/garden and play spaces; however, it was advised that gates be installed at both ends of the new walk through into the sit, to be locked at night time or during hours of darkness (winter/autumn).

These gates form part of the boundary treatment around the playspace and residents garden only – there are no vehicular gates proposed, and the home zone does not include any gates. Two out of the 148 residential units would be situated behind the gates during hours of darkness, and accordingly it is not considered in this instance that the boundary treatment raises issues of exclusion. Further, a condition would be attached to ensure the gates are fixed open during daylight hours.

- 8.76 The new public routes, both vehicular and pedestrian, would ensure an increase in foot traffic (in particular) and this would offer further animation in this area and more movements to and from Devons Road. All these routes would also be well overlooked. All boundary treatments are either in the form of low walls, fencing/green fencing. Appropriate consideration would be given to all boundary treatments around the entire site and from Maddams Street.
- 8.77 Overall and to conclude officers are confident that this scheme would properly take into account secured by design requirements, improve safety and security in the location of the site and elsewhere and would not introduce undue risk of crime to future occupiers as a result of detailed design. The development proposals would increase connectivity and surveillance in the area. The scheme therefore accords with the London Plan, the Core Strategy and the Managing Development Document policies which seek to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.

#### Architectural appearance and Landscaping

- 8.78 The new buildings would draw on the design of surrounding buildings both in terms of their residential and industrial forms. Bricks would be the main material; three key types are proposed in a light orange multi brick for the flats and the ground floor of the houses. The houses would also have dark grey metal cladding on ground and second floor. A light buff stock brick would wrap around the buildings and blue engineering bricks would be used as a contrast and to highlight key parts of the design such as window surround. This would draw similarities with the historic Spratt's Ltd factory buildings along the canal.
- 8.79 The houses would have gardens at rear with their own main entrance enclosed by a front garden, which would accommodate bin and cycle stores. Boundary treatment for the houses would be in bricks with railings above. All four blocks of flats would have balconies, some inward facing and some outward to the street. Three types of balconies would be installed in this development; type one would be for those balconies protruding from the outer brick facades along the street elevations. This type of balcony echoes the historic canal side buildings, in particular the Spratt's building. It would also include a diagonal tie between each balcony. The second type would be recessed between the brick facades and the core of the buildings; these would also be along street elevations but without the diagonal ties. Metal railings and balustrade would adorn these balconies. The third type of balconies would be for those facing inwards within the courtyard; these would be similar in size to type two but with a perforated pattern on the front balustrade.
- 8.80 Doors for the town houses would be metal/timber with glazed panels and laminated panels; this would be compliant to the principles of Secured by Design. Windows would be in grey aluminium/timber composite with deep reveal of approximately 165mm. Communal entrance doors in the four blocks would also be to SBD standards and fully glazed with laminated glass panels. The roof of all the houses and flats would be finished with PV units. All rainwater pipes would be recessed square metal and laid flushed against brick work. It is considered appropriate and

reasonable to condition all facing materials, doors, windows and balconies details together with roof details and PV units.

- 8.81 The landscaping proposals have been well thought out and fully integrated within the scheme, and would be of high quality. This includes play spaces for young children, a community garden, a central courtyard, residents' garden and a home zone area to the north. The rear gardens to the north are all private for the houses. It has been mentioned already that a new pedestrian north-south route would be dominating this landscape. East west routes are also included along the home zone and further in the site. The community garden and central courtyard would be opened for all residents and general public; these would be landscaped with paving, raised planter beds, lawns and seating. The home zone would also be a vehicular one way route as well as being pedestrian friendly. The proposal would include tree and shrub planting. Accesses to gardens and open spaces have been created from street level and internally from individual blocks of flats.
- 8.82 In conclusion, the external appearance of the buildings has been carefully considered and designed to complement each other and the different architectural characteristics of the surrounding area. The general layout of the scheme including the public open spaces, the children's play spaces and the communal gardens would accord with the principles of inclusive design and would improve the permeability and legibility of the site and surrounds. Bin and bike stores have been integrated in all four blocks together with visitors' bike parking spaces in the courtyard. Subject to appropriate conditions, the materials proposed would be high quality and the buildings would create visual interest and relate well to the surrounding streets at ground level.

#### Detailed Design Revisions

- 8.83 Since the planning application was submitted in September 2014, further design changes to the scheme have been negotiated which would help address Energy and Sustainability concerns that LBTH planning officers had with the scheme.
- 8.84 The changes are considered minor in nature and are mostly within the internal layout of one of the block of flats. The block in question is C1, which lies on the corner of Watts Grove and Yeo Street. It was necessary to lose one unit so as to create a CHP plant room which would provide a communal heating facility for the blocks of flats. The floor of the new room for the energy centre would be sunk by approximately 1.2m to achieve the required floor to ceiling height of some 4m, thereby avoiding the need to increase the height of the building. A flue would also be installed internally.
- 8.85 Externally, the changes would be kept to a minimum. The window and door proposed for the flat along Watts Grove would remain intact as would the front enclosure and railings. A gate would be introduced within the external enclosure, matching the railings. Within the courtyard, there would be an increase in the ground floor bulk which could be used as a balcony or an area for living roof. Four windows are also proposed within the plant room facing Block B. In design terms, these changes would be acceptable and are considered de-minimis. The gain for the proposal as a whole is very significant as these changes would now increase the CO2 savings to about 45%. This issue will be discussed further under the Energy section later in this report.

#### Demolition of 13 Watts Grove

- 8.86 The proposal includes the complete demolition of all buildings and structures on the depot site. Whilst these are not of a great importance architecturally, one building in

particular which dates back to 1914 is of interest. It is noted that the site is not within a conservation area and this particular building is not listed.

- 8.87 Section 12 of the NPPF provides specific guidance on 'Conserving and Enhancing the Historic Environment'. Paragraph 131 specifically requires that in determining planning applications, local planning authorities should take account of:
- “desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation,
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.”
- 8.88 The building in question is the Santis Company Ltd office which is a two storey detached Edwardian building. The applicant was requested to carry out a Heritage Assessment to ascertain the quality of the building and more specifically to determine whether it can be considered as a “Heritage Asset”, and further, whether it could be retained within the new development. It has been noted that the building is in a poor state of repair and in need of decorative works. Whilst it is reasonably sound structurally, there are still some isolated parts which would not be deemed so, in particular the roof structures and exposed chimneys.
- 8.89 In historic terms, the building makes a limited contribution to the surrounding area. It stands as a functional building which was designed to manage the supply of electricity in the area. Architecturally, the current fabric is of only minor interest as red brick is found throughout the area. The rear access block represents an incongruous addition to this building which could have been built to comply with safety standards at some time.
- 8.90 The building and depot site are considered to be modest in contrast to larger warehouse buildings in the area around the canal. The front elevation holds all its quality and character in terms of architectural value. But its state of repair cannot be ignored. Internally a few original features have remained; however, these are not of particularly good quality and do not stand out for a building of this age. The heritage value of the building rests with just a few external elements in the façade and some structural integrity of the interior, whereas later additions detract from the building as a whole.
- 8.91 To conclude, it is noted that the contribution of 13 Watts Grove is minimal to the street scene. The building as a standalone structure lacks group value. Therefore, its architectural and historical significance are also minor. For that reason, the merits of the alternative proposal for the site and the desirability of this new development making a positive contribution to local character and distinctiveness, officers believe that the loss of 13 Watts Grove would not result in harm to the area given the lack of its overall significance.
- 8.92 Planning Officers in conjunction with the Urban Design Officer reviewed the proposed demolition scheme which had been the subject of comprehensive pre-application discussion. The Urban Design Officer has not objected to the loss of this building and the proposed demolition would accord with policy given that officers are supporting the redevelopment proposals.

## **Amenity**

- 8.93 In line with the principles of the National Planning Policy Framework, the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

The application site is largely surrounded by residential properties in all directions. It is acknowledged that the site is a depot which houses large vehicles and is conducive to high levels of noise and pollution. With the exception of this usage, the site is however in fairly quiet surroundings off a main road.

### Overlooking and privacy

- 8.94 Policy DM25 of the Managing Development Document requires new developments to be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The policy specifies that in most instances, a distance of approximately 18 metres between windows of habitable rooms would reduce inter-visibility to a degree acceptable to most people.
- 8.95 There are residential properties all around the site and almost all of them are separated by a public highway. This is the case for the existing residential properties along Glaucus Street, Yeo Street and Watts Grove. Sumner House lies north-west of the site and about 18m away at its furthest but about 7m away at its closest. On the other side is the residential block at 44 Glaucus Street. This site is about 10m away. It is noted that the north side of the site is where most of the existing buildings currently are; the new proposal would consist of the three storey houses only at the north together with garden spaces, the substation and the new route from Maddams Street.
- 8.96 The flats at 44 Glaucus Street are closest to the application site. However, as detailed above, there is an existing building alongside this residential block currently. The three storey town houses would be built alongside this north elevation and they would be set back. The end house would be set back further from the boundary as it would be designed with a side entrance and small amenity area. Furthermore the flats are at right angle to the new terrace of houses and if anything the overlooking along the north elevation would be to the detriment of the houses rather than the residents of the flats. The inter-relationship between the subject site and Sumner House is such that there are no directly facing habitable room windows within 18 metres. The rest of the neighbouring residential blocks in particular Caspian Wharf, David Hewitt House, Compton Close and Hudson House are all well over 18m-20m away. Officers are of the opinion that this proposal would not lead to significant impact in terms of overlooking and loss of privacy to existing buildings around the site.

### Outlook and sense of enclosure

- 8.97 Issues of overlooking, outlook and sense of enclosure are largely subjective. Following an assessment of the application, officers consider that given the separation distances involved between the application site and surrounding buildings, the proposed development would not give rise to any adverse impacts in terms of visual amenity or sense of enclosure. The distance between the development proposal and habitable rooms of adjoining properties would be mostly at around 20m and outlook to these properties would not be significantly impacted. Two of the objection letters received are from residents of Caspian Wharf who objected on the ground of overlooking and privacy. The separation distance between this residential development and the application site is in excess of 40m, which is well beyond the 18m minimum threshold which is considered a distance by which privacy is maintained between directly facing habitable room windows.
- 8.98 On balance, given the urban location of the site and its surroundings, together with the separation distances between facing habitable room windows and amenity spaces, it is considered that the proposed development would not result in any significant overlooking or loss of privacy to neighbouring residents. The proposal therefore accords with Policy SP10 (4) of the Council's adopted Core Strategy (2010) and PolicyDM25 of the Council's adopted Managing Development Document (2013).

### Daylight and sunlight

- 8.99 Policy SP10 of the Core Strategy and policy DM25 of the MDD seek to protect amenity, by ensuring development does not result in an unacceptable material deterioration of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential development.
- 8.100 The daylighting conditions at neighbouring properties are normally calculated by two main methods, namely the Vertical Sky Component (VSC) and No Sky Line (NSL). Building Research Establishment (BRE) guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should be reduced to no less than 0.8 times its former value, in order to ensure that sufficient light is still reaching windows. These figures should be read in conjunction with other factors, including NSL, which takes into account the distribution of daylight within the room, and again figures should not exhibit a reduction beyond 20% of their former value. The applicant has submitted a Daylight & Sunlight report addressing daylighting and sunlighting. The report concludes that the proposed scheme will meet the BRE required standards for daylight and sunlight to neighbouring residential properties.
- 8.101 The applicant has submitted a Daylight and Sunlight Assessment prepared in line with the BRE methodology. The assessment demonstrates that a good level of adherence is achieved to all of the neighbouring properties. It is considered that on balance, the layout of the proposed development follows the BRE guidelines and has sought to ensure good levels of day light and sun light to existing surrounding properties.

- 8.102 Objections received cited loss of light as a main concern. In particular, one resident from David Hewitt House who lives in a third floor flat. The VSC results show that out of the 36 windows tested, 33 adhere to the BRE guideline criteria. The three windows that do not adhere fully are situated on the first and second floor levels. These windows would still achieve a VSC value of 24% which is only slightly lower than the target of 27%.
- 8.103 48 windows were tested from the block of flats at 44 Glaucus Street; all the windows adhere to the BRE guidelines and there were also light gains on lower floors due to the proximity of the existing building currently on site. Objection from Caspian Wharf cited a reduction of light for a fourth floor flat. The test carried out concluded that out of the 33 windows assessed for VSC, all windows passed. A good level of daylight would still be enjoyed by residents. Sun light assessment was not carried out as that particular elevation facing the application site faces 90 degrees due north, and therefore falls outside of the criteria for assessment.
- 8.104 The report also addresses daylight and sunlight within the future development, in particular the units which face the courtyard. On the whole, it is considered that the proposed development shows a reasonable level of daylight and sunlight. On balance, taking into account the site's context within a central urban area and in light of the design of the scheme, including the provision of good levels of private and communal amenity space, officers consider that the daylighting conditions within the development are reasonable.
- 8.105 To conclude, the design of the scheme, in terms of general massing and layout, would seek to minimise daylight/sunlight impacts to neighbours and would achieve high standards of daylight/sunlight for future occupants. Taking the above into account and the results of the daylight/sunlight report, officers consider that the scheme would comply with the daylight/sunlight issues as set out in policy SP10 and policy DM25 of the Council's Local Plan.

#### Noise and Vibration

- 8.106 Policy 7.15 of the London Plan (2011), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.107 The site is located in an area which is relatively quiet. Any noise would be due to vehicular traffic. It is considered that the removal of the depot use would significantly enhance the surrounding area for all residents, existing and future. The proposed development itself would not be a source of excessive noise.
- 8.108 The Council's environmental health officer has requested that no habitable rooms should be placed alongside lift shafts. This has been verified and officers are confident that all habitable rooms are well away from the lift or separated from them by bathrooms. The officer has also requested an acoustic report to ensure sound insulation and noise reduction to the buildings and future occupiers. This would be conditioned.
- 8.109 As such, it is the officer's view that the proposal is generally in keeping with NPPF, Policy 7.15 of the London Plan (2011), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013).

8.110 In conclusion, it is considered that any amenity impact of the development on the neighbouring residential occupiers would not be uncommon for a major development in an urban area. Policy DM25 (Amenity) of the MDD requires that development seeks to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The scheme is considered to comply with Policy DM25. The proposed development would not give rise to any unduly detrimental impacts in terms of privacy, overlooking, outlook, sense of enclosure, sunlight and daylight, and noise upon the surrounding residents or upon future occupants of the development.

### **Transport, Access and Servicing**

8.111 The National Planning Policy Framework emphasises the role transport policies play in achieving sustainable development and stipulate that people should have real choices in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, they should also have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and consider the needs of people with disabilities.

8.112 London Plan policies 6.1 and 6.3 seek to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel by making it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling. The Core Strategy policies SP08 and SP09 together with policy DM20 of the MDD seek to deliver an accessible, efficient and sustainable transport network, ensuring new development has no adverse impact on safety and road network capacity, requires the assessment of traffic generation impacts and also seeks to prioritise and encourage improvements to the pedestrian environment.

8.113 As mentioned earlier in this report the site is in an area of very low/poor PTAL rating of 2. The application has been supplemented by a Transport Assessment, which has been reviewed by LBTH Transportation & Highways. No adverse comments have been made by the Council's Highways team as detailed in the consultee response section.

8.114 The closest transport hub to this site is the Devons Road DLR station. Buses run along Devons Road, Violet Road and Bow Common Lane traveling in the general direction of Canning Town, Mile End Station, Stratford and Isle of Dogs. The development would be car free with few parking spaces outlined for disabled users. Cycle parking provision has been discussed and conforms to policies.

8.115 Overall, the proposal is likely highways and transport impacts are considered to be minor and acceptable to the Council's Transportation & Highways section. The relevant issues are discussed below.

#### Cycle parking

8.116 The London Plan policy 6.9 and policy DM22 of the Managing Development Document set minimum cycle parking standards for residential development. In accordance with these standards, the application proposes 234 secure (18 for visitors), covered spaces for residents. The cycle stands would be distributed across the development site with an adequate number of spaces provided within each



access core and within individual houses. The storage areas are distributed across the site in a manner that would ensure each residential unit is located within a convenient distance to cycle parking. The highways officer welcomes this overall provision.

#### Car parking

- 8.117 Policy DM22 sets out the Council's parking standards in new developments. The proposal would only cater for and deliver disabled parking bays; six within the site designed in the new vehicular access to the north of the site and one along Yeo Street.
- 8.118 The Council seeks 10% of all parking spaces provided to be accessible spaces. In this case, 100% of parking is accessible, with no general needs parking proposed. In the event further disabled parking spaces were needed (bearing in mind there are 13 accessible parking spaces), further off street parking could be made available to residents on street, as a parking capacity survey has shown that there is sufficient capacity on street for such demand. Furthermore, the parking spaces at the top of Maddams Street would now be safeguarded following the rearrangement of the sub-station's access.
- 8.119 The seven spaces that are to be provided would be designed to be fully accessible to wheelchair users and would serve the occupiers of the ground floor wheelchair accessible dwellings.
- 8.120 The development would also be subject to a 'car free' planning obligation restricting future occupiers from obtaining residential on-street car parking permits, with the exception of holders of a disabled person's (blue) badge or beneficiaries of the Council's permit transfer scheme.
- 8.121 The development has 62 units of 3 bed or larger where the occupants may be eligible for the permit transfer scheme. So there could be at least 62 additional vehicles looking to park on streets nearby. The applicant has carried out a parking survey of the existing levels of parking stress on the roads surrounding the site, which shows that these vehicles could be accommodated due to the current low parking stress. The Council Highways officers have therefore not raised a concern with the potential for excessive on street parking resulting from this development.

#### Vehicular and Pedestrian Access

- 8.122 The potential to improve existing accesses and create new ones within the development site started with early discussion at pre application stage. Enhancing the public realm, improving safety and increasing permeability from north to south were the focal points of this proposal. Pedestrian access around the site is currently identified in a U shape starting from Watts Grove then left onto Yeo Street and left again onto Glaucus Street. There is also a dead end to the north of the site at Maddams Street.
- 8.123 This development would open up the area and create improved permeability from Devons Road through to Yeo Street. A new entrance into the site would start from Maddams Street, continue through the site and end at Yeo Street. This entrance also forms part of the entrance to the new substation building. To the north of the site, in between the houses, the new entrance route would serve as a vehicular emergency access only. Lockable bollards would be installed to ensure that no vehicles drive

through or enter/exit the site along this way. A change of surface materials would indicate the new development site.

- 8.124 A new one way east/west vehicular route would be introduced within the site. This would be situated to the north and would also contain the six disabled car parking spaces. Further south a similar access would be introduced for pedestrians only. The development site would be highly accessible and permeable from all sides, be it Watts Grove, Glaucus Street, Yeo Street or Maddams Street. Furthermore, with the creation of block entrances scattered around the site (as already described); the area would enjoy a high level of passive surveillance and maximum overlooking which officers welcome. It is considered appropriate to restrict access (by condition) through the site going north/south during night/dark hours. Therefore, lockable gates would be introduced to enclose the residents' garden and playspace, but would not restrict the home zone or community garden.
- 8.125 All pedestrian access points are DDA compliant. Pedestrian and vehicular routes throughout the site and within the courtyard, would be designated by a change in surface material in terms of colour and where appropriate tactile surfaces.

#### Waste and Recycling

- 8.126 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new developments, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards.
- 8.127 The proposal would include the provision of refuse and recyclables storage areas within each of the four blocks. The houses would have individual refuse stores. The proposals have been reviewed by the Council's Waste Policy and Development Officer who has raised no objections. Officers have reviewed the plans and are satisfied that the storage areas have sufficient capacity, and the refuse will not need to be dragged more than 10 metres by refuse workers.
- 8.128 Subject to condition, it is considered that the proposal includes adequate facilities for the storage of waste refuse and recyclables, in accordance with Policy SP05 of the Council's adopted Core Strategy (2010) and Policy DM14 of the Managing Development Document (2013). These policies require planning applications to be considered in light of the adequacy and ease of access to the development for waste collection and the adequacy of storage space for waste given the frequency of waste collections.

### **Sustainability and Environmental Considerations**

#### Energy efficiency and sustainability standards

- 8.129 The National Planning Policy Framework states that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.
- 8.130 At a strategic level, the climate change policies as set out in chapter 5 of the London Plan 2011, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to

climate change and to minimise carbon dioxide emissions. The Managing Development Document policy DM29 includes the target for new developments to achieve a 50% reduction in CO2 emissions above the Building Regulations 2010 through the cumulative steps of the Energy Hierarchy.

- 8.131 The proposals have responded positively to London Plan Policy 5.6 and would integrate a communal heating system to serve all of the flats. The communal system would be served by a CHP system with a capacity of 40kWe. This would be located in a single energy centre in Block C and be designed to allow future connection to a district heating system. The houses proposed within the scheme would have high efficiency individual gas boilers with flue gas heat recovery technology.
- 8.132 The revised proposals would incorporate measures to reduce CO2 emissions by an anticipated 45% against a Building Regulations 2013 baseline and therefore meet policy DM29 requirements. In response to Core strategy policy SP11, the proposals would also seek to maximise the use of available roof area to deliver a photovoltaic array of approximately 125kWp.
- 8.133 The proposals would also be designed to achieve Code for Sustainable Homes level 4, which is supported by the sustainable development team and meets the requirements, as set out in Policy 5.3 of the London Plan (2013) and Policy DM29 of the MDD, for developments to achieve the highest standards of sustainable design and construction.
- 8.134 Overall, CO2 emissions would be reduced by 45%. The LBTH Energy and Sustainability Officer have confirmed that the revised Energy Strategy would be acceptable, subject to conditions to secure a) single energy centre and CHP system to serve all flats; b) PV array on all available roof areas; and c) Achievement of Code for Sustainable Homes Level 4 and submission of the final Code certificates within 3 months of occupation.

#### Ecology, biodiversity and trees

- 8.135 Policy 7.19 of the London Plan, policy SP04 of the Core Strategy and policy DM11 of the Managing Development Document seek to protect and enhance biodiversity value through the design of open space and buildings and by ensuring that development protects and enhances areas of biodiversity value in order to achieve an overall increase in biodiversity.
- 8.136 It is noted that there are no trees on site and limited vegetation on the north east corner. The Council's Biodiversity Officer has confirmed this and further stated that the application site does not appear to support bats. There will, therefore, be no significant adverse impacts on biodiversity for the existing site.
- 8.137 However, it is further noted that the new proposal does not include many features of high quality biodiversity enhancements, in the form of green roofs or any other elements of living buildings for example. There are some small native trees and areas of planting which are likely to provide nectar for bees and other pollinators but this would not increase the biodiversity value to a great extent. The rest of the planting consists of evergreen hedge and shrub planting in beds and planters. It is therefore considered reasonable to reserve full details of the landscape strategy together with further biodiversity measures by condition.
- 8.138 The Tree Officer has advised that the trees situated in close proximity to the proposed development site boundary, should receive adequate protection to canopy

and root zone during construction. This should include the installation of root barriers along the boundary of the highway and the site footprint, to prevent future root extension/encroachment. A condition to secure the safeguarding of existing trees would be imposed.

- 8.139 Taking into account the moderate to low biodiversity value of the existing site and the proposed quantity and quality of trees together with the enhanced landscape provision, it is considered that the proposal would be acceptable subject to appropriate conditions to achieve an overall increase in biodiversity and to ensure that existing trees are safeguarded.

#### Air Quality

- 8.140 Policy SP03 of the Core Strategy and DM9 of the Managing Development Document seek to deliver air quality improvements by promoting the use of public transport, reducing reliance on private motor vehicles and introducing a 'clear zone' in the borough. The whole area of Tower Hamlets qualifies to be an air quality control zone and policy seeks to prevent new development from contributing to poor air quality.
- 8.141 The Air Quality assessment suggests there are two key distinct elements regarding changes to air quality – during demolition and construction, operational traffic impacts and the development itself. During construction, it is intended that the construction process would be managed in accordance with the Council's Code of Construction Practice, which would clarify a number of obligations to mitigate against potential air quality deterioration.
- 8.142 With regards to operational traffic impacts and the development itself, it is considered that the new proposal would not generate any more pollution than the existing use of the site as a depot did.
- 8.143 A review of the existing air quality and assessment of potential impacts indicates that on site air quality would meet air quality objectives. On balance and subject to the imposition of appropriate conditions, it is considered that the impacts on air quality are acceptable and any impacts are outweighed by the regeneration benefits that the development will bring to the area. The Borough's EHO has not commented on this proposal; however, it is recommended that the submission of a Construction Environmental Management Plan be conditioned prior to commencement.

#### Land Contamination

- 8.144 The policy context is set by the National Planning Policy Framework (2012) and Policy DM30 of the Council's adopted Managing Development Document (2013). Specifically, Policy DM30 requires suitable site investigation and remediation schemes to be secured and agreed for development proposals on contaminated land or potentially contaminated land.
- 8.145 The current application is accompanied by a Desktop Contaminated Land Assessment Report, which has been reviewed by the LBTH Environmental Health (Contaminated Land) Officer. The officer has not raised any objections to the proposals subject to the inclusion of a condition to secure a scheme to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed. In addition, the LBTH Environmental Health Officer recommends the inclusion of a further condition to require the necessary remediation works to be carried out in full and to require the

submission for approval of a verification report on completion of the remediation works.

### Flood Risk

- 8.146 The application site falls in Flood Zone 1 and is under a hectare in area. Environment Agency (EA) has no adverse comments to make on this proposal. The main flood risk has been identified as the management of surface water run-off.
- 8.147 EA has recommended that the development should utilise sustainable urban drainage systems, which would be secured by condition. The application has been accompanied by a Drainage Strategy which confirms that surface water would be discharged from the site to the west as per the existing network.
- 8.148 Thames Water has recommended that conditions are imposed to secure a drainage strategy to ensure that sufficient capacity is made available to cope with the new development.

### **Utilities Infrastructure**

- 8.149 Furthermore, another condition should be imposed to ensure that an impact study of the existing water supply infrastructure is provided to ensure that the water supply infrastructure has sufficient capacity to cope additional demand. Thames Water has also recommended a third condition for a piling method statement to ensure that piling works do not impact on local underground water utility infrastructure.

### **Health Considerations**

- 8.150 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough while the Council's policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.
- 8.151 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:
- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
  - Providing high-quality walking and cycling routes.
  - Providing excellent access to leisure and recreation facilities.
  - Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
  - Promoting and supporting local food-growing and urban agriculture.
- 8.152 The applicant has agreed to a financial contribution of £25,000 to be pooled to allow for expenditure on health care provision within the Borough.
- 8.153 It is therefore considered that the financial contribution towards healthcare and new open space will meet the objectives of London Plan Policy 3.2 and Policy SP03 of the

Council's Core Strategy which seek the provision of health facilities and opportunities for healthy and active lifestyles.

### **Planning Obligations and CIL**

8.154 Planning Obligations for the proposed development are based on the priorities set out in the adopted Tower Hamlets Planning Obligations SPD (January 2012).

8.155 The NPPF requires that planning obligations must be:

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

8.156 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests. It is noted that being a 100% affordable scheme, this development would be exempt from paying the London Mayor's CIL.

8.157 Securing appropriate planning contributions is supported by policy SP13 of the Core Strategy which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate impacts of the development.

8.158 The Council's Supplementary Planning Document on Planning Obligations was adopted in January 2012. This SPD provides further guidance on the planning obligations policy SP13.

8.159 The SPG also sets out the Borough's key priorities:

- Affordable Housing
- Employment, Skills, Training and Enterprise
- Community Facilities
- Education

The Borough's other priorities include:

- Public Realm
- Health
- Sustainable Transport
- Environmental Sustainability

8.160 The Planning Obligations SPD allows a degree of flexibility in negotiating obligations to take account of development viability, any special circumstances of the case and benefits that may be provided in kind (e.g. open space and public realm improvements).

8.161 Planning policy states that planning obligations may be subject to development viability, considered on a case by case basis. In this case, it is important for the Development Committee to note that this development is a Council owned scheme delivering 100% affordable units with a high proportion of 45% family housing. The proposals would not be viable under normal market conditions and could only be

delivered through capital investment and subsidy from the local authority. However, the applicant has ringed fenced £745,000 to cover planning obligations deemed necessary to mitigate the impact of the development.

8.162 In order to ensure that the proposed development is deliverable and viable, a financial appraisal has been submitted by the applicant. This appraisal has been independently assessed by a qualified consultant appointed by the Council. The appraisal concludes that using conventional viability assessment methods, the development would be unviable and would not be able to withstand a substantial S106 financial contribution as dictated by the planning obligations SPD. The ringed fenced sum of money allocated would also be their esteemed recommendation.

8.163 Recognising the need to mitigate the impacts arising from the development, the applicant would provide the financial contribution detailed above, which has been divvied up and represented in the below in the table. This allocation has been discussed and agreed by the Planning Contribution Overview Panel (PCOP). Therefore, taking into account the special circumstances of the case and the view of PCOP, officers believe the following contributions and obligations would be appropriate and sufficient to mitigate the impact of the development:

Financial Planning Contributions (Subject to Viability):

<b>Planning Obligations (Financial) HoTs</b>	<b>SPD Requirement</b>	<b>Secured</b>
Construction Phase Skills and Training	£30,559	£30,559
Idea Stores, Libraries and Archives	£55,059	£55,059
Leisure Facilities	£200,122	£0
Primary School Facilities	£1,028,430	£400,000
Secondary School Facilities	£944,116	£197,328
Health Facilities	£251,702	£25,000
Smarter Travel	£6,554	£6,554
Public Open Space	£350,650	£0
Streetscene and the Built Environment	£185,730	£0
Monitoring (2%)	£61,058	£30,500
<b>Total</b>	<b>£3,113,980</b>	<b>£745,000</b>

8.164 The following non-financial planning obligations would also be secured, as shown on the next table:

Non-Financial Contributions:

<b>Non-Financial Contributions</b>	<b>Policy Requirement</b>	<b>Secured</b>
<b>Affordable Rented Housing</b>	35% (by habitable rooms)	100% (by habitable room)

		Total 148 Units
1 bedroom units	30%	26%
2 beds	25%	29%
3 beds	30%	28%
4 beds	15%	17%
5 beds	0%	0%
		148 Units (100%)
Construction Phase Apprenticeships	8	8
Employment, skills and training	20% local labour and procurement construction phase	As per request
Travel Plan	Travel plan monitoring	As per request
Car Free	No on-street parking permits for residents	As per request
S278 Agreements	To reinstate and improve the footway adjacent to the site	As per request

8.165 The above contributions represent 24% of the planning obligations as required by the Council's Planning Obligations Supplementary Planning Document (2012).

8.166 The allocation of contributions across the various heads of terms has been agreed by the Council's Planning Contributions Overview Panel (PCOP), in line with the Council's priorities as set out in the adopted Planning Obligations Supplementary Planning Document.

8.167 On balance, the amount of financial contributions is considered acceptable, when weighed up against the benefits of the proposal. The amount of family sized affordable units and wheelchair units, when considered in conjunction with the results of the independently reviewed viability assessment, officers consider that on balance, the substantial public benefits in the form of communal amenity space and public realm and the offset of carbon savings (45%) would outweigh the proposal's inadequacies with regard to mitigation of all of the impacts of the development.

8.168 It should be noted by members that the section 106 agreement is a contract made between the Council as the local planning authority (LPA) and persons with an interest in the land. In this instance the Council is both the (LPA) and the owner/developer. The Council are unable to contract with themselves and therefore in this instance it would not be appropriate to seek to secure the obligations through a s106 agreement. Rather, officers will be securing the normal obligations by appropriately worded conditions and are also recommending that a condition requires that the permission is personal to the Council. Officers are satisfied that this is a robust approach in this instance.

### Local Finance Considerations

8.169 Section 70(1) of the Town and Country Planning Act 1990 (as amended) provides: "In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;



- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.”

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

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

- 8.170 In this context “grants” includes the Government’s “New Homes Bonus” - a grant paid by central government to local councils for increasing the number of homes and their use.
- 8.171 Members are reminded that that the London Mayoral CIL became operational from 1 April 2012 and would normally be payable. However, officers have determined that due to estimated amount of the affordable housing relief and the amount of the existing occupied floorspace on site, it is likely that the proposal would not be liable for any CIL payments.
- 8.172 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides un-ring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.
- 8.173 Using the DCLG’s New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £80,047 in the first year and a total payment £480,282 over 6 years.

### **Human Rights Considerations**

- 8.174 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:
- 8.175 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
  - Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and

- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".
- 8.176 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.
- 8.177 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 8.178 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.
- 8.179 The balance to be struck between individual rights and the wider public interest has been carefully considered. Having taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement, officers consider that any interference with Convention rights is justified.

### **Equalities Act Considerations**

- 8.180 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia, when determining all planning applications. In particular the Committee must pay due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.181 This proposal has sought to ensure that the needs of disabled residents are being met. The proposal would include 13 disabled units which would cater for medium/large sized families. All these units would be of satisfactory internal space with separate kitchen and large bathrooms. They would also be accordingly equipped to cater for the needs of the actual residents. Private amenity spaces are also provided for all the disabled units. And so are parking spaces. Currently only 6

spaces would be provided within the site and this would be allocated by the housing team. One more space is dedicated outside of the site along Yeo Street. There would be provisions for more spaces along Watts Grove and Glaucus Street.

- 8.182 The proposal would also provide a high quality landscaped area including child play space, communal space including residents' garden. The proposal would aim to cater for future residents and the general public as well. In terms of the play space and communal garden, officers have negotiated that the choice of play equipment take into consideration those who suffer from physical disabilities/elderly and provide some seating within the scheme with features that provide the function of arms and backs. Different surface material would also be used to cater for those who are visually impaired.
- 8.183 The provision of new avenues/roads, both vehicular and pedestrianised would also help to mitigate the impact of real or perceived inequalities. Routes would be created within the site to allow all local residents to move freely. The site would link up Maddams Street to Yeo Street. This would promote social cohesion and wellbeing by ensuring access through the site. And this would also provide opportunities for the wider community to enjoy the open space/ public realm opportunities associated with this development. It is noted however, that the public gardens and play grounds would be closed during night time to ensure safety and security of residents.
- 8.184 Furthermore, the proposed contributions towards education infrastructure, qualitative and quantitative improvements to the provision of public open space, commitments to use local labour and services during construction, apprenticeships and employment training schemes, provision of a 100% quantum of high quality affordable housing and improvements to permeability would help mitigate the impact of real or perceived inequalities and would serve to support community wellbeing and promote social cohesion.

## **9.0 CONCLUSION**

- 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 EXECUTIVE SUMMARY and MATERIAL PLANNING CONSIDERATIONS sections and the details of the decision are set out in the RECOMMENDATION at the beginning of this report

11.0 SITE MAP

