

Committee: Strategic Development Committee	Date: 29 January 2015	Classification: Unrestricted
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Report of: Director of Development and Renewal	Title: Applications for Planning Permission
Case Officer: Shay Bugler	Ref No: PA/13/3049 Ward: Whitechapel

1.0 APPLICATION DETAILS

Location: 100 Whitechapel Road and land rear at Fieldgate Street

Existing Use: Car showroom (sui generis), vehicle workshops (Class B2) and associated basement parking/servicing.

Proposal: Demolition of existing vehicle workshop and car showroom; erection of a residential development comprising a total of 185 dwellings (comprising 10 studios; 65 x 1 bed; 71 x 2 bed; 27 x 3 bed; 12 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail, office and restaurant spaces (Class A1, A2 and A3), café (A3); 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works.

Drawings:

Sk14-03-14/01; P1001 Rev C; p1002; P1002 Rev C; P1007; P200 Rev F; P2001 Rev S; P2002 Rev R; P2003 Rev N; P2004 Rev N; P2005 Rev L; P2007 Rev K; P2008 Rev K; P2009 Rev M; P2010 Rev E; P2023 Rev F; P2021 Rev H; P2050 Rev F; P2051 Rev F; P2020 Rev H, P2300 Rev B; P2302 Rev B

Document:

- Design and Access Statement dated December 2014 rev C by Webb Gray
- Planning Supporting Statement: November 2014 update incorporating amended affordable housing statement, play space assessment, open space assessment by Tyler Parkes dated November 2014
- Travel Plan by David Tucker Associates dated 09 October 2014
- Public realm proposals by Mark Hanton Studio
- Energy Statement dated October 2014 by AJ Energy Consultants Limited dated 28 October 2014
- Transport Assessment by David Tucker Associates dated 09 October 2014
- Daylight and Sunlight Report dated 14 November 2014 by Waldrams consultants
- Play Space Audit & Strategy dated November 2014 by Tyler Parkes
- Viability update report by Montagu Evans dated 26 November 2014
- Wind Microclimate Study
- Delivery and Servicing Plan
- Baseline television and radio signal survey and Reception Impact Assessments
- Construction Environment Management Plan
- Air Quality Assessment
- Ecological Appraisal
- External Lighting Statement
- Ventilation Statement
- Waste Management Strategy
- Noise Assessment
- Wind Microclimate Study

Applicant:

Alyjiso and Fieldgate

Ownership:

Alyjiso and Fieldgate Ltd

Historic Building:

N/A adjoining Tower House

Conservation Area:

Directly adjoining Myrdle Street and Whitechapel Market Conservation Areas

2.0 EXECUTIVE SUMMARY

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010); Managing Development Document (2013), the London Plan (2011) and national planning policy and guidance along with all other material considerations and has found that:
- 2.2 The proposed layout would improve permeability through the area and the proposed new public links between Whitechapel Road, Fieldgate Street and Vine Court are supported in principle.
- 2.3 The proposed Mosque prayer hall extension would provide an enlarged community facility which would meet a demonstrable need in the local the area.
- 2.4 Whilst the proposed design changes do largely respond to the GLA's suggested amendments, Council Officers are still of the opinion that the scale and height of the development is unacceptable and should be substantially reduced.
- 2.5 The removal of the upper floor to block B above the link at Whitechapel Road is welcomed as it opens up the link route and makes the site more permeable and reduces the sense of enclosure. The removal of the residential units and inclusion of additional commercial uses at ground floor is welcomed as it will create an active frontage and give the walkway connecting Whitechapel Road and Fieldgate Street more natural surveillance. The proposed setbacks to both buildings reduces the visual impact slightly. Notwithstanding, Officers are of the view that the overall scale, mass, height and appearance is unacceptable for reasons discussed in the committee report (July 2014).
- 2.6 The number of single aspect units across the site has reduced from 48% to 40%. Notwithstanding, Officers consider that the overall level is excessive and therefore the proposal continues to provide sub-standard accommodation.
- 2.7 The dwelling mix has improved as there is less studio and one bedroom units and therefore has been an increase in the proportion of family units proposed. Officers acknowledge that the proposed dwelling and tenure mix would not compromise the viability of the scheme therefore do not recommend a reason for refusal on this ground.
- 2.8 In terms of daylight and sunlight, the revised scheme proposal appears to have no material adverse additional impact on the neighbouring properties, as compared to the previous scheme. It does result in an improvement on light to two of the properties on the north side of Whitechapel Road, but not to the extent that it is considered acceptable in daylight and sunlight terms.

- 2.9 The internal assessment has shown an improvement and there are fewer rooms, and in particular fewer living rooms, that now have very poor levels of daylight. However, the results are still below the required standard by a significant extent. Many of the apartments in the affordable housing block will not have good levels of light. The first floor and the north east flat in Block 1 (tower block) will be poorly lit and the north east rooms in particular, will not be apartments with a natural perception of good light on floors up to and including the 9th floor.

3.0 BACKGROUND

- 3.1 This application is presented to Members as there have been amendments made to the proposal since Members resolved to grant planning permission in 21 July 2014 which are considered to be minor material amendments in planning terms. The proposal was for the following:

Demolition of existing vehicle workshop and car showroom; erection of residential development comprising a total of 221 dwellings (comprising 46 studios; 92 x 1 bed; 52 x 2 bed; 20 x 3 bed; 11 x 4 bed) in an 18 storey building facing Fieldgate Street; and 2 buildings ranging in height from 8-12 storey building facing Whitechapel Road and Vine Court, provision of ground floor retail and restaurant spaces (Class A1 and A3), café (A3); 274.9 sqm extension to the prayer hall at the East London Mosque and provision of pedestrian link between Fieldgate Street and Whitechapel Road, extension to existing basement to provide 20 disabled car parking spaces, motorcycle spaces, 360 bicycle parking spaces and bin storage in basement, associated landscape and public realm works”.

- 3.2 Officers recommendation at this Committee was to refuse the planning application for the following reasons:

- The proposed development would provide a high density residential development that would represent a significant departure from adopted policy in terms of the mix of dwelling sizes, with significant over provision of studios and single bedroom flats, under provision of family accommodation.
- The proposed scale, form, height, appearance and layout of the development would exhibit symptoms of poor quality design and would fail to adequately deal with its context, harming the visual amenities of the area, local townscape on Fieldgate Street and Whitechapel Road and harming the character and appearance of the adjoining Myrdle Street and Whitechapel Market Conservation Areas.
- The proposed development would cause substantial harm to the amenities and living conditions of occupiers of adjoining and adjacent residential properties through excessive loss of daylight and sunlight, overbearing impact, sense of enclosure, loss of outlook and loss of privacy.

- The proposed development would provide poor quality residential accommodation including excessive provision of single aspect dwellings, and high proportion of dwellings that would experience poor outlook, poor quality daylight and sunlight, excessive sense of enclosure and loss of privacy, The development would therefore exhibit symptoms of poor quality design and over development.

3.3 There was much discussion on the above planning matters at the Committee meeting. Notwithstanding, on a vote of 6 in favour and 2 against Members resolved to grant planning permission for the following reasons:

- The scheme would provide much needed family sized accommodation that would help families on the housing waiting list.
- The provision of smaller units was welcomed given the smaller families and single people also in need of accommodation in the area.
- The height, scale and bulk are considered acceptable as the site falls within the Whitechapel Vision Masterplan.
- The standards required in terms of amenity (daylight, sunlight, privacy) could not reasonably be achieved due to the confined nature of the site. As such, there needed to be some flexibility in assessing the sunlight and daylight impacts and other amenity impacts.
- The benefits of the scheme outweighed the concerns Officers had on impact on amenity.

3.4 Officers are of the opinion that the reasons for refusal presented to Members at the Strategic Development Committee in July 2014 can only be overcome by substantial design changes. Whilst the amendments to the scheme improve some aspects of the original proposal, the changes fail to substantially address the previous reasons for refusal reported to Members in July 2014.

3.5 The application was reported back to the GLA for Stage II referral on 28 July. The GLA were not satisfied with the scheme the way it was presented and requested amendments to address their concerns. The applicant was requested to incorporate the following changes into the scheme:

- Reduce the number of dwelling units in the scheme from 241 dwellings to 185 dwellings.
- Reduce the extent of the building on the Whitechapel Road frontage by the setting back of the frontage building on the west elevation to detach it from the hotel building.
- The setting in of the eastern building line of the Fieldgate Street tower at ground floor level.
- The use of the ground floor of the Fieldgate Street block for commercial uses.

3.6 The applicant subsequently submitted revised plans and supporting documentation in late November 2014 to respond to the GLA concerns. The following sections of the report examine the amendments of the development and how they attempt to address the following four planning matters.

- Design and heritage impact;
- Housing (tenure and dwelling mix);

- The impact to surrounding residential amenity;
- The quality of accommodation proposed.

3.7 The report should be read in conjunction with the previous SDC report dated 21 July 2014 attached hereto. This report focuses on the key changes to the application that have been made since SDC's resolution to grant planning permission.

4.0 CONSULTATION RESPONSES

4.1 Following receipt of the amended plans, officer carried up an additional round of consultation. The following comments were made specifically relating to the amendments of the scheme. These comments should be read in conjunction with the statutory comments discussed in paragraphs 7.1-7.94 of the previous Committee report dated 21 July 2014 attached hereto.

LBTH Biodiversity

4.2 The application site has no significant biodiversity value, and the existing buildings have been assessed as having negligible potential for roosting bats. There would therefore be no adverse impacts on biodiversity. Should Members be minded to approve the application, a bio diversity green roof should be incorporated into the scheme.

Greater London Authority

4.3 Following a series of productive discussions with the applicant, the scheme has been revised to provide a much improved and better defined pedestrian link through the site, alleviating concerns raised in relation to a high density development on a spatially constrained site; and the resulting impact this would have on residential quality. This has been achieved through the following key amendments:

Layout

4.4 The proposed layout is considered acceptable.

Residential quality

- The removal of the bridged element at the northern end of the site addresses the issue of north facing units onto Whitechapel Road and introduces the opportunity for family sized dual aspect units which is welcomed;
- The reconfiguration of the entrance to the affordable core provides a more legible and welcoming means of accessing the building, with through views to a communal garden;
- Replacing studio units with larger dual aspect 2-bed units in the north-west section of the Fieldgate Tower is welcomed and contributes to reducing the amount of studio units across the scheme.

Form and massing

4.5 The general massing strategy is broadly supported and the amendments made to the Whitechapel Road frontage provide a more consistent and

sympathetic response to the existing scale and proportions of the existing streetscape.

LBTH Access Officer

- 4.6 The applicant has not demonstrated that the proposed wheelchair units comply with the minimum measures for circulation in accordance with the Wheelchair Housing Design Guide (Stephen Thorpe & Habinteg Housing Association- second addition).

LBTH Housing

- 4.7 The proposed affordable housing offer and tenure mix is acceptable. The affordable rental levels are at Tower Hamlets preferred rental levels.

LBTH Communities, Localities & Culture

- 4.8 The increase in population as a result of the proposed development will increase demand on the borough's open space, sports and leisure facilities and on the borough's Idea stores, libraries and archive facilities. The increase in population would also have an impact on sustainable travel within the borough. Contributions should be secured through a Section 106 Agreement towards Idea stores, libraries and archives, leisure facilities and public open space.

- 4.9 The following contributions should be secured in the S106 Agreement:
- a) Leisure= £141, 597
 - b) Idea & Library = £43,702
 - c) Smart Travel= £6,240
 - d) Public Open Space= £101,317

(Officers comment: The applicant submitted a viability assessment with their submission. It was reviewed by the Councils Independent viability consultant and also considered at the Councils Planning Contributions Overview Panel. The proposal would make contributions towards leisure, library, open space and leisure. The revised Section 106 financial contributions are set out in paragraph 6.32 of this report. It is considered that they would sufficiently mitigate against the development).

Daylight and Sunlight Consultant

- 4.10 The Council commissioned a Daylight and Sunlight consultant to review the revised Daylight and Sunlight Assessment. There has been a minor improvement to the properties on the north side of Whitechapel Road. However, the overall adverse impact to the other neighbouring properties has not changed and continues to be significant.
- 4.11 The internal daylight assessment has shown an improvement and there are fewer rooms, and in particular fewer living rooms, that now have very poor levels of daylight. However the results are still below required standard by a significant extent. Many of the apartments in block 2 (Whitechapel Road) will not have good levels of light.

- 4.12 The first floor and the north east flat in the Tower block will be poorly lit and the north east rooms in particular, will not be apartments with natural light penetration of good light on floors up to and including the ninth floor.

5.0 LOCAL REPRESENTATION

- 5.1 A total of 563 neighbouring properties within the area shown on the map appended to this report were notified about the amended application and invited to comment. Site notices were displayed and the application was advertised in the local press.

- 5.2 Officers have not received any letters of support for the amendments of the application. Three letters of objection were received from nearby properties. Objections raised the following issues:

- a) The scale of development is not in keeping with the previous height on Whitechapel Road which is approximately 5 storeys. It is out of context with the area.
- b) The overall design quality is poor.
- c) The proposal would result in loss of natural daylight to the neighbouring buildings
- d) The proposal would result in loss of natural daylight to neighbours.

(Officers comment: These matters have already been discussed in the previous committee report appended to this document and in relation to the amended scheme these are addressed in the following sections).

6.0 MATERIAL PLANNING MATTERS

The main planning issues raised by the application:

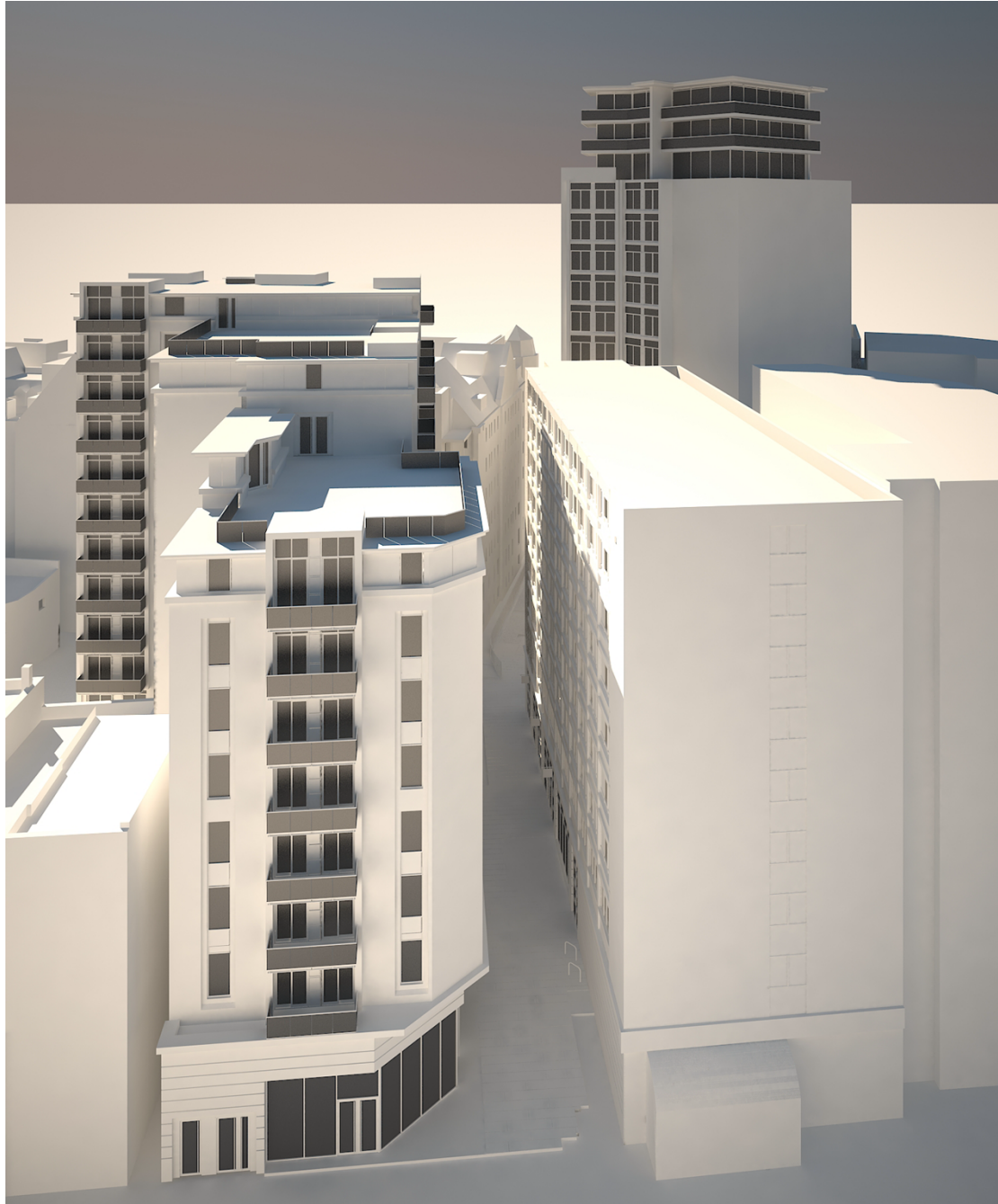
- (a): Design and heritage matters
- (b): Housing
- (c): Impact on surrounding residential amenity
- (d): The quality of residential accommodation

Design and heritage matters

- 6.1 The proposed design changes to the development are as follows:

- Reducing the extent of the building on the Whitechapel Road frontage by the setting back of the frontage building on the west elevation to detach it from the hotel building.
- The setting in of the eastern building of the Fieldgate Street tower at ground floor level.
- The creation of a link/direct route from Fieldgate Street to Whitechapel Road and Vine Court. Setting back the eastern elevation of block 1 at first and second floor to further open up the walkway by approximately 2 metres which would increase the separation distance from approximately 8.6 metres to 10 metres.
- All residential units have been removed at ground floor level and replaced with commercial space.
- The entrance to Block 2 has been increased in size. The playspace for under 5's have been moved from ground floor to level 1.

- 6.2 The removal of the bridged element to the Whitechapel Road frontage and pulling back the ground floor building line at the north end of the link provides a more open and legible access route into the link which is welcomed by Officers.



View of pedestrian link route from Whitechapel Road

- 6.3 The Greater London Authority noted that the north end of the pedestrian link was successfully configured with good active frontage. The south end link was less successful. The applicant was advised to consider relocating some of the ground floor residential units to upper floors and replace with commercial units at ground floor.

- 6.4 The introduction of glazing to the restaurant unit provides a degree of transparency and enables views into the link from Whitechapel Road. In addition, replacing ground floor residential units with commercial units along the full length of the link and rationalising the building lines along its edges will help to encourage pedestrian activity and address previous concerns relating to poor daylight penetration to ground floor units.
- 6.5 It is acknowledged that the proposed setbacks to block 2 fronting Whitechapel Road and the setbacks to the first and second floors of Block 1 on Fieldgate Street would reduce the overall bulk of the development. Notwithstanding, the height, scale and visual appearance broadly remains unaltered.
- 6.6 Whilst there have been improvements to the layout of the design and the massing has been reduced, the alterations have not been substantial enough to address the previous design concerns. Officers are still of the view that the proposed scale and height, elevational treatment and material palette is unacceptable and that the impacts on the nearby heritage assets are significant as set out in paragraphs 9.27-9.47 of the July 2014 Committee

Housing (dwelling mix and tenure)

Dwelling mix

- 6.7 The tables below set out the previous and proposed dwelling and tenure mix against Council policy as set out in policy DM3 of the Managing Development Document (2013).
- 6.8 July 2014

Unit size	Affordable Rented			Intermediate			Private Sale		
	Units	%	Target	Units	%	Target	Units	%	Target
Studio	0	0	0	0			46	27	
1 bed	12	33	30%	7	50	25%	73	43	50%
2 bed	12	33	25%	7	50	50%	33	19	30%
3 bed	1	3	30%	0	0	25%	19	11	20%
4 bed	11	31	15%	0	0		0	0	
Total	36	100			14	-		171	100

- 6.9 January 2015

Unit size	Affordable Rented			Intermediate			Private Sale		
	Units	%	Target	Units	%	Target	Units	%	Target
Studio	0			0			10	7	
1 bed	11	32.5	30	7	44	25	47	35	50%
2 bed	11	32.5	25	9	56	50	51	38	30%
3 bed	0	0	30	0	0	25	27	20	20%
4 bed	12	35	15	0	0		0		
Total	34	100			16		100		

- 6.10 Block 1 fronting Fieldgate Street would accommodate 118 units and block 2 across Vine Court and Whitechapel Road would accommodate 67 units. The

revised scheme provides 135 units within the private tenure (a reduction of 36 units); 16 units in the intermediate tenure (reduction of 2 units) and 34 in the social rented tenure (reduction of 2 units).

- 6.12 Previously, 62% of the overall scheme comprised of studio and one bedroom units. In the amended scheme, 40% of the overall proposed dwelling mix will be studios and one bedroom units. As such, the proposed dwelling mix has improved.
- 6.13 The previous scheme made an overall contribution of 15% family sized accommodation. The revised proposal would make provision for 21% family sized accommodation. As such, there has been an increase in the overall quantum of family sized accommodation which is welcomed by Officers. Whilst the scheme does not strictly accord with policy SP02, which seeks to secure 30% family accommodation across the development, Officers acknowledge that the proposed dwelling and tenure mix would not compromise the viability and deliverability of the development. The scheme does provide 12 larger family sized units when the affordable rent tenure and is policy compliant in the private sector. On balance, the proposed dwelling mix is considered acceptable.

Tenure split

- 6.14 The scheme makes provision for 30% affordable housing by habitable rooms. The tenure split continues to be 70/30% split between social rent and intermediate units. In total, this is an improvement on the previous quantum of affordable housing of 29% by habitable rooms. The affordable rent units would be Tower Hamlets preferred rental levels.

Impact on surrounding residential amenity

- 6.15 Paragraphs 9.83-9.86 of the previous Committee report sets out and explains the methods used to calculate daylight levels which include Vertical Sky Component (VSC) test; Average Daylight Factor (ADF) and No Skyline Component). The revised daylight and sunlight report provides a summary table identifying the number of windows and rooms analysed for VSC and ADF and the levels of passes and fails. The overall impact is the same for all the properties apart from 48 Fieldgate Street, Tower House, 151 Whitechapel Road and 153-175 Whitechapel Road.
- 6.16 At 48 Fieldgate Street, the results are largely the same as the previous assessment although 2 more rooms fail the ADF analysis than previously reported.
- 6.17 At Tower House, there are now 55 windows meeting the recommended VSC level where previously 66 windows did. This is therefore a reduction in daylight to Tower House, a building already adversely affected by the Development.
- 6.18 At 151 Whitechapel Road fewer windows have been tested than previously but all pass the VSC analysis and the ADF analysis. In addition, the NSC results for this building are now substantially better than before. This is because the omission of the block across the alleyway has opened up the line of sky visibility to 151 Whitechapel Road and the rooms to this property now comply with the BRE Guidelines.

- 6.19 At 153-175 Whitechapel Road, slightly more windows have been tested, as with no 151, the NSC results are better than previously reported.
- 6.20 The Councils daylight and sunlight consultant noted that “*the changes do not materially change the impact on neighbouring properties with the exception of 151 Whitechapel Road*”. As such, the previous Officer conclusion that the proposal would cause substantial harm to the amenity of existing and future occupiers of adjoining properties remains unchanged.

The quality of proposed residential accommodation

- 6.21 The creation of a new opened link/direct route from Fieldgate Street to Whitechapel Road and Vine Court has meant there is a reduction in the extent of the building on the Whitechapel Road frontage. This has an impact on the northern end of the development as it reduces the sense of enclosure. There has also been a reduction in the number of single aspect units at the northern end of the site.
- 6.22 A total of 72 flats would be single aspect (out of a 185). This represents 40% of all units proposed (previous scheme was 48%). 47 out of 135 private flats would be single aspect, which represents 35% of the total (previously 57%) and 11 out of 34 affordable rented flats would be single aspect representing 31% (figure remains unchanged) of the affordable rented provision. 14 out of 16 intermediate flats would be single aspect, which amounts to 87.5% (previous scheme had 50%) of the intermediate provision.
- 6.23 Of the above, 29 of the total single aspect flats of Blocks 1 and 2 have extremely poor outlook because they face onto either the side elevation of the 10 storey hotel only 7 metres away with hotel bedroom windows opposite, or they would face the west or north elevation of Tower House between 6 and 9 metres away with habitable room windows opposite. Officers appreciate the constraints of the site, but consider that a scheme design that includes such a high proportion of single aspect flats with much compromised outlook would not correspond with the London Plan, the London Plan SPG or local plan policies to ensure good quality accommodation.

Internal daylight/sunlight

- 6.24 The key amendments that will impact on the daylight and sunlight levels are the following two key changes to the scheme:
- a. The removal of the proposed block across the alleyway at Whitechapel Road opening up the alleyway clear to Whitechapel Road itself.
 - b. Amendments to the interior layout of the buildings, particularly the tower development block on Fieldgate Street which has resulted in changes to the location, size and use of rooms and therefore affects the ADF results to those rooms.
- 6.25 With reference to Block 1 fronting Fieldgate Street, the worst levels of daylight to this block are at first floor level where rooms on Fieldgate Street will have ADF results of 0.34% and 0.36% and on the east facing elevation facing tower House where two of the studio apartments will have ADF of 0.01%. This means that these will have effectively no sky visibility and no perception of natural light other than reflected light from other buildings. This is not

considered to be adequate and does not represent good quality residential accommodation.

- 6.26 On the second floor and above, the results are better on the Fieldgate elevation but there are still poor results on the east elevation facing Tower House. However, the design of the block has been altered so that most of the worst affected rooms are now bedrooms. There will however be one apartment in the north east corner of this block that will be very poorly lit. This has a deep living room in each case that has levels of ADF at 0.12% on the second floor; 0.15% on the third floor and 0.23% on the fourth floor. The apartments at this corner do not start to have adequate levels of light until the tenth floor.
- 6.27 Furthermore, , the two studios on the first floor in particular cannot be considered to have adequate light and the north east corner flats up to the ninth floor be a poorly lit flat.
- 6.28 With reference to Block 2, fronting Whitechapel Road, there are key locations where the rooms would have poor levels of daylight. This is on the east elevation facing the alleyway and the south elevation facing Tower House. Results are particularly poor on the south elevation where there is a living room with an ADF of 0.01% and the bedrooms associated with that apartment have also poor levels of daylight, at 0.17% or lower. On the elevation facing east there is a large living room with an ADF of 0.15% and a living room/kitchen/dining room with an ADF of 0.29% on the first floor.
- 6.29 In these particular locations the results continue to be poor and particularly exacerbated by the balconies which significantly cut light where sky visibility is already restricted.
- 6.30 Therefore, the apartments in this block will have poor levels of daylight principally up to the fifth floor level , although on floors above that there are still bedrooms with very low levels of ADF.
- 6.31 Replacing studio units with larger dual aspect 2-bed units in the north-west section of the Fieldgate Tower is welcomed and contributes to reducing the amount of studio units across the scheme. In addition, the removal of the bridged element at the northern end of the site addresses the issue of north facing units onto Whitechapel Road and introduces the opportunity for family sized dual aspect units which is welcomed. Notwithstanding, there would be a large number of units which would be, significantly compromised by a combination of very poor daylight and sunlight to lower levels of the development, an abnormally high proportion of single aspect flats and extremely compromised outlook, sense of enclosure and loss of privacy. The scheme would fail to deliver high quality residential accommodation as required by the NPPF, London Plan and local plan policies.

SECTION 106 and Community Infrastructure Levy (CIL)

- 6.32 The table below sets out the Section 106 contributions against the Council s Supplementary Planning Document on Planning Obligations. The viability of the financial contributions was examined by an independent consultant who It was concluded that the applicants overall contribution of £1,327,725 would be acceptable and that should Members be minded to grant permission, the contribution should be apportioned as per table below.

Planning Obligations (Financial) Heads of Terms	LBTH Requirement In accordance with the Supplementary Planning Document on Planning Obligations	Recommended Contributions (in accordance with the total amount of applicants Section 106 Offer)	Match Between LBTH Requirement and Recommended Allocation (%)
Crossrail SPG Contribution			
Construction Phase Skills and Training	£56,377	£56,377	100%
End-User Phase Skills and Training	£5,284	£5,284	100%
Idea Stores, Libraries and Archives	£49,056	£49,056	100%
Leisure Facilities	£161,633	£161,633	100%
Primary School Facilities	£346,829	£246,829	100%
Secondary School Facilities	£231,269	£231,269	100%
Health Facilities	£246,997	246,997	100%
Smarter Travel	£5,944	£5,744	100%
Public Open Space	£264,538	£96,430	35%
Streetscene and the Built Environment	£67,704	£23,696	35%
CO2 Reduction	£31,464	£31,464	100%
Upgrade to public highway (TfL)	£350,000	£122,500	35%
Delivering cycle hire capacity (TfL)	£70,000	£24,500	35%
Monitoring (2%)	£25,478	£25,946	100%
Total	£1,912,573	£1,327,725	

6.33 Should members be minded to approve the scheme, it is recommended that £1, 327, 873 be secured to mitigate the development. Notwithstanding, it is suggested that the Council secure a Planning Obligations Review mechanism requiring the applicant to submit an Updated Appraisal with all relevant financial information including certified copies of all Residential Unit sales and all Scheme Costs. Should members be minded to resolve to approve this application, it is recommended that the above contributions are secured in a legal agreement with the applicant.

6.34. In addition, non financial contributions should be secured. These include the submission of a Travel Plan; the developer would exercise best endeavours to ensure that 20% of the construction phase workforce would be local

residents of Tower Hamlets. To ensure local businesses benefit from this development, with 20% goods/services procured during the construction phase would be achieved by businesses in Tower Hamlets.

- 6.35 The Mayoral CIL payment requirement will be reduced from £698,810 to £485,485. The previous figures were based on the commercial floorspace proposed and 221 residential units and the new figure of £485,485 is based on the proposed commercial floorspace and 185 residential units.

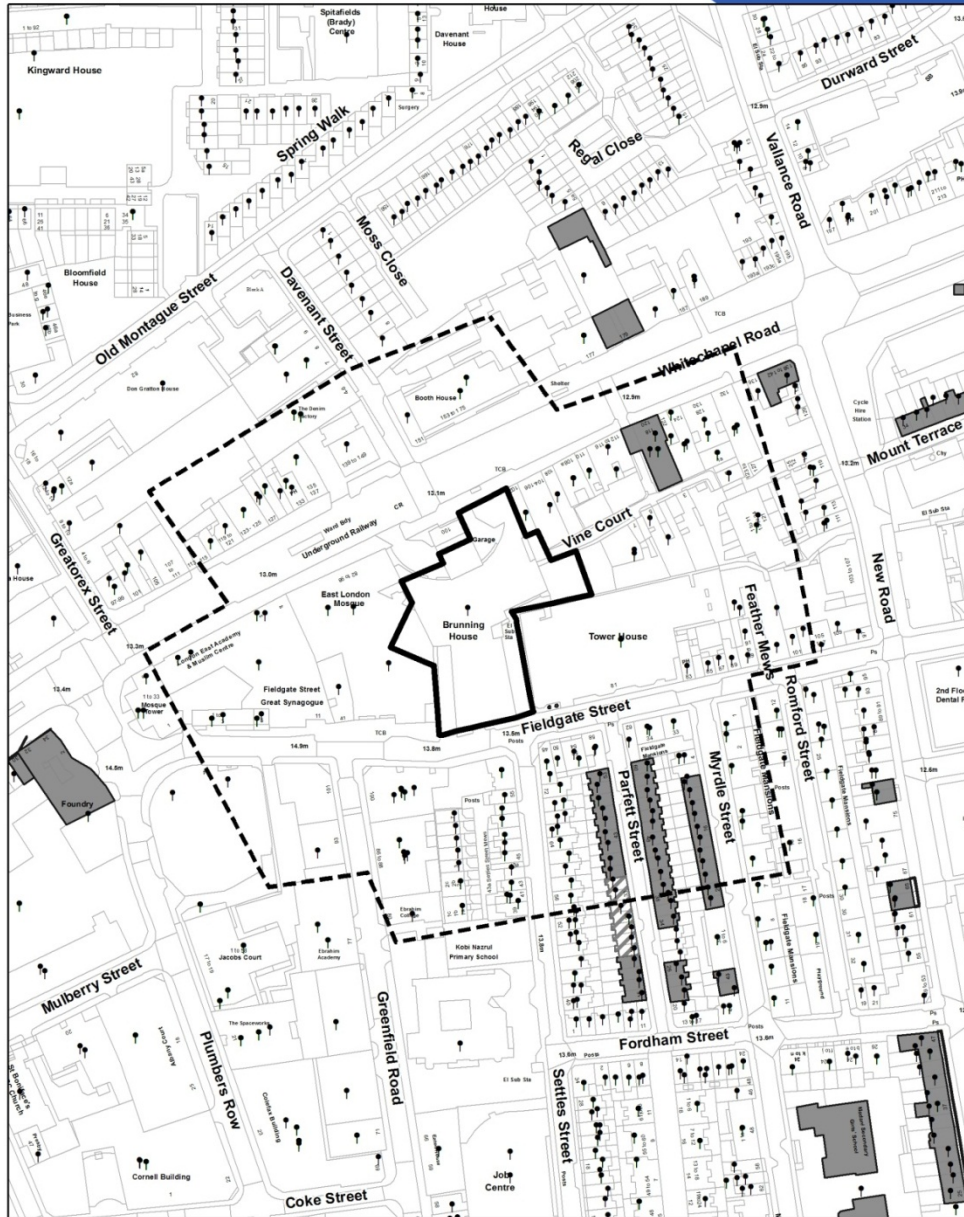
EQUALITY ACT CONSIDERATIONS

- 6.36 Equality Act considerations were set out in the previous Committee report and the previous assessment remains relevant and should be considered by members.

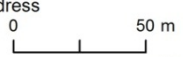
7.0 RECOMMENDATION

- 7.1 Officers continue to recommend that members resolve to refuse the application for the following reasons:
- a) The proposed scale, form, height, appearance and layout of the development would exhibit symptoms of poor quality design and would fail to adequately deal with its context, harming the visual amenities of the area, local townscape on Fieldgate Street and Whitechapel Road and harming the character and appearance of the adjoining Myrdle Street and Whitechapel Market Conservation Areas. The proposed development would be contrary to Policies 3.4, 3.6, 7.1, 7.4 and 7.7 of the London Plan (July 2011) with modifications and policies DM4, DM24 and DM25 of the Managing Development Document (2013) and as a result, it is not considered to provide a sustainable form of development in accordance with the National Planning Policy Framework.
 - b) The proposed development would cause substantial harm to the amenities and living conditions of occupiers of adjoining and adjacent residential properties through excessive loss of daylight and sunlight, overbearing impact, sense of enclosure, loss of outlook and loss of privacy. The development would be contrary to policies NPPF; BRE Guidelines; SP10 of the Core Strategy (2010) and DM25 of the Managing Development Document (2013) which seek to ensure that development does not result in unacceptable material deterioration of daylight and sunlight conditions for future and existing residents.
 - c) The proposed development would provide many residential units with poor quality daylight and sunlight; excessive provision of single aspect units; poor outlook and loss of privacy. The development would therefore exhibit symptoms of overdevelopment contrary to policies NPPF; SP02 and SP10 of the Core Strategy (2010) and DM24 & DM25 of the Managing Development Document (2013) which seeks to provide high quality design and places which create sustainable forms of development.

Planning Application Site Map
PA/13/03049



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|---|------------------------------------|---|----------------------------|---|---------------------|
|  | Planning Application Site Boundary |  | Locally Listed Buildings |  | Land Parcel Address |
|  | Consultation Area |  | Statutory Listed Buildings |  | OSLine |



This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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