

Committee: Strategic Development	Date: 8 th November 2007	Classification: Unrestricted	Agenda Item No: 7.2
Report Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Ila Robertson		Ref No: PA/07/01201	
		Ward(s): Whitechapel	

1. APPLICATION DETAILS

Location: Site At 61-75 Alie Street And 17-19 Plough Street And 20 Buckle Street, Alie Street, London, E1

Existing Use: Warehouse

Proposal: Demolition of existing buildings and erection of two buildings of 7 and 28 storeys in height to provide 235 residential units, A1/A3 (retail/restaurant/cafe) floor space and B1(business), formation of associated car and cycle parking and highway access, hard and soft landscaping and other works associated to the redevelopment of the site.

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

Drawing No's: Plan No's:
 PL07_001, PL07_002, PL07_003, PL07_004, PL07_005, PL07_090,
 PL07_098A, PL07_099A, PL07_100A, PL07_101A, PL07_102A,
 PL07_104A, PL07_105A, PL07_107A, PL07_108A, PL07_109A,
 PL07_124A, PL07_125A, PL07_126A, PL07_127A, PL07_128A,
 PL07_200, PL07_201, PL07_202, PL07_203, PL07_204, PL07_205A,
 PL07_206A, PL07_207, PL07_208A, PL07_300A, PL07_301,
 PL07_302A, PL07_303A, PL07_304A, PL07_305

Documents:

Design and Access Statement – Hamiltons, April 2007

Planning Statement - Barton Willmore, April 2007

Environmental Statement – Non Technical Study – April 2007

Environmental Statement – Volume I, April 2007

Environmental Statement – Volume II – Townscape, Conservation and Visual Assessment, April 2007

Townscape Views, Cumulative Impact Study – Miller Hare, June 2007

Visual Impact Study – Miller Hare, 12th July 2007

Transport Assessment – URS, April 2007

Pedestrian Environment Study – Hamiltons, June 2007

Office Market Report

Energy Statement – Roger Preston Environmental, April 2007

Internal Day and Sunlight Report – Gordon Ingram and Associates, 27th June 2007

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers: Tick if copy supplied for register

Name and telephone no. of holder:

Application, plans, adopted UDP. draft
LDF and London Plan

Eileen McGrath
020 7364 5321

Internal Sun and Daylight Report – Gordon Ingram and Associates, 6th July 2007

Internal Day and Sunlight Report – Gordon Ingram and Associates, 27th July 2007

Applicant: Inonder Limited
Owner: Inonder Ltd, Tower Hamlets Council
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

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

(1) The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 4B.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (October 2007) which seeks to ensure this.

(2) The ratio of residential to office space is considered acceptable given the need for housing in the borough especially on sites with excellent connections and services. The applicant has provided evidence to confirm that there is sufficient office space within the vicinity and that an office-led scheme would not be sufficiently viable to proceed with development of this site. As such the development complies with policy 3A.1, 3C.1 and 4B.3 of the London Plan and policy HSG1 of the Council's Interim Planning Guidance (October 2007) which seek to increase housing provision especially within highly accessible locations.

(3) The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.4, 3A.7 and 3A.8 of the London Plan, policies HSG3 and HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (October 2007), which seek to ensure that new developments offer a range of housing choices.

(4) The principle of a tall building is considered acceptable with it forming part of the cluster of tall buildings emerging around the Aldgate Union site. It is considered to be in accordance with policies 4B.8 and 4B.9 of the London Plan, policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2 and DEV 27 of the Council's Interim Planning Guidance (October 2007), which seek to ensure tall buildings are of a high quality design and suitably located.

(5) The design of the building is considered acceptable and will make a positive contribution to the site and immediate area, with the design, height, massing and footprint of the building responding positively to the typology of the area. In terms of the adjacent listed buildings, these buildings are already compromised by existing buildings to the north and do not form part of a consistent street scene. The proposed tower is set back from these buildings and the podium level respects the building frontages. As such, the proposal is in general accordance with the policies 4B.1 and 4B.2 of the London Plan, DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV2 and CON1 of the Interim Planning Guidance (October 2007) which seek to ensure the design of development is of high quality, suitably located and responds to the existing character of an area.

(6) The development is not considered to adversely affect the amenity of any neighbouring residential properties in terms of a loss of privacy, increased sense of enclosure and provision of daylight and sunlight. It is considered to be in accordance with policies DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 of the Interim Planning

Guidance (October 2007) which seek to ensure the amenity of adjoining residential properties is protected and maintained.

(7) Transport matters, including parking, access and servicing is acceptable and in line with policies T16 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007), which seek to ensure developments can be supported within the existing transport infrastructure and will not affect the safe operation of the highways.

3. RECOMMENDATION

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

A. Any **direction** by **The Mayor**

B. The prior completion of a **legal agreement** to secure the following planning obligations:

- a) A proportion of 35% on a gross floor space basis of the proposed units to be provided as affordable housing with the socially rented mix as specified in the table attached in Section 8.15.
- b) Provide **£40,000** towards general improvements to pedestrian and cycle routes in the immediate area including crossings and new paving surfaces.
- c) Provide **£914,469** towards the works associated with the Aldgate Gyratory including provision of open space on Braham Street.
- d) Provide **£357,918** towards education to mitigate the demand of the additional population on education facilities.
- e) Provide **£500,000** towards medical facilities to mitigate the demand of the additional population on medical facilities.
- f) Provide **£257,104.60** towards access to local employment initiatives.
- g) Provide **£100,000** towards the Aldgate Public Art and Culture Trail as identified in the Draft Aldgate Masterplan.
- h) A commitment to maximise the employment of local residents.
- i) Preparation of a Workplace Travel Plan (including welcome pack for residents).
- j) Preparation of a Service and Delivery Plan.
- k) TV Reception monitoring and mitigation.
- l) Completion of a car free agreement to restrict occupants applying for residential parking permits.

3.2 That the Corporate Director Development & Renewal be delegated power to negotiate the legal agreement indicated above.

3.3 That the Corporate Director Development & Renewal be delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions:

- 1) Time limit for Full Planning Permission
- 2) Details of the following are required:
 - Elevational treatment including samples of materials for external fascia of building;
 - The design of the lower floor elevations of commercial units including shopfronts
 - External lighting and security measures
- 3) Landscape plan for amenity courtyards and ground floor public realm improvements and with Management Plan.
- 4) 278 agreement to be entered into for Highway works surrounding the site
- 5) Parking maximum cars and minimum cycle and motorcycle spaces
- 6) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)

- 7) Piling hours of operation limits (10am – 4pm)
- 8) Details of insulation of the ventilation system and any associated plant required
- 9) Wheel cleaning facility during construction
- 10) Details of the energy Scheme to meet 10% renewables
- 11) Land contamination study required to be undertaken with remediation certificate
- 12) Details of surface water control measures as required by the Environment Agency
- 13) Details of sustainable drainage measures as required by the Environment Agency
- 14) Details of Piling Foundations as required by the Environment Agency
- 15) Details of foul and surface drainage system as required by the Environment Agency
- 16) Archaeology as required by English Heritage
- 17) Details of the waste and recycling facilities
- 18) Construction Management Plan required
- 19) Bat survey completed
- 20) Black redstart habitat provision required
- 21) Details of inclusive design through the scheme
- 22) Construction noise limits
- 23) Construction vibration limits
- 24) Parking, loading and serving areas to be used solely for these purposes.
- 25) Crane Heights as required by London City Airports
- 26) Details of Green Roofs

Informatives

- 1) Consult the Environment Agency in terms of conditions 12-13
- 2) Site notice specifying the details of the contractor required
- 3) Building Regulations in terms of means of escape

- 3.4 That, if within 3-months of the date of this Committee the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 An Application has been made for full planning permission to redevelop land at 61-75 Alie Street and 15-17 Plough Street by demolition of the existing buildings on the site and erection of a multi storey residential led development with retail units at ground level. The development is proposed to incorporate 235 residential units, with 36 car parking spaces and 250 cycle spaces with 242 at basement level and 8 at street level
- 4.2 The main building would comprise a 28 storey tower (93.80 metres high) which would be located centrally within the site. The building comprises a podium rising 4 storeys along Alie Street rising to 8 storeys to the rear (fronting Buckle Street) plus 7 storeys adjacent to the junction with Plough and Buckle Streets. The smaller building located to the eastern portion of the site adjacent to Alie Street would have a height of ground plus 7 storeys and will incorporate 1156.5 m² of office (B1) floorspace. The retail provision located within the ground floor of the buildings will have an area of 717.5m².
- 4.3 It is proposed to provide ground level public open space between the buildings which will seek to provide a pedestrian link between Alie Street and Buckle Street to the north of the site. The open space area will feature a water wall, hard and soft landscaping.

Site and Surroundings

- 4.4 The application site comprises land at 61- 75 Alie Street and 15-17 Buckle Street, London E1. The site is located on the north side of Alie Street and bounded by Alie Street to the

south, Buckle Street to the north and Plough Street to the west. The site has an overall area of 0.194 hectares. The site is currently occupied by two warehouse buildings. The buildings on the site have a height of 4-5 storeys and date from the early-mid 20th century. One floor in the building is presently used for storage. However, a majority of the building is vacant.

4.5 Surrounding Area

The site lies within a triangular block bounded by Braham Street, Commercial Road, Leman Street, Alie Street and Goodman's Stile. The buildings within the block comprise a mixture of uses including offices, retail, warehousing, residential, a chapel and a multi storey car park. Alie Street is a two way street linking Mansell Street to the west and Commercial Road to the east. Buckle Street to the rear of the site is a cul de sac providing rear access to the buildings on the perimeter of the block, as well as the office at 21-23 Buckle Street and to the multi storey car park.

- 4.6 To the north of the site is a multi storey car park. Further north is a sports centre fronting Braham Street, the Sir John Cass School of Art and Science and a Fire station fronting Commercial Road. The north eastern boundary of the site abuts the rear of properties on Commercial Road. These properties feature retail uses at ground floor level, with some residential use above. No 32-34 Commercial Road is a grade 2 listed residential building comprising a number of flats sited around a courtyard.
- 4.7 To the south of the site, on the opposite side of Alie Street, is a large office development which comprises buildings of 4 to 7 storeys in height. The site is currently occupied by the Royal Bank of Scotland. Directly to the south west of the site are three listed buildings. These include 19a Leman Street, a two storey stucco building which was formerly used as the East London Dispensary, The St Georges German and Lutheran Church and the St Georges German and English Schools. Also adjoining the site to the north west is 21-23 Buckle Street, a four storey modern office building.
- 4.8 To the east is a mixed development including a public house, office, residential and commercial fronting Commercial Road. A listed building is located at No 32-34 Commercial Road. There are further listed buildings to the east of the site at 32-34 and 46-50 Commercial Road.
- 4.9 Further west, on the opposite side of Prescott Street, is further office and residential development. The site does not lie within a conservation area. The Fournier Street and Brick Lane, Myrdle Street and Whitechapel High Street conservation areas lie to the north of the site.
- 4.10 The site is well located in terms of public transport. The site has a PTAL (Public Transport Accessibility Level) of 6a which is the second highest level. Underground stations in proximity to the site include Aldgate, Aldgate East and Whitechapel. Tower Hill Underground Station, Tower Gateway DLR station and Fenchurch Street National Rail station are also located to the south, within walking distance of the site. A number of bus services also operate throughout the area.
- 4.11 The Tower of London World Heritage Site is located approximately 0.7km to the south west of the site.
- 4.12 A number of recently approved developments within the area include:
- Permission was granted 14th August 2007 for the Aldgate Union (102.50 metres high) – office development for over 200,000 square metres of office floor space, the removal of Aldgate Gyratory and the creation of a new park on Braham St
 - Permission was granted in 2004 to develop the Marsh Centre (93 metres high) to the north of the site for office and retail accommodation.

Planning History

4.13 The planning history of the subject site is detailed as follows:-

Permissions:

- On the 17th May 2000 planning permission PA/99/1338 was issued to extend the existing building on the site to form a mixed use development with associated car parking.
- On the 1st November 2001 planning permission PA/01/503 was for demolition and construction of an 8 storey building to form a hotel.
- On the 8th December 2006 planning permission PA/06/00219 for the demolition of existing buildings and erection of two buildings of 7 and 25 storeys to provide 287 residential units and A1/A3 (retail/restaurant/cafe) floor space, formation of associated car parking and highway access, hard and soft landscaping and other works associated with the redevelopment of the site was withdrawn after concerns were raised regarding the design of the proposed building.

Other:

- On the 6th August 1999 planning application PA/99/338 to extend the existing building on the site to form a mixed use development including residential, A3 and B1 uses and associated car parking was withdrawn.
- On the 5th May 2004 planning application PA/03/346 to construct a 5-16 storey building to form a hotel and serviced apartments on the site was withdrawn.
- On the 18th April 2005 planning application PA/04/191 for a 5-24 storey building to form a hotel was withdrawn.
- Planning application PA/06/107 requesting a waiver of Condition 1 (car parking) of planning permission PA/99/1338. This application is currently invalid.

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Proposals:	Central Area Zone
	Archaeology Importance or Potential
Policies:	DEV1 Design Requirements
	DEV2 Environmental Requirements
	DEV3 Mixed Use Developments
	DEV4 Planning Obligations
	DEV8 Protection of Local Views
	DEV12 Provision Of Landscaping in Development
	DEV17 Street Furniture
	DEV43 Protection of Archaeological Heritage
	DEV50 Noise
	DEV51 Contaminated Soil
	DEV55 Development and Waste Disposal
	CAZ1 Location of Central London Core Activities
	EMP1 Promoting economic growth and employment opportunities
	HSG7 Dwelling Mix and Type
	HSG13 Internal Space Standards
	HSG15 Development Affecting Residential Amenity
	HSG16 Amenity Space
	T16 Traffic Priorities for New Development
	T18 Pedestrians and the Road Network
	T21 Pedestrians Needs in New Development

Interim Planning Guidance for the purposes of Development Control (October 2007)

Proposals:	CF12d	Alie Street: Preferred Uses - Employment Archaeological Priority Area Central Activities Zone
Core Strategies:	CP9	Employment space for small businesses
	CP11	Sites in employment use
	CP20	Sustainable residential density
	CP21	Dwelling Mix and Type
	CP22	Affordable Housing
	CP41	Integrating development with transport
Policies:	DEV1	Amenity
	DEV2	Character and design
	DEV3	Accessibility and inclusive design
	DEV4	Safety and security
	DEV5	Sustainable design
	DEV6	Energy efficiency
	DEV7	Water Quality and Conservation
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV11	Air Pollution and Air Quality
	DEV12	Management of demolition and construction
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV22	Contaminated Land
	DEV27	Tall Buildings Assessment
	EE2	Redevelopment/change of use of employment sites
	RT3	Shopping Provision outside of Town Centres
	HSG1	Determining Housing Density
	HSG2	Housing Mix
	HSG3	Affordable Housing
	HSG4	Ratio of Social Rent to Intermediate Housing
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Affordable Housing
	CON1	Listed Buildings
	CON5	Protection and Management of Important Views

Supplementary Planning Guidance/Documents

Residential Space Standards
Archaeology and Development

Spatial Development Strategy for Greater London (London Plan) 2004

Polices	2A.1	Sustainability Criteria
	3A.1	Increasing London's Supply of Housing
	3A.2	Borough Housing Targets
	3A.4	Housing Choice
	3A.7	Affordable Housing Targets
	3C.1	Integrating Transport and Development
	4A.7	Energy Efficiency and Renewable Energy
	4A.8	Energy Assessment
	4B.1	Design Principles for a Compact City

4B.2	Promoting World Class Architecture and Design
4B.3	Maximising the Potential of Sites
4B.5	Creating an Inclusive Environment
4B.6	Sustainable Design and Construction
4B.8	Tall Buildings
4B.9	Large Scale Buildings
4B.17	Assessing Development Impact on Designated Views
5C.2	Opportunity Areas

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS22	Renewable Energy
PPG15	Planning and the Historic Environment
PPG16	Archaeology and Planning

Community Plan The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

6. CONSULTATION RESPONSE

- 6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

LBTH Highways

- 6.2 The proposed development proposes 36 on-site parking spaces, the applicant has not justified this level of parking.

(OFFICER COMMENT: The level of car parking proposed on the site complies with both the maximum requirements of the London Plan and LBTH Policy).

The TA does not identify or evaluate the existing congestion/capacity levels on the road network but rather the percentage traffic impact being negligible relative to the overall volume of traffic on the road network.

The proposed development extends over the eastern section of Buckle Street which is public highway. Clarification is therefore required with regard to its impact on the adjacent properties. This is required before consideration of stopping up orders can take place.

Clarification is required with regard to how the site will be serviced. All servicing should be from within the sites curtilage and all vehicles must be able to enter and exit in forward from the site.

The applicant may want to consider dedicating the strips of land between the back of the footway of Alie Street and the developments building line to LBTH for adoption. This would improve and ensure maintenance of the frontage is practical, accessible and clarifies the boundary and makes the footway uniform in width

The applicant will be liable for any improvements/upgrades to the adjacent to the site including footways, pedestrian crossing facilities, traffic calming features etc, and consequently commuted maintenance payments. This will require the applicant to enter into a s278 agreement with LBTH.

(OFFICER COMMENT: The above highways issues can be addressed through relevant S106 contributions towards highway works, Aldgate Gyratory improvements and S278 works.)

LBTH Education

- 6.3 Based on the dwelling mix a need for a contribution towards the provision of 29 additional primary school places @ £12,342 results in a contribution of £357,918.

LBTH Environmental Health

- 6.4 The Environmental Impact Assessment was considered to be satisfactory. The following observations are made and conditions are required to ensure that the environmental health impacts of the proposal are minimised:
- Food premises are to be registered with Environmental Health;
 - Site contamination mitigation measures are required including redemption strategy;
 - Need for a Section 61 consent for noise abatement although it is recognised that works has already begun on site in response to the previous approval;
 - Restriction on hours of work;
 - Ventilation provision for kitchen/bathroom areas;
 - Hours of delivery to be restricted;
 - A code of construction practice detailing how the applicant intends to mitigate for dust and emissions from the construction site. Due regard must be given to the London Best Practice Guide; and
 - A fleet management plan must be submitted detailing vehicle emissions standards and fleet maintenance programmes.

Greater London Authority (Statutory Consultee)

6.5 Housing

The financial appraisal suggests the offer put forward represents the maximum reasonable amount. In this case, however, the Mayor is concerned at the substantial contribution being sought by Tower Hamlets Council for health care provision. The contribution of £1.113 million in this respect is significant and will impact on the delivery of social rented accommodation within the scheme. Tower Hamlets Council should reconsider this requirement and seek that a proportion of this is redistributed to the social rented component of the scheme, and towards the provision or management of open space as part of either Braham Street Public Park and Goodman's Fields regeneration.

(OFFICER COMMENT: The applicant has agreed to increase S106 contributions to gyratory improvements and open space by approximately £500,000 resulting in a reduction in the healthcare contribution. It is recommended that a proportion (£100,000) be redirected to the Aldgate Public Art and Culture Trail as identified in the Draft Aldgate Masterplan.)

Design

The officer's report raises a number of concerns regarding the design, in particular the external appearance of the building. GLA design officers will open discussions regarding the elevations of the building. These matters should be resolved before the Mayor considers the case for final determination.

(OFFICER COMMENT: The applicant has met with the GLA and provided further details of façade design. The GLA have agreed that they are now satisfied with the proposals.)

Energy

New information has recently been submitted by the applicant regarding options for the

inclusion of combined heat and power and a complimentary renewable (solar water heating or photovoltaic panels). Discussions will continue, and the applicant should make a clear commitment to the preferred technologies, which should also be secured by Tower Hamlets Council through planning conditions.

TfL (Statutory Consultee)

- 6.6 TfL welcomes the restraint based approach to parking with 36 spaces, five allocated for disabled persons. Clarification as to the location and detail of the disabled spaces is required. The level of parking equates to around 0.15 spaces per unit which is within the London Plan maximum. The proposed section 106 agreement indicates that there will be a car-free agreement excluding residents of the development from a parking permit. This is welcomed in order to encourage sustainable travel and minimise vehicle trip generation in the Aldgate area.

The development includes 242 cycle spaces. In order to comply with TfL's cycle parking standards this should be increased to 264 spaces, including the provision of eight public access spaces at ground floor. Clarification is also required with regard to access to the cycle store and whether cyclists will use the car or pedestrian lift. A more convenient way to get to and from the bicycle storage area should be considered to promote cycling for daily use as a sustainable mode of transportation.

(OFFICER COMMENT: The basement cycle store has been redesigned to be accommodated on one floor level (with cycle friendly stairs and a ramp).

The transport assessment estimates that over 200 walking trips will be generated by the development on Alie Street and Buckle Street. TfL would welcome further details including a walking audit and an assessment of the impact of additional trips on the surrounding road network. The proposed open space between the two buildings is welcomed. Measures should be in place to prevent vehicle or motorcycle from over running on such space.

It is noted that the section 106 package includes £40,000 for highway pedestrian and cycle movements. This is an opportunity to improve facilities along routes from the site to public transport nodes, bus stops and other facilities and is therefore welcomed.

As part of the Aldgate Union Phase 2 development, TfL is supporting proposals to remove the Aldgate gyratory and reinstate two-way traffic on Whitechapel High Street. The new highways working will provide an improved pedestrian environment including at-grade crossing facilities and better conditions for cyclists and public transport interchange as well as the implementation of a new public space on the western arm of Braham Street. As residents and visitors of this proposed development will benefit from these improvements TfL welcomes the proposed section 106 contribution of £500,000.

(OFFICER COMMENT: the applicant has increased the contribution towards TfL to £914,469, in order to provide funding towards Aldgate Gyratory improvements and provision of open space on Braham Street. This contribution will also go some way to mitigate the impact of development on the surrounding transport and road network).

TfL welcomes the submission of a draft residential travel plan with the transport assessment. The travel plan will be secured and monitored through a section 106 agreement. Whilst TfL welcomes this approach, further information is required about supporting measures such as the car club provision, appointment of a travel plan coordinator and car park management strategy. The office component of the development does not trigger the requirement for a travel plan; however it would be beneficial to extend some elements of the residential travel plan to employees.

In conclusion, TfL has no in principle objections to this application provided the above issues

are resolved satisfactorily.

London Underground

- 6.7 The application site is located some distance from the District line tunnel under Whitechapel High Street and therefore London Underground have no comments to make on this application.

Environment Agency (Statutory Consultee)

- 6.8 No objection subject to the application of conditions relating to the method of piling foundations, the control of surface water and drainage, contamination and remediation.

English Heritage (Statutory Consultee)

- 6.9 English Heritage is particularly concerned with regard to the impact of the proposed twenty eight storey tower on views of the Tower of London from Queens Walk. The proposed tower will be intrusive and detract from the setting and legibility of the overall group. The submitted views of the proposal in relation to the Tower of London are inadequate.

Together the listed mid nineteenth century stucco Dispensary, the mid eighteenth century classical Church and 1870's Elementary School form an attractive group. Whilst each building differs in character, the group is united by a similar scale; the scale of the eighteenth and nineteenth century City Fringe. This scale is picked up by the existing early twentieth century warehouse on the site of the proposal. The warehouse, whilst not of outstanding architectural value, compliments the appearance of the group in terms of its mass and rhythm. This is a group of buildings which is worthy of Conservation Area Status.

The proposed tower would significantly detract from the setting of this group of listed building as seen from Alie Street and Leman Street in terms of scale and architectural character. It would also detract from the character and appearance of the intimate paved courtyard which separates the two parts of the German School. Whilst, as discussed on site with the agents and architects, development of the adjacent open corner site (at the south east corner of the Leman/Alie Street junction) would close up some views of the site, the overall impact would nevertheless be significantly detrimental. The tower would also have a detrimental impact on other views within the area including that from Whitechapel Road across the historically important Altab Ali Park (within the Whitechapel High Street Conservation Area).

The proposed tower would sit uncomfortably within the urban block which contains the site. The architects have attempted to ease the join between the development and the adjacent listed building by setting the tower back from the building line of the base block from which it rises but measures such as this only serve to highlight the fact that this is not a suitable site for a tall building.

English Heritage strongly object to the proposal in its current form as it would significantly detract from the setting and appearance of the adjacent group of listed buildings as well as the Tower of London World Heritage sites.

(OFFICER COMMENT: Please refer to the discussion section of this report.)

English Heritage (Archaeology) (Statutory Consultee)

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

London City Airport (Statutory Consultee)

6.11 No safeguarding objection.

Thames Water

6.12 No objection in principle. Separate approval required from Thames Water regarding waste and water services.

NATS (Statutory Consultee)

6.13 No safeguarding objection.

City Corporation (Statutory Consultee)

6.14 No objections raised.

CABE

6.15 Accept the principle of a tall building in this location and agree that residential development is appropriate on this site. However, CABE are not convinced that the site can successfully support the quantum of residential development proposed. Concerns relate to the form of the tower, its height and scale in relation to other buildings around the current gyratory and its relationship with the street.

The lower building appears to knit into the surrounding urban fabric relatively well, but CABE is concerned that the mass and form of the taller building are at odds with its immediate context. CABE think that the tower's bulky shape does not respond well to adjacent buildings, in particular the German Lutheran Church and St George's School, and that its footprint does not fully reinforce the street edge.

CABE previously raised significant concerns about the disparity between the Buckle Street entrance to the affordable housing and the Alie Street entrance to the private homes in the tower.

CABE shares the position stated in the local planning authority's draft Aldgate masterplan that the buildings between Whitechapel High Street and Braham Street should form the apex of building heights in Aldgate, and the scale of this proposed development in this location, a block back from the current gyratory system, is not successful. CABE thinks the proposal does not meet the standards of excellence set out in the English Heritage/CABE Guidance on Tall Buildings.

(OFFICER COMMENT: Please refer to this discussion section of this report.)

Natural England (Statutory Consultee)

6.16 No objection, subject to securing conditions relating to the provision of green and brown roofs.

BBC

6.17 No comments provided.

7. LOCAL REPRESENTATION

7.1 A total of 105 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: 7 Against: 7 In Support: 0

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

Design and Conservation

- Height of building out of keeping with surrounding area
- Proposed building would dwarf the Grade 2 listed buildings in Alie Street and surrounding buildings.

Amenity

- Proposal will result in a loss of daylight/sunlight
- Proposal will result in a loss of privacy
- Proposal will result in additional wind tunnelling

Noise and Air Quality

- Increase in dust, air and noise pollution from building works and traffic movements
- ES omits assessment of dust and noise impacts
- Additional noise from the operations of the shops/restaurants
- Noise resulting from emptying of refuse store
- Noise from traffic and car lift

Transport

- The proposal will result in an increase in traffic congestion
- Inadequate parking facilities are provided
- Inadequate servicing arrangements and facilities

The following issues were raised that are not considered to be material to the assessment of this application:

- The proposal will restrict neighbouring properties development potential
- The fire stairs come out on Plough St
- Existing residents parking rights have not been considered
- Digging of deep foundations for the proposed building would damage the foundations of listed buildings.

8. MATERIAL PLANNING CONSIDERATIONS

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

1. The uses proposed on site and in particular the ratio of residential to employment floorspace provided;
2. The number of housing units on site and provision of affordable housing units;
3. Mix of housing units provided;
4. The principle of a tall building on this site;
5. The design of the proposed scheme;
6. Amenity impacts on surrounding properties as a result of changes to the scheme; and
7. The impact on traffic and transport.

Land Use

8.2 Principle of Housing

Policy 5C.2 of the London Plan identifies the Aldgate and Whitechapel area as one of the primary opportunity areas within the East London Region. By the year 2016 it is hoped that the Aldgate/Whitechapel area will be able to provide 14,000 new jobs and 700 new homes for London.

8.3 Policy CAZ1 of the adopted UDP (1998) specifies that within the Central Area Zone, a balance of Central London core activities compatible with fostering London's role as a commercial, tourist and cultural centre, will normally be permitted. Central London core activities do not include housing.

8.4 The site is identified on the Interim Planning Guidance (October 2007) as site CF12d. The Interim Planning Guidance (October 2007) states that the preferred use for this site is Employment (B1). Indicative maps contained in the Interim Planning Guidance (October 2007), indicate the site is within a preferred office location.

8.5 Policy HSG 1 of the Interim Planning Guidance (October 2007) states:

"in accordance with government guidance and the Mayor, the council will seek to concentrate the highest intensity of uses, including residential uses, in locations with high accessibility to public transport and to shops and services"

8.6 The proposal will provide 235 residential units (23,239 square metres) and 1864 square metres of commercial floorspace comprising 1156.5 square metres of Office (B1) and 717.5 square meters of retail (A1 & A3). The ratio of residential to commercial floorspace on this site being 93:7.

8.7 Clearly there is some conflict between the strategic policy approach and the more localised policy direction for the Aldgate sub-area. From a strategic perspective, there is a shortage of housing across London. While UDP policies do not outwardly support residential development in the CAZ, it is recognised that the more recent policy approach, as noted in the London Plan, directs larger schemes, including residential schemes, to sites with high transport accessibility and good local access to shops and services.

8.8 The applicant has submitted an independent study prepared by Edwards Symmons. This analyses the feasibility of office development on this site, taking into account the city fringe context and demand for office space. The study report notes that there is 2.5 million sq feet proposed within the immediate vicinity of Alie St, including (amongst others) the Aldgate developments. It notes that an office scheme on this site would be coming to the market at the same time as a number of competing schemes and it is likely that office space would be let at a discount to these competitors and long voids may be expected. It notes the site's location is at the poorer end of Alie Street- the more prominent part being between Leman Street and Mansell Street.

8.9 The report recommends mixed uses schemes in this location due to the relative scarcity of residential space in E1 and its proximity to the City. The surveyor also recommends a substantial higher proportion of residential to commercial would be appropriate.

8.10 The Interim Planning Guidance (October 2007) and emerging Aldgate masterplan provide localised guidelines for the location of uses within the Aldgate Sub-Area. Its concentrates the preferred office location around the Aldgate Union gyratory to the north of Alie Street. Further away from Aldgate, the preferred uses change from employment-led mixed use to mixed use, including portions of residential. (Goodmans Fields). Also of note is the recent approval of large office schemes of approximately 200,000 square metres at Aldgate. These schemes

include the closure of Braham St, the removal of the gyratory and a new park for both workers and residents within the immediate area - all of which satisfies the emerging policy requirements. Further, the AAP is not adopted as yet by the Council and it would be imprudent to refuse this scheme on the basis of this document.

8.11 In addition the Mayor of London in the Stage 1 referral response from the GLA states that:

“The Mayor has previously accepted the principle of a mixed use residential led tower on the site given the proximity to the City Fringe, its location on a Brownfield site and its proximity at the interface between the Central Activities Zone and the existing Aldgate/Whitechapel Opportunity Area. In considering the strategic location the Mayor took into account the high level of public transport accessibility and proximity to the River Thames and the aspirations of policy 3B.4 which seeks a mix of uses in such location including housing.

This application is arguably a genuine mixed use proposal, albeit as residential led. Given the site is not a strategic employment location, the principle of mixed use development is acceptable in this case so long as the council continues to monitor its release of employment sites and identifies new ones to ensure the retention of an adequate supply of land for employment generating uses within the borough.”

8.12 When considered against the policy situation with regard to housing, it is clear that although the emerging Interim Planning Guidance (October 2007) and emerging masterplan do not support housing on this site specifically, the London Plan and local policies provide strategic support for housing within the borough and especially on sites with excellent connections and services. Further, the applicant has provided sufficient evidence to assure officers that there is sufficient office space within the vicinity and an office-led scheme would not be sufficiently viable to proceed with development of this site. On balance, the predominant use of this site for housing is supportable.

Housing

8.13 Affordable Housing

Policy 3A.8 of the London Plan states that Borough's should seek the maximum reasonable amount of affordable housing taking into account the Mayor's strategic target that 50% of all new housing in London should be affordable and Borough's own affordable housing targets.

8.14 The Interim Planning Guidance (October 2007) Policy CP22 seek 50% affordable housing provision from all sources across the borough with a minimum of 35% affordable housing provision on site's capable of providing 10 or more dwellings.

8.15 A total of 64 affordable housing units out of the total 235 units is proposed, representing 27% provision overall. Whilst this scheme does not meet the London Plan target of 50% as calculated by the number of units, it does provide 35% affordable housing as calculated by habitable rooms (236 out of a total of 674), thus satisfying the Council's Interim Planning Guidance (October 2007) and Housing Needs Survey targets. This is largely achieved through the provision of a large number of family housing units within the socially rented tenure as noted below in Paragraph 8.15.

8.16 Of the affordable housing provision of 71% would comprise social rented accommodation and 29% intermediate calculated by habitable rooms. This generally accords with the London Plan's objective that 70% of the affordable housing should be social rented and 30% intermediate but does not meet the requirements of Policy HSG5 Interim Planning Guidance (October 2007), that requires a social rented to intermediate ratio of 80:20 for grant free affordable housing. However, given compliance with adopted London Plan policy, the tenure split proposed is acceptable.

8.17 Housing Mix

On appropriate sites, UDP Policy HSG7 requires new housing schemes to provide a mix of unit sizes including a “substantial proportion” of family dwellings of between 3 and 6 bedrooms.

8.18 Interim Planning Guidance (October 2007) specifies the appropriate mix of units to reflect local need and provide balanced and sustainable communities. Family accommodation is again identified as a priority reflecting the findings of the Borough’s Housing Needs Survey as well as the draft East London SRDF. In terms of family accommodation, the Policy requires 45% of social rented housing and 25% of market and intermediate housing to comprise family housing (units with 3 or more bedrooms respectively).

8.19 The proposal would provide for 235 residential units in the following mix:

	Private	Affordable	Total	% of total Units
1 Bed (2 person)	98	17	115	49%
2 Bed (3 person)	50	14	64	27%
3 Bed (5 Person)	23	23	46	20%
4 Bed (7 person)	0	2	2	1%
5 Bed (9 Person)	0	8	8	3%
TOTAL	171	64	235	100%

8.20 The affordable housing for rent would comprise the following dwelling mix:

	No of Units (Proposed)	No of habitable rooms	% of social habitable rooms	LBTH Housing Needs Survey Unit basis
1 bed	8	16	10%	20%
2 bed	10	30	18%	35%
3 bed	13	52	31%	30%
4 bed	2	10	6%	10%
5 bed	8	58	35%	5%
TOTAL	41	166	100%	100%

8.21 The scheme provides 24% family units (3, 4 and 5 bedroom units) across all tenures. More importantly, the scheme provides 120 habitable rooms out of a total of 166 habitable rooms as family housing within the socially rented component (72%) (or 23 out of a total of 41 socially rented units (56%)). Both are in excess of the minimum amount of family housing required within the socially rented tenure. The intermediate and market component of family housing is 17% as compared to the Interim Planning Guidance (October 2007) requirement of 25% for family housing across these two tenures. Whilst not strictly consistent with Policy HSG2.2 of the Interim Planning Guidance (October 2007), it must be kept in mind that this is as a result of gaining well in excess of the overall number of socially-rented family housing units which are more desirable in respect of satisfying borough housing needs.

8.22 Further, the applicant has submitted a toolkit analysis that demonstrates that the scheme is on the borderline of viability. This can be read alongside social rented component that incorporates 72% family units (by habitable rooms), which is well in excess of the Interim Planning Guidance (October 2007) requirement of 45% family housing. In addition, the family housing provision within the affordable housing tenure is an improvement on the previously approved scheme and has been endorsed by the Council’s Housing Department. On this basis the scheme can be supported.

Design, Density and Scale

- 8.23 London Plan Policy 4B.3 and Policies CP20 and HSG of the Interim Planning Guidance (October 2007) note that proposals should achieve the highest possible intensity of use compatible with local context and with public transport capacity. The scheme will result in a density of approximately 940 units per hectare (uph). Table 4B.1 of the London Plan indicates densities up to 435 units per hectare are appropriate in urban sites with good transport links.
- 8.24 Policy UD1 of the Interim Planning Guidance (October 2007) specifies that the bulk, height, and density of development must consider the surrounding building plots, scale of the street, building lines, roof lines, street patterns and the streetscape. The development must also respond in a sustainable manner to the availability of public transport, community facilities and environmental quality.
- 8.25 Policy UD2 of the Interim Planning Guidance (October 2007) states that tall buildings will be permitted in identified clusters as detailed in the Area Action Plans subject to a number of criteria. Further, the site is included in the "Proposed Tall Buildings Areas" in the interim Planning Guidance Document October 2007. The proposal satisfies the relevant criteria of Policy UD2 as follows:
- The architectural quality of the building is considered to be of a high design quality;
 - The scheme contributes to an interesting skyline, and contributes to the general graduation of maximum building heights from west to east
 - The scheme meets the standards of sustainable construction and resource management;
 - The scheme meets the Council's requirements in terms of micro-climate;
 - The scheme enhances the movement of people, particularly through the new pedestrian route in the middle of the site.
 - Appropriate planning obligations are included to mitigate the impact of the development on the existing social facilities in the area;
 - The proposal satisfies the Council's requirements in terms of impact on privacy, amenity and overshadowing;
 - The BBC have considered the proposal in terms of the impact on the telecommunications and radio transmission networks and concluded any impacts of the development can be mitigated via an appropriate clause in the S106 agreement;
 - The transport capacity of the area now and in the future was considered as part of the Environmental Impact Assessment process. TfL have concluded that the transport assessments submitted satisfy the Council's requirements (including the cumulative impact);
 - A total of 1647 sqm of private and communal amenity space is provided, excluding the provision of green roofs
 - The proposal also includes an appropriate S106 contribution towards existing and proposed open spaces. The amenity space arrangements are considered to satisfy the Council's requirements;
 - As discussed above, the mix of uses proposed are considered appropriate. The Council's urban design officer has recommended that the detailed design of the ground floor be conditioned to ensure that the development contributes to its surroundings at street level;
 - The overall sustainability of the project is considered satisfactory.
- 8.26 The GLA support the size, height and bulk of the scheme. However, concerns have been raised about the design and form of the building at this location and the associated impacts on the adjoining Listed Buildings. In particular, consideration concerning the fact that the building height is not in accordance with the emerging Aldgate master plan (which requires buildings to step down from the approved Aldgate Union buildings) needs to be thought about. In addition, whilst CABE consider the principle of a tall building is acceptable in this location, they are not convinced in terms of the form, height and scale of the proposal in

respect to the context of the adjoining buildings and relationship to the street.

- 8.27 Whilst we recognise the concerns raised by CABE and English Heritage, officers must consider the scheme on balance and in accordance with the relevant policies and site specific circumstances.
- 8.28 It is considered that the building height of 28 storeys (93.80 metres high) does provide a graduated height from the taller consented schemes at Aldgate Union (102.50 metres high) to the north of the site towards the Goodman's fields to the south. The requirement for this stepping down is identified in the terms and intentions of the emerging Aldgate Masterplan. However, given the Aldgate Masterplan is not yet adopted and is still emerging, the document holds little weight and provides limited status in determining the application.
- 8.29 The design of the proposed tower element of the building at 28 storeys in height with roof plant takes on a triangular form which seeks to ensure that the building is appropriate in mass and scale when viewed from the surrounding area. It is considered the scheme allows for an appropriate response to a constrained inner-city site and incorporates well-designed elevations and landscaping. Given the visibility of the building, it is considered that conditions should be included any permission to ensure high quality materials and finishing during construction.
- 8.30 The appearance of bulk within the tower element is addressed through proportions of panels, slim frames and fine verticals. The stepping of the roof seeks to add further articulation whilst also providing generous areas of amenity space for future residents. The provision of balconies seek to provide a human scale and identity to this residential building. In addition, these spaces provide exclusive amenity space for the occupiers and extension of the living areas.
- 8.31 The proposal provides for improved linkages through the site which will result in through access from Alie Street through to Buckle and eventually Braham street open space, as envisaged through the Aldgate Masterplan.

Setting of the Adjacent Listed Buildings

- 8.32 PPG13 requires authorities considering applications for planning permission or listed building consent for works which affect a listed building to have special regard to certain matters, including the desirability of preserving the setting of the building. In particular policy DEV1 and policy CON1 of the Interim Planning Guidance (October 2007) seeks to ensure that proposals do not adversely affect the setting of Listed Buildings.
- 8.33 The site adjoins three Listed Buildings these being;
- 19a Lemman Street: a two storey stucco building which was formerly used as the East London Dispensary;
 - The St Georges German and Lutheran Church and;
 - The St Georges German and English Schools.
- 8.34 The lower levels of the proposal and podium level have been designed to be sympathetic to the massing and form of the adjoining listed buildings to the east. This form allows for a local scale to the direct street frontage with the tall element of the building being set back and situated towards the east with a triangular footprint orientated away from the western boundary.
- 8.35 In addition, it is considered that that setting of these Listed Buildings has already been compromised by the existing buildings to the north, being 19 Lemman Street and 21-23 Buckle

Street and by the approved towers at Aldgate Union. These buildings result in the northern courtyard being dominated by a blank southern elevation of approx seven to eight storeys in height.

- 8.36 A number of photomontages have been completed illustrating views of the proposal from the courtyard of the St George's Lutheran German Church and when viewed from Lemn Street to the south. These views illustrate that from the courtyard views are already limited by the existing warehouse buildings. However, it does not dominate the courtyard. The proposal would result in a greater vertical building mass when viewed from courtyard. However, the building has been designed with the podium level set back and given the angular nature of the design the view does not show the full width of the building.
- 8.37 The impact of the proposal of the adjoining Listed Buildings is considered to be acceptable and in general accordance with the guidance set out in PPG13. Whilst it is recognised that there will be impacts on the listed buildings, given the existing townscape and inconsistency of character of the area, it is not considered that the concerns would warrant the refusal of the application. The principle of a tall building is acceptable in this location, given the proximity of the site to the Aldgate Union cluster, and the listed buildings are already compromised by along the northern boundary.

Strategic Views

- 8.38 Given the sites proximity to the Tower of London policy 4B.17 of the London Plan requires Councils to assess whether a development would impact on the views within a landmark corridor. The application has been accompanied by an Environmental Impact Assessment which includes a Townscape and Visual Assessment. This document includes a number of computer generated views from strategic locations. These images demonstrate that the building sits below the towers and would not impact on any views of the towers. The views demonstrate that the building is lower than the Aldgate Union development and would not affect the ability to appreciate and recognise the Tower of London when viewed from the strategic locations.
- 8.39 Furthermore, the proposal has been reviewed by the GLA who have not raised any objections to the proposal in terms of the protected strategic views.
- 8.40 The principle of a tall building on this site has been consistently supported by the Mayor given the sites central location and proximity to the public transport network. The GLA have reviewed the design of the scheme and are satisfied that the proposals would deliver an acceptable design for this tall building.

Design Conclusions

- 8.41 The overall design is considered acceptable in policy terms and will make a positive contribution to the site and immediate area. The overall design, height, massing and footprint of the building responds positively to the typology of the area.
- 8.42 On balance, it is considered that the principle of a tall building in this location is acceptable and it would form part of the cluster of tall buildings emerging around the Aldgate Union site. The adjacent listed buildings are already compromised by existing buildings to the north and do not form part of a consistent street scene. The proposed buildings are set back from these buildings and the podium level respects the building frontages. It is not considered that the concerns raised by parties and statutory consultees would warrant the refusal of the scheme on design terms.

Open Space/ Amenity space

- 8.43 Policy HSG16 of the UDP requires all new housing schemes to incorporate adequate

provision of amenity space. Policy OS9 of the UDP seeks to ensure that a wide range of play facilities are available, particularly in areas where there is high child density, a high concentration of homes without gardens, there are poor environmental conditions and major roads or other physical barriers that limit accessibility.

8.44 The Interim Planning Guidance (October 2007) Policies CP30 & HSG7 and the Council's Open Space Strategy seeks to ensure that amenity space should be integrated into a development, maximise accessibility, maximise its usability, and not detract from the appearance of a building. Table DC2 of the Interim Planning Guidance (October 2007) sets out the required standards for residential amenity and children's play area provision (as also set out in the Council's Residential Space SGP, 1998).

8.45 In terms of residential amenity space for the 235 residential units proposed, 275 sqm of amenity space is required. A total of 1,647sqm of private and communal amenity space will be provided on the site, exceeding the requirements of the draft Core Strategy by 1,372sqm. In addition, 272sqm of space will be provided as green roofs. When the 410sqm public square is excluded from the above amenity space provision, the following is still achieved within the remaining 1,237sqm:

- 91% of the affordable units have either a balcony or exclusive roof terrace;
- All of the socially rented accommodation will have a balcony or exclusive roof terrace;
- 75% of units will have access to a roof terrace either communal or exclusive; and
- 69.4% of flats have either a balcony or exclusive roof terrace.

8.46 Children's Play Space

In terms of children's play area provision, the proposal will include 78 units of family accommodation resulting in 98 bed spaces being created. This is broken down as follows:

- Intermediate Housing – 10 x 3-bed units (10 bed spaces);
- Market Housing – 23 x 3-bed units (23 bed spaces);
- Socially Rented Accommodation – 30 x 3-bed units (30 bed spaces), 10 x 4-bed units (20 bed spaces) and 5 x 5-bed units (15 bed spaces).

Based on the Council's requirements for child play space (e.g. 3sqm of play space for every child bed space), 294sqm of child play space should be provided. .

8.47 In terms of provision, to the north of the public square, near the feature wall, there will be an area for children to play. This area is approximately 85sqm in size and although this amount of provision does not meet the overall amount of children's play space required, the following matters should be considered:

- The proposal includes an over provision of 1,372sqm of general amenity space provision, (5.8sqm per unit) compensates for the 209sqm under provision of children's play space; and,
- The majority of the child bed spaces will be within the affordable housing units; and therefore have the benefit of balconies or exclusive or communal roof terraces.

8.48 Notwithstanding the above, the children's play space provided on the site will accommodate the demands of the 0-5 year category, whilst the amenity space provided within close proximity to the Site (at Goodman's Fields and Braham Street Public Park) will provide the necessary play space for the children over the age of 5-years and is within easy walking distance of the site (assuming the on-site amenity space is not sufficient for their means). With this in mind, the amount of children's play space is acceptable

Amenity

- 8.49 Policy 4B.9 of the London Plan, Policy DEV1 of the Interim Planning Guidance (October 2007), require all large scale buildings to pay particular attention, in residential environments, to the impact of development on noise and vibration, air pollution, sunlight / daylight /overshadowing and microclimate.

Daylight/Sunlight

8.50 Daylight results

Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use.

- 8.51 The change in sky visibility or VSC method only provides an indication as to whether there will be changes in lighting levels. It does not necessarily reveal whether the predicted quantity and quality of light is adequate, following the construction of a new development. However, the ADF method provides a means for making such an analysis.
- 8.52 Sunlight is assessed through the calculation of what is known as the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south or, in other words, windows that receive sunlight.

8.53 36 Commercial Road

Existing VSC (Vertical Sky Component) readings at first floor level all exceed 31% which is higher than would be normal in an urban situation. This is mainly as result of the railway viaduct which represents the only obstruction. The proposed design of the west elevation extends up eleven floors with the elevation set back as it progresses to the north. At effectively the lowest level to the elevation facing the development to Sunlight Square, the daylight readings at first floor level indicate compliance with the relevant VSC standards. Of the three closest windows on the first floor, two exceed the 27% VSC requirement whilst the third window is slightly less than this. Its loss of light when compared with the existing situation is acceptable given the urban context of the immediate area.

- 8.54 The Daylight and Sunlight Assessment submitted as part of the ES (Chapter 11) has shown that there will be no material impact upon the daylight enjoyed at 55-59 Alie Street and at Beagle House. There will be a reduction to the daylight to 19 Lemn Street and 32-34 Commercial Road, although it is considered that the remaining levels will be acceptable.
- 8.55 In summary, the quality of light available within the properties will either be close to the existing or at a reasonable level assuming rooms are to be used as habitable rooms. On the basis that the quality of light remaining is close to British Standard BS8206 Part II, it has been concluded that the light levels are reasonable.

8.56 Sun lighting results

36 Commercial Road

Three east-facing, first floor windows will be affected by the proposed development. Of these, it is estimated that they will not lose more than 20% of their Annual Probable Sunlight hours (APSH) and that the resultant summer sunlight is close to BRE recommendations. It is again considered that the resultant level of sunlight (between half and three quarters is reasonable for an urban location. However, these noted windows already receive a low level

of sun and the proposal will leave a similar amount. As such, it is not considered that a reason for refusal on loss of sunlight grounds could be justified relating to this building. Other windows will not be affected as they are not east facing or higher in the building.

8.57 Daylight and Sunlight conclusions

BRE guidelines state clearly that different light criteria is often appropriate in urban centres, as compared to more suburban environments. Whilst the proposal clearly will have an affect to neighbouring buildings light, the quality of the remaining light to adjacent residential properties would not be unacceptable or unusual for this urban location. On balance, the proposal is considered acceptable by Council officers, following detailed consideration of the light study.

8.58 Response Regarding 36 Commercial Road

The applicant commissioned consultants to carry out additional day and sunlight analysis for the development at 36 Commercial Road in response to concerns raised by the owner on the impact of the proposed development in the future residential development at this site which was recently granted planning permission at appeal (PA/05/01450).

8.59 As a result of these concerns the applicant has revised the design of the 7 storey office building which is located adjacent to the boundary with 36 Commercial Road. The additional day and sunlight assessment demonstrates that there will be very little impact given that a majority of rooms within the development are unaffected by reference to the BRE Guidelines.

8.60 The sunlight analysis shows that there will be little impact within a majority of affected rooms by reference to the BRE criteria. Where there are impacts they are limited and would not give rise to a detrimental effect on the amenity of the proposed accommodation.

8.61 In addition, the revisions to the design of the office building have resulted in improved VSC and ADF figures for the rear windows to 32-34 Commercial Road to those originally indicated in the ES (chapter 11). It is therefore still considered that the remaining daylight and sunlight levels would be acceptable to these properties.

8.62 Internal Impacts

The applicant has also commissioned consultants to carry out an internal sun and daylight analysis for the scheme. The results show that there is just one room, an open plan living room/dining room/kitchen, on the first floor which does not adhere to the BRE Guidelines. As the first to seventh floors within the proposed building would contain the same floor plate it is assumed that the same room will fail to adhere to the guidelines between the first and seventh floors (noted that on level 7 living room only as multi storey 4 bed unit, all other windows including kitchen comply). The room attained an average daylight factor of value of 0.97%, below the BRE guidelines which requires an ADF of 1.5% for a living/dining room and 2% for a kitchen.

8.63 These rooms do not comply as they are located within a recess and have balconies which result in an overshadowing impact at some times throughout the day. On balance it is considered that the provision of amenity space to these units is a more appropriate outcome.

8.64 Noise/Vibration

The Noise and Vibration Assessment submitted as part of the ES (Chapter 12) concludes that the proposed insulation will ensure the residents enjoy a comfortable internal acoustic environment. The positioning of the plant, the specification of the machinery and the use of inbuilt mitigation measures will ensure that the statutory noise target is met. Conditions will also be applied to any approval to ensure that the ventilation system does not cause disturbance and construction traffic impacts are limited. It is accepted that the scheme will

result in some noise impacts. However, it is also acknowledged that these impacts can be controlled and minimised.

8.65 Air Quality

The Air Quality Assessment submitted as part of the ES (Chapter 16) concludes that additional traffic flows attributed to the development are expected to lead to a negligible change in local air quality and no mitigation measures are recommended. The proposed boilers are not predicted to have an adverse impact on air quality.

8.66 Microclimate

The Wind Assessment submitted as part of the ES (Chapter 10) concludes that at ground level all locations will be suitable for their intended use during both the winter (worst case) and summer seasons. The terraces were considered suitable for leisure walking or better throughout the year.

8.67 The proposal will generally be in accordance with Planning Policy Guidance Note 24 (PPG24) 'Planning and Noise', the 'London Ambient Noise Strategy' (2004), the 'Air Quality Strategy for London' (2001), Policies 4B.9 of the London Plan, DEV1, DEV2, DEV50 of the UDP and DEV1, CP4, DEV10 of the Interim Planning Guidance (October 2007), which relate to impacts on microclimate, daylight/sunlight, noise and vibration and air quality.

Parking/Transport

8.68 The Site benefits from a PTAL rating of 6(a), which equates to an excellent rating of access to public transport facilities. The overall aims of PPG13, Policies 3C.2 and 2A.1 of the London Plan, Policies ST28 of the UDP and CP40, CP41 of the Interim Planning Guidance (October 2007), is to promote more sustainable travel choices, other than by private motor car, in areas that benefit from excellent transport facilities.

8.69 Parking

Policy DEV19 of the UDP requires development to comply with maximum parking levels set out in Planning Standard 3, unless otherwise justified. Table PS7 of the Interim Planning Guidance (October 2007) sets out standards for motor car and motor cycle parking, which include:

- 1 car parking space per residential unit (no visitor spaces required), of which 10% must meet disabled space standards;
- 1 car parking space per 1,250sqm of office floorspace (GEA);
- No car parking provision for retail / restaurant floorspace; and
- Motorcycle parking is welcomed as a substitute for car parking. Motorcycle parking may be provided within the space allowed by the maximum standards, at a guideline rate of 5 motorcycle spaces in place of each permitted car parking space.

8.70 The Proposal includes the provision of 36 car parking spaces, amounting to approximately 0.15 spaces per unit (based on 235 residential units). Four of the residential car parking spaces will meet disabled parking standards (11%) and an additional disabled car parking space will be provided for the offices. The proposal also includes 6 motorcycle spaces for general use. The scheme satisfies maximum parking standards for this location in accordance with national, regional and local policy requirements.

8.71 In terms of cycle parking provision, the Council requires 1 cycle space per residential unit and visitor spaces at 1 per 10 units, which amounts to 258 cycle spaces for the Proposal. The Proposals will include the provision of 242 secure cycle spaces at basement level for use by residents (1 space per unit) plus 7 spaces for the office tenants (including shower facilities) as well as 8 cycle spaces for retail customers at ground level. The total proposed provision is therefore 250 cycle spaces, which is fractionally lower than the requirements set out in the Council's parking standards. However, this is considered acceptable but, is

generous and will more than meet the needs of the users of the Proposal.

8.72 Pedestrian Linkages

The scheme includes a new pedestrian link between Buckle Street and Alie Street. This will assist to increase permeability, and complies with policies T18 and T19 of the UDP and Policy CP42 of the Interim Planning Guidance (October 2007) and the draft Aldgate Masterplan.

8.73 Transport Capacity

The Transport assessment demonstrates that there is sufficient capacity within the public transport network to accommodate the additional demand for these services resulting from this scheme. This also takes into account the cumulative demand for these services from other developments within the locality.

8.74 The TA includes a Travel Plan which the occupiers of the site will use to further reduce the effect of the scheme on the immediate area. It commits the occupiers of the proposal to a number of measures, including the establishment of a travel coordinator that will promote the use of public transport cycling and walking.

8.75 Servicing

The Proposal will be mainly serviced off Buckle / Plough Street (including refuse collections). Where service access is necessary along Alie Street for the office accommodation, service vehicles will be able to use a proposed lay-by so as not to impede traffic flow.

8.76 Deliveries of fuel for the biomass boiler will also be made via Buckle Street. The intention is that lorries will turn around in the Plough Street cul-de-sac and will then reverse to the fuel delivery point at the northern corner of the Site. Fuel (wood chips or pellets) will be delivered by chute into a secure hopper located over the basement fuel store. Details of this delivery system will be developed in conjunction with suppliers of bio energy heating systems.

8.77 In accordance with Policies T16 of the UDP, Policy DEV17 and Planning Standard 3 of the Interim Planning Guidance (October 2007), adequate servicing provision will be provided for the Proposal which includes appropriate circulation routes. Confirmation of the acceptability of the scheme service arrangement are set out in the TA submitted in support of this planning application. It can therefore be concluded that the Proposal will not result in:

- danger or significant inconvenience to other road users, including pedestrians and cyclists;
- obstruction of access for emergency service vehicles;
- detrimental impact on public transport operations;
- obstruction of the movement of traffic on major roads; and
- deterioration in the environment of residential and other sensitive areas.

Sustainable Development/ Renewable Energy

8.78 In accordance the aims and objectives of PPS1, Policy 4A.7, Policy 4A.8 and Policy 4A.9 of the London Plan, the Mayor's Energy Strategy and guidance document on "Integrating Renewable Energy into New Developments" (September 2004) and Policy DEV2 of the UDP and Policies DEV5, DEV6 and DEV9 of the Interim Planning Guidance (October 2007), the Proposal:

- Is a sustainable development that seeks to ensure a better quality of life for its occupiers;
- Reduces carbon dioxide emissions by being energy efficient and utilising energy from sustainable sources;

- Incorporates passive design features to reduce energy consumption and meet the needs of sustainable development principles and sustainable construction practices, including:
 - solar shading provided by structure and balconies;
 - optimised glazing areas to apartments to improve daylight and reduce overheating;
 - high performance glazing to reduce heat gains and heat loss; and
 - shallow floor plates to office building to facilitate natural daylight and natural ventilation;
- Incorporates the following 'active' measures:
 - Mixed-mode ventilation/cooling with heat recovery;
 - High efficiency chillers;
 - Low energy lighting throughout the apartments;
 - High efficacy lighting to offices with daylight/occupancy and timer controls;
 - Low energy white goods to apartments; and
 - Power factor correction.

Together, these measures are predicted to reduce total carbon dioxide emissions from the whole development by around 21% when compared to base case emissions and the residential accommodation will attain an Eco- Homes rating of 'Very Good'.

8.79 Biomass heating was considered to have the greatest potential carbon dioxide emissions savings for this development. Biomass boilers suitable for this development burn wood in the form of small chips, which originate from forestry work. The boilers are equipped with high efficiency filters on the exhaust so that very low particulate emissions are achieved. The wood-chip boiler to be installed to provide community heating to the apartments and offices is in line with the GLA guidance document "Integrating renewable energy into new developments: Toolkit for Planners, developers and consultants". Paragraph 2.5, identifies biomass heating as one of seven forms of renewable energy acceptable for supplying the proportion of energy demand on new developments. It is estimated that the proposed biomass heating system could reduce carbon dioxide emissions, when measured against the base line emissions, (i.e. after the above energy efficiency measures are taken into account), of around 27%. This is in line with the Policy DEV6 of the Interim Planning Guidance (October 2007).

Access

8.80 The scheme will yield much needed accommodation, including affordable homes and accommodation for key workers. The access statement submitted highlighted the developer's commitment to provide all accommodation to lifetime home standards to be adaptable for mobility housing. Most of the units have relative ease of access to disabled parking bays. The statement confirms that 10% of the resulting accommodation will be accessible by wheelchair. The applicant has also amended the scheme to address concerns raised by the access officer.

EIA

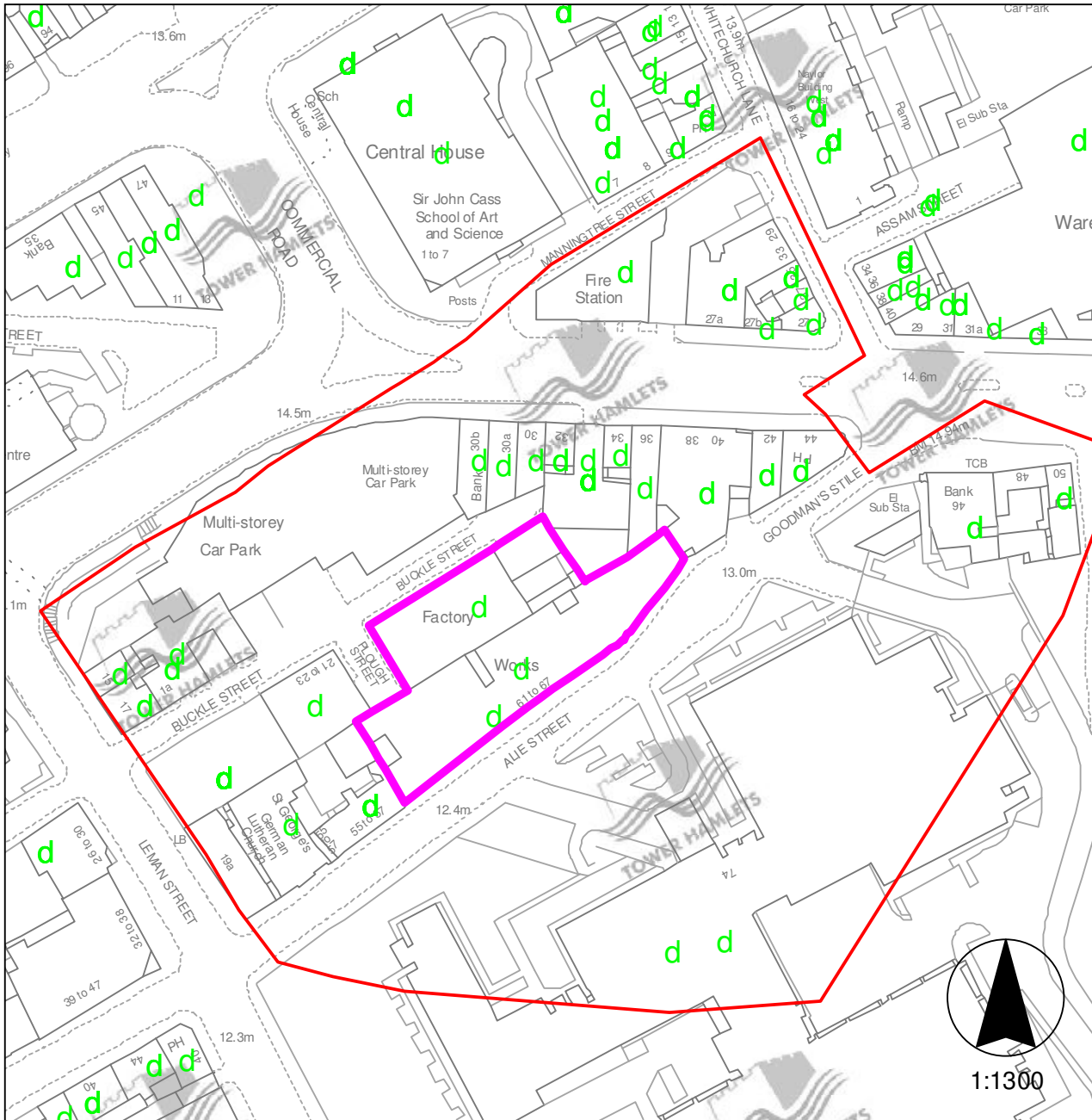
8.81 The applicant has submitted an updated EIA with the application. The Environmental Statement and further information/clarification of points in the ES have been assessed as satisfactory by Council's independent consultants Bureau Veritas. Mitigation measures required are to be implemented through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

Conclusions

9.1 All other relevant policies and considerations have been taken into account. Planning

permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

Site at 61-75 Alie Street and 16-17 Plough Street And 20 Buckle Street, Alie Street, London, E1