

LONDON BOROUGH OF TOWER HAMLETS

STRATEGIC DEVELOPMENT COMMITTEE

21<sup>st</sup> July 2014

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UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

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8.1	PA/13/03049	100 Whitechapel road and land rear at Fieldgate Street & Vine Court	Demolition of existing vehicle workshop and car showroom; erection of a 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.
8.2	PA/13/02966 & 2967	Wood Wharf, Preston's Road	Comprehensive mixed-use redevelopment of site and works to listed structures.
8.3	PA/13/03068	28 Ensign Street	Demolition of existing building and erection of a new part 4, 6 and 14 storey building (ground plus 13 storeys) to provide 65 residential units (Use Class C3); flexible commercial use of part of the ground floor for either Class A1/A2/B1 use; and other landscaping and highways works incidental to the application.

<b>Agenda Item number:</b>	8.1
<b>Reference number:</b>	PA/13/03049
<b>Location:</b>	100 Whitechapel road and land rear at Fieldgate Street & Vine Court
<b>Proposal:</b>	Demolition of existing vehicle workshop and car showroom; erection of a 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.

## 1. CLARIFICATIONS

- 1.1 In paragraph 9.17 of the committee report, the last sentence suggests that a Class A3 use would be unacceptable. To clarify, a restaurant (Class A3 use only) would be considered acceptable in terms of planning policy, subject to an appropriate worded condition relating to hours of operation.
- 1.2 Paragraph 9.105 of the committee report notes that the child playspace at ground floor is located close to an open refuse area which relates to an adjoining retail and hotel development. A non-material amendment to the adjacent scheme has recently been approved to reposition the bin store internally to the rear of the retail units with direct internal refuse access (planning ref: PA/14/1702). The amendment to enclose the refuse area is a positive and welcomed amendment and it would mean the child playspace would not be fronting onto open refuse storage.

## 2. ADDITIONAL INFORMATION

- 2.1 Following publication of the committee report, the applicant has submitted indicative public realm proposals for the development. The public realm document includes plans illustrating public/private/semi-public spaces, feature walls, child play-space equipment, benches, paving, hard and soft landscaping including trees.
- 2.2 The Council's Urban Design Officer has reviewed the submission and notes that the landscaping details are shown in isolation of the proposed buildings. This makes it difficult to assess the new public spaces as part of the overall scheme.
- 2.3 The Council's Urban Design Officer is also of the view that the proposed tree planting along Fieldgate Street could not be implemented as it would conflict with the overhanging elements of the building above, which are not shown in the visualisations. The suitability of planting trees along the new north-south link is questioned as this is already likely to be a somewhat cramped and overshadowed space. The image shown in the document is misleading as it shows street trees in a much more spacious setting.
- 2.4 The council's Urban Design Officer has raised questions and concerns with regard to boundary treatment, fretwork screens, up-lighting and planting.
- 2.5 Whilst the submission of the Public Realm Proposals is helpful in demonstrating the intent to provide high quality public realm within the scheme, this does not change the

Officer recommendation. If the Committee is minded to grant planning permission, it is recommended that a planning condition is attached requiring details of hard and soft landscaping should all be submitted for approval by the planning authority prior to the commencement of development.

2.6 Councillor Hassell requested clarification regarding the following matters:

2.7 An explanation of the Vertical Sky Component

2.8 *(OFFICER COMMENT: Daylight is normally calculated by three methods - the vertical sky component (VSC), daylight distribution (NSL) and the average daylight factor (ADF). BRE guidance requires an assessment of the amount of visible sky which is achieved by calculating the VSC at the centre of the window. The VSC should exceed 27%, or not exhibit a reduction of 20% on the former value, to ensure sufficient light is still reaching windows. In the event that these figures are not achieved, consideration should be given to other factors including the NSL and ADF. The NSL calculation takes into account the distribution of daylight within the room, and again, figures should not exhibit a reduction beyond 20% of the former value. The ADF calculation takes account of the size and reflectance of a rooms surfaces, the size and transmittance of its window(s) and the level of VSC received by the window(s).*

2.9 *British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are: 2% for kitchens; 1.5% for living rooms; and 1% for bedrooms)*

2.10 Advice as to why the application was able to progress following objection from LBTH Environmental Health for insufficient information

2.11 *(OFFICER COMMENT: LBTH Environmental Health raised objection with relation to noise and vibration, air quality and wind conditions. In the case of the application submitted, the application itself could not be made invalid based on the insufficient information. However, officers consider that the areas of deficiency could be dealt with by way of planning condition to require further details regarding the areas of concern.*

2.12 *For example, details of noise and vibration mitigation measures, including internal noise testing post completion, further air quality information – in particular through a construction management plan which specifies requirements for reducing dust during construction, and further microclimate mitigation measures)*

2.13 Explanation as to why dwelling mix is considered acceptable

2.14 *(OFFICER COMMENT: For the avoidance of doubt, the proposed housing mix is considered unacceptable, as outlined within paragraphs 9.62 to 9.65 of the report (Page 50 of the agenda), as well as the reason for refusal at paragraph 4.2 of the report (Page 26 of the agenda).*

2.15 Query as to whether the impact of the Permit Transfer Scheme (PTS) had been assessed.

2.16 *(OFFICER COMMENT: There are 12 affordable family sized units proposed within the scheme. The permit transfer scheme means that occupants of those*

*units who already live within the Borough and have a parking permit can take their permit with them to the new development.*

*2.17 The PTS is a Council Initiative not enshrined in planning policy and whilst it is a material consideration we are unable to give it significant weight in assessing any application.*

*2.18 Nevertheless, given the small number of family sized units which would actually be eligible for the PTS, it is not considered that the proposal would result in detrimental impact to the safe and freeflow of traffic, or a substantial increase in demand for on-street parking spaces)*

### **3. RECOMMENDATION**

**3.1** The Officer' recommendation remains as set out in paragraphs 4.1- 4.5 of the Committee report.