

Committee: Strategic Development	Date: 13 th March 2008	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/7/2193	
		Ward(s): Weavers	

1. APPLICATION DETAILS

Location:	32-42 Bethnal Green Road, London, E1 6HZ
Existing Use:	Light industrial (B8 warehouse and distribution use)
Proposal:	Demolition of existing buildings and erection of 4 to 25 storey buildings to provide 3,443sqm of commercial floorspace within Use Classes A1, A2, A3,A4,B8,D1 and/or D2 together with 360 residential units, 83 car parking, bicycle parking, refuse /recycling facilities, access, public amenity space and new public square.
Drawing Nos:	PL103; PL104 Rev B; PL 105 Rev B; PL106 Rev B; PL107 Rev B; PL108 Rev B; PL109 Rev B; PL110 Rev B; PL111 Rev B; PL112 Rev B; PL113 Rev B; PL114 Rev B; PL115; PL116 Rev B; PL117 Rev B; PL118 Rev B; PL119 Rev B; PL120 Rev B; PL121 Rev A; PL213; PL202 Rev B; PL203 Rev A; PL211 Rev A; PL201 Rev B; PL212 Rev A; PL204 Rev B; PL205 Rev A; PL206 Rev A; PL207 Rev A; PL210 Rev A; PL208 Rev A; PL209 Rev A
Supporting documentation	<p>Design and assess statement dated August 2007</p> <p>Sustainability Statement dated August 2007</p> <p>Air Quality report dated August 2007</p> <p>Planning/Socio economic statement dated August 2007</p> <p>Energy Statement dated August 2007</p> <p>Geotechnical Report (dated 24th August 2007)</p> <p>Transport Assessment dated August 2007</p> <p>Sunlight/Daylight Report dated August 2007</p> <p>Tran</p> <p>Courtyard and Design Development Study dated January 2008</p> <p>Heritage Assessment (addendum) dated January 2008</p> <p>Tall Buildings Development Study (addendum) dated Jan 2008</p> <p>Heritage, Townscape & Visual Assessment (addendum dated January 2008</p> <p>Transport Assessment (addendum) dated February 2008</p> <p>Daylight and Sunlight report (addendum) dated January 2008</p>
Applicant:	Telford Homes
Owner:	Telford Homes/Genesis Housing Group
Historic Building:	N/A
Conservation Area:	Adjacent to Fournier Street and Boundary Estate Conservation Area

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, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

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 3A.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (2007) which seek to ensure this.

- The retail uses (Class A1, A2, A3, A4) and/or community uses (Class D1) and/or leisure use (Class D2) are acceptable in principle as they will provide a suitable provision of jobs in a suitable location. They will also provide a useful service to the community and future residents of the development, as well as provide visual interest to the street. As such, it is in line with policies ST34, ST49 and DEV3 of the Council's Unitary Development Plan 1998 and policies DEV1, SCF1, and RT4 of the Council's Interim Planning Guidance (2007), which seek to ensure services are provided that meet the needs of the local community.
- 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 consolidated London Plan (2008), policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.
- The loss of the employment use on site is acceptable because the site is unsuitable for continued industrial use due to its location, accessibility, size and condition. As such, the proposal is in line with employment policies 3B.1, 3B.2 & 3B.5 of the consolidated London Plan (2008), and policies CP9, CP11, CP12, CP19 and EE2 of the Council's Interim Planning Guidance (2007), and CFR1 of Council's Interim Planning Guidance City Fringe Area Action Plan (2007), which consider appropriate locations for industrial employment uses.
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to provide an acceptable standard of accommodation.
- The development would enhance the streetscape and public realm through the provision of a public realm area and improved pedestrian linkages. As such, the amenity space proposed is acceptable and in line with policies 4C.17 and 4C.20 of the consolidated London plan (2008), policies ST37, DEV48 and T18 - T19 of the Council's Unitary Development Plan 1998 and policies CP30, CP36, DEV 3, DEV16 and OSN3 of the Council's Interim Planning Guidance (2006), which seek to improve amenity and liveability for residents.
- The quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3 and HSG16 of the Council's Unitary Development Plan 1998 and policies OSN2 and CFR5 the Council's Interim Planning Guidance City Fringe Area Action Plan (2007) which seeks to improve amenity and liveability for residents without adversely impacting upon the existing open space.
- The building height, scale, bulk and design is acceptable and in line with GLA and Council criteria for tall buildings; Planning Policy Guidance 15, policies 4B.1, 4B.5, 4B.8, 4B.9 and

4B.15 of the consolidated London Plan (2008), policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2, DEV3, DEV 27, CON2 and CON5 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are of a high quality design and suitably located.

- The safety and security of the scheme is acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007), which requires all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policy 3C.22, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport option.
- Sustainability matters, including energy, are acceptable and in line with London Plan policy 4A.6 and 4B.7, and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- Contributions have been secured towards the provision of affordable housing, health care and education facilities, highways, transport, public art, open space and public realm in line with Government Circular 1/97, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

A. Any direction by the Mayor of London

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

(1): Affordable housing provision of 35% of the proposed habitable rooms with a 71/29 split between rented/ shared ownership to be provided on site.

(2): A contribution of £313,548 to mitigate the demand of the additional population on health care facilities.

(3): A contribution of £537,000 to mitigate the demand of the additional population on education facilities.

(5): A contribution of £25,000 for the improvements of bus stops on Bethnal Green Road and Shoreditch High Street

(6): A contribution of £851,000 towards improving street environment and walking links between the development

(4): £2,093,978 for cultural, social and community products and for the provision of workspace off site.

(5): Completion of a car free agreement to restrict occupants applying for residential parking permits.

(7): TV reception monitoring and mitigation.

(8): Commitment towards utilising employment initiatives in order to maximise the employment of local residents.

(9): Preparation, implantation and review of a Green Travel Plan.

(10): Preparation, implantation and review of a Service Management Plan.

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

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

3.4 Conditions

1. Permission valid for 3 years.

2. Details of the following are required:

(a): Samples of materials for external fascia of building

(b): Ground floor public realm

(c): Cycle parking

(d): Security measures to the building

(e): All external landscaping (including roof level amenity space and details of brown and/or green roof systems) including lighting and security measures, details of the ground floor defensible spaces overlooking the internal courtyard, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins

(f): The design of the lower floor elevations of commercial units including shopfronts;

(g) escape doors

2. The storage and collection/disposal of rubbish

3. Details of the design and layout of proposed canal side pedestrian walkway.

4. Landscape Maintenance and Management Plan.

5. Parking – maximum of 83 cars (including 4 disabled spaces) and a minimum of 360 residential and 110 non-residential bicycle parking spaces.

6. Construction of storage facilities for oils, fuels or chemicals

8. Investigation and remediation measures for land contamination (including water pollution potential).

9. Archaeological Investigation

10. Details of the site foundation works.

11. Construction of storage facilities for oils, fuels or chemicals to be carried out

12. Construction Environmental Management Plan, including a dust monitoring.

13. Submission of the sustainable design measures and construction materials, including details of energy efficiency and renewable measures.

14. Further baseline noise measurements during construction and operational phase (plant noise) to be undertaken for design work purposes.

15. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays.
16. Limit hours of power/hammer driven piling/breaking out to between 10.00 hours to 16.00 hours, Monday to Friday.
17. Ground borne vibration limits.
18. Noise level limits.
19. Implementation of micro-climate control measures.
20. Implementation of ecological mitigation measures.
21. All residential accommodation to be built to Lifetime Homes standard, including at least 10% of all housing being wheelchair accessible.
22. Details of the disabled access and inclusive design.
23. Details of the highway works surrounding the site.
24. Any other condition(s) considered necessary by the Head of Development Decisions

3.5 Informatives

1. Section 106 agreement required.
2. Section 278 (Highways) agreement required.
3. Site notice specifying the details of the contractor required.
4. Construction Environmental Management Plan Advice.
5. Environment Agency Advice.
6. English Heritage Advice.
7. Ecology Advice.
8. Environmental Health Department Advice.
9. Metropolitan Police Advice.
10. Transport Department Advice.
11. London Underground Advice.
12. Landscape department advice.
13. Contact the GLA regarding the energy proposals.

- 3.6 That, if by 13th June 2008 the legal agreement has not been completed, the Corporate Director Development & Renewal be delegated authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

- 4.1 The application was originally submitted in September 2007 for the demolition of the existing buildings and erection of 4 to 25 storey buildings to provide:
- 3,660 sqm of commercial floorspace (A2,AA4,B1,B8,D1 and/or D2)
 - 372 residential units
 - car parking, bicycle parking, refuse/recycling facilities, access, public amenity space and new public square.
- 4.2 The application was amended as a result of discussions held by the Council and the applicant. The revisions made to the scheme were as follows:
- The height of the tower has been reduced from 25 & 23 storeys to 25 & 20 storeys;

- The southern part of the tower has been reduced by three storeys to 20 storeys in order to reduce the impact of views from the south east and the relationship of the tower with the Brick Lane- Fournier Street Conservation Area
 - Loss of breise soleil- this comprised a horizontal projection at every third level and
 - Creation of sky garden/roof terrace at the top of the tower.
- 4.3 The revised proposal is for mixed use development comprising:
- 3,443 sq.m of commercial floorspace (A1, A2,A4, B1,D1 & D2)
 - 360 residential units
 - 83 car parking spaces
- 4.4 The application comprises Block A which occupies the western part of the site, Block B occupying the eastern part and a new public square is proposed between them.
- 4.5 As noted, Block A would occupy the western part of the site, between the new square and the new Shoreditch Station. A series of commercial units are proposed at ground floor, with residential above, which would be market sale and shared ownership tenures. A stand-alone five storey commercial block is proposed at the very western end of the site, with a glazed space linking this to the remainder of the building. The block would wrap around and create an internal courtyard area.
- 4.6 The basement provides car parking, cycle parking, commercial floorspace and plant space. Vehicle access is from Cygnet Street. The block varies in height from 25 storeys at the western end, to 4 storeys facing onto Sclater Street. The highest point would be 73.5 metres.
- 4.7 Block B occupies the eastern part of the site and is smaller in scale, reflecting the proximity to the conservation area covering Brick Lane. On Bethnal Green Road commercial units face the new square with residential above with family houses located on Bacon Street. These units are for socially rented housing. In the middle of the block, communal amenity space is provided, including children's play space.
- 4.8 This block would also have a basement, including car parking, cycle parking, commercial units and plant space. In terms of height, the scale would vary from 5 storeys at the eastern end, reflecting the height of existing buildings on Brick Lane and Bethnal Green Road, to 8 storeys facing onto the new square.
- 4.9 83 car parking spaces are proposed. This breaks down into 8 blue badge holder, 70 spaces for the family units (3, 4 and 5 beds) and some remaining spaces for car club spaces and for the operational requirements of the commercial units. 470 cycle parking spaces are proposed
- 4.10 The scheme proposes 3443 sq.m. of commercial floorspace on site, which represents a re-provision of existing floorspace. At present the end users have not been identified, so to ensure maximum flexibility and ensure the units are let and do not remain vacant, a range of uses have been applied for. Possible end users could include shops, office space, light industrial or studio uses, nursery/crèche or community facilities.

Site and Surroundings

- 4.11 The site area is 0.6 hectares and consists of an irregular shaped parcel of land located on Bethnal Green Road. The site also has frontage to Sclater Street, Cygnet Street and Bacon Street. The site is currently occupied by a commercial building.
- 4.12 The existing commercial building is in B8 warehouse and distribution use, although the majority of the building is vacant. It is divided into approximately six units, which have a combined floorspace of 3,393 sq.m.

- 4.13 The site is located outside a Conservation Area although it abuts the boundary of the Brick Lane/Fournier Street Conservation Area to the east and south.
- 4.14 A limited number of listed buildings are located close by and the site adjoins a conservation area to the east and the south, with a further conservation area slightly further away to the north.
- 4.15 To the south of the site lies Bishopsgate Goods Yard, a 4.6 redevelopment hectare site. It is envisaged that this site will provide a new mixed use quarter to include retail, residential and office accommodation. This proposal is a joint venture by Ballymore Properties and Hammerson.
- 4.16 In 2010, the new Shoreditch underground station is expected just to the west of the site. The entrance to the station will be located on the reopened Wheler Street, just off Bethnal Green Road. The site is bounded by Bethnal Green Road to the north, Sclater Street and Bacon Street to the south and Cygnet Street and Brick Lane to the east

Planning History

- 4.17 PA/07/1521: Request for a Screening Opinion as to whether an Environmental Impact Assessment is required in support of an application for clearance of the site and erection of a part 4 to 24 storey development to provide 2152 sq m of new commercial floorspace falling within Use Classes A1, A2, A3, B1, B1, D1 and/or D2 together with 380 new homes with bicycle parking, refuse/recycling facilities and access. Environmental Impact Assessment was not required (Decision date 13/07/2007).

5. POLICY FRAMEWORK

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

5.2 Unitary Development Plan 1998(as saved September 2007)

- | | | | |
|-----|------------|---|--|
| 5.3 | Proposals: | Proposal | Opportunity Site (Mixed uses, including predominately residential). |
| 5.4 | Policy | DEV1
DEV2
DEV3
DEV4
DEV
DEV12
DEV17
DEV44
DEV50
DEV51
DEV55
DEV57
DEV69
EMP1
HSG7
HSG15
HSG16
T10
T16
T18
T21 | Design Requirements
Environmental Requirements
Mixed Use development
Planning Obligations
Protection of local views
Provision of Landscaping in Development
Siting and Design of Street Furniture
Protection of Archaeological remains
Noise
Contaminated Land
Development and Waste Disposal
Development affecting nature conservation areas
Water Resources
Encouraging New Employment Uses
Dwelling Mix
Preservation of residential character
Amenity Space
Priorities for Strategic Management
Impact of Traffic
Pedestrian Safety and Convenience
Existing Pedestrians Routes |

OS9	Child Play Space
U2	Consultation Within Areas at Risk of Flooding
U3	Flood Defences

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

5.6 Proposals Development site (mixed use development including Residential C3; Employment (B1); Retail (A2,A3,A4); Public open space

5.7 Core Strategies:

MP1	Planning Obligations
CP1	Creating Sustainable Communities
CP2	Equal Opportunity
CP3	Sustainable Environment
CP4	Good Design
CP5	Supporting Infrastructure
CP7	Job Creation and Growth
CP11	Sites in Employment Use
CP15	Range of Shops
CP19	New Housing Provision
CP20	Sustainable Residential Density
CP22	Affordable Housing
CP25	Housing Amenity Space
CP27	Community Facilities
CP28	Healthy Living
CP29	Improving Education and Skills
CP30	Improving the Quality and Quantity of Open Space
CP31	Biodiversity
CP37	Flood Alleviation
CP38	Energy Efficiency and Production of Renewable Energy
CP39	Sustainable Waste Management
CP40	A sustainable transport network
CP41	Integrating Development with Transport
CP42	Streets for People
CP43	Better Public Transport
CP46	Accessible and Inclusive Environments
CP47	Community Safety
CP48	Tall Buildings
CP49	Historic Environment
CP50	Important Views

5.8 Policies:

DEV1	Amenity
DEV2	Character & Design
DEV3	Accessibility & Inclusive Design
DEV4	Safety & Security
DEV5	Sustainable Design
DEV6	Energy Efficiency & Renewable Energy
DEV7	Sustainable Drainage
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV14	Public Art
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
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
DEV27	Tall Buildings
EE2	Redevelopment /Change of Use of Employment Sites
RT4	Retail Development and Sequential Approach
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN2	Open Space
CON1	Listed Buildings
CON4	Archaeology and Ancient Monuments
CON5	Protection and Management of Important Views

5.9 **Spatial Development Strategy for Greater London** (consolidated with alterations since 2004)

2A.1	Sustainability Criteria
3A.1	Increasing London's Supply of housing
3A.3	Maximising the potential of sites
3A.5	Housing choice
3A.7	Large Residential Developments
3A.8	Definition of affordable housing
3A.9	Affordable Housing targets
3A.10	Negotiating affordable housing in individual private residential and mixed use schemes
3A.11	Affordable housing thresholds
3B.1	Developing London's economy
3B.2	Office demand and supply
3B.5	Supporting Innovation
3B.6	Improving London's ICT infrastructure
3B.7	Promotion of e-London
3B.8	Creative Industries
3A.17	Addressing the needs of London's diverse population
4B.1	Design principles for a compact City
4B.2	Promoting world class architecture design
4B.3	Enhancing the quality of the public realm
4B.5	Creating an inclusive environment
4B.6	Safety, security and fire prevention and protection
4B.8	Respect and local character and communities
4B.9	Tall buildings location
4B.10	Large scale buildings-design and impact
4B.11	London's built heritage
4A.12	Heritage Conservation
4A.1	Historic Conservation led regeneration
4A.4	Energy Assessment
4A.5	Provision of heating and cooling
4A.6	Decentralised energy, heating, cooling and power

4A.7	Renewable energy
4A.14	Sustainable drainage
4A.17	Water Quality
4A.19	Improving air quality

5.10 **Government Planning Policy Guidance/Statements**

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning & Noise

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

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

5.12 **Supplementary Planning Guidance/Documents**

- Designing Out Crime
- Residential Space
- Landscape Requirements
- Archaeology and Development

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

Greater London Authority (Statutory):

6.2 The GLA Stage 1 report dated 17th October 2007 concluded that: *“the application contains an appropriate mix of uses for this City Fringe Opportunity Area location, maximising its potential compatible with local context broadly in accordance with London Plan design principles”*.

6.3 Notwithstanding the support in principle, the following issues were identified as not being consistent with strategic planning policy:

- There are a number of detailed design issues particularly due to the exposure to high noise levels, which need further attention.
- Require further review of the financial appraisal to ensure that the affordable housing offer represents the maximum reasonable amount of affordable housing.
- A small number of the corner residential units within the tall building appear cramped, overlooking by adjoining balconies and lacking in daylight. The layout of these units should be reconsidered.
- Examine and provide for connections to adjacent development in line with the emerging policies, establish verifiable baseline emissions and demonstrate improvements through energy efficient design.
- Clarify whether or not there will be a cooling load and how this will be met.
- Re examine renewable energy options in light of an optimally sized combined heat and power system.

6.4 (Officer comment: In response to the concerns raised by the GLA, the applicant has made amendments and provided additional information to clarify and respond to the above points.

The amendments made to the scheme have gone out to public consultation)
Transport for London (Statutory)

6.7 TfL initially had the following concerns

- The Transport Assessment significantly underestimates public transport trips in the AM and PM periods and the number of trips associated with the proposed development
- The cumulative impact of the redevelopment of the Bishopsgate Goods Yard has not been adequately considered.
- Assess the impact and necessary mitigation required on the local highways networks and footways.
- TfL wish to see further swept path analysis to demonstrate that the refuse vehicles are able to manoeuvre within the site.

6.8 (Officers comments: In response to the concerns raised by TfL, the applicant has responded to the above points raised. This has been addressed later in the report).

Environmental Agency (Statutory):

6.9 No objection to the proposed development subject to conditions

Non Statutory Consultees

English Heritage: (Historic buildings)

6.10 English Heritage object to the proposal on the following grounds:

(a): Impact on Conservation Area and Listed Buildings

(b): Impact the proposal has on Bishopsgate Goodsyard

(a) Impact on Conservation Area and Listed Buildings

6.11 The proposal would be detrimental to the character and appearance of the Brick Lane/Fournier Street Conservation Area.

6.12 The proposal would be detrimental to the setting of various nearby listed buildings.

6.1 The proposal is also potentially prejudicial to the emerging Bishopsgate Goodsyard Masterplan.

6.15 English Heritage has issues with the lack of pre application involvement with a scheme which has fundamental implications for the historic environment.

6.16 The proposal would, by virtue of its scale and massing, be significantly detrimental to the character and appearance of these Conservation Areas. Important conservation area views including those along Cheshire Street and Bacon Street as well as Bethnal Green Road (part of which is included in the Brick Lane /Fournier Street Conservation Area) would be significantly harmed.

6.17 The site boundary abuts the rear of No. 149 Brick Lane which is Grade II listed. The proposed development, by virtue of its scale and mass, would be detrimental to the setting of this building along with that of other Grade II buildings including the nearby Knave of Clubs Public House at 25 Bethnal Green Road, the terrace of shops and flats at 123-159 (odd) Bethnal Green Road and various listed buildings within the Boundary Estate Conservation Area.

(b): Impact the proposal has on Bishopsgate Goodsyard

6.18 The site is adjacent to the former Bishopsgate Goodsyard which includes the Grade 11 listed Braithwaite Viaduct. A masterplan framework is currently being evolved for the Courtyard site. This draft document envisages buildings stepping down in scale from Norton evaluation of the scheme should await the publication of the final masterplan. English Heritage are concerned that, should the scheme be granted permission, it may restrict the development options around the Braithwaite Viaduct, thereby reducing the chances of creating an acceptable setting for the viaduct.

6.19 (This has been addressed later in the report)

English Heritage Archaeology

6.20 No comments received

London Borough of Hackney

6.21 No comments received

Landscape section:

6.23 No comments received

Highway Development:

6.24 Doors which open outwards over the public highway are forbidden by Section 153 of the Highways Act, 1980. Where an escape door is required to open outwards it must be suitably recessed. The developer should amend those doors opening outwards on the submitted plans

6.25 All changes to the landscaping on public highways will have to be submitted and agreed with the local planning authority.

6.26 Section 106 agreement should include a 'car free' agreement

6.27 Section 106 contributions should be in place to improve the surrounding area for the following.

(a): Resurfacing of the carriageway in Bacon Street, Sclater Street and Cygnet Street

(b): Pay for the raised tables

6.28 The developer should dedicate some land on Bacon Street to upgrade the existing pavement to LBTH standard of 2m. The developer should enter an agreement under section 72 of the Highways Act 1980 to dedicate some land for this purpose.

6.29 The development shall not commence until a scheme for the carrying out of the highways works shown generally on the 'Section 278/72 Agreement Highways Works Plan has been submitted to and approved in writing by the local planning authority.

(Officers comment: The above will be addressed by way of condition or Section 106 agreement)

Education:

6.30 The proposed dwelling mix in this application is assessed as requiring a developer contribution towards the provision of 45 primary school places @12, 343= £537,390

Primary Care Trust

- 6.31 A total capital contribution of £313,548 to mitigate the demand of the additional population on education facilities.

Tower Hamlets Conservation Advisory Group (CAG)

- 6.32 CAG had the following comments to make:
- The proposal makes little reference to the emerging Bishopsgate Masterplan. The cumulative impact of this proposal and Bishopsgate Goodsyield has not been considered.
 - Inappropriate design proposed for its surrounding context
 - The proposal does not respond to the wedged shaped red building on the acute corner of Bethnal Green Road and Sclater Street.
 - The proposal will compromise the setting of Christ Church Grade 1 Listed Building
 - The proposed public square linking the site to the Rich Mix would be in shade much of the time due to building heights.

(Officers comment: This has been addressed later in the report)

7. LOCAL REPRESENTATION

- 7.1 A total of 492 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.

7.2 Initial consultation

- 7.3 As noted in 4.1, the application was originally submitted in September 2007 for the demolition of the existing buildings and erection of 4 to 25 storey buildings to provide:

- 3,660 sqm of commercial floorspace (A2,AA4,B1,B8,D1 and/or D2)
- 372 residential units
- car parking, bicycle parking, refuse/recycling facilities, access, public amenity space and new public square.

- 7.4 The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

- 7.5 No of individual responses: 49 Objecting: 49 Supporting: 0
No of petitions received: 1 objecting containing 49 signatories
0 supporting containing 0 signatories

- 7.6 The following issues were raised in representations relating to the initial proposal submitted (372 units) that are material to the determination of the application, and they are addressed in the next section of this report:

Land Use and Design

- 7.7 The proposed density is too high and will negatively impact on the social and physical infrastructure of the area (i.e. roads, public open space, social facilities, drainage, sewerage, transport, refuse collection, schooling, medical, etc).
- 7.8 There is no need for further retail in the area, where the area is currently provided with an excellent range of shops.
- 7.9 The proposal will result in a spillover of tall buildings from City of London.

- 7.10 The height, bulk, scale, and design quality (inc. materials) will negatively impact upon the context of the surrounding area.
- 7.11 The proposal will adversely impacts on the nearby Conservation Areas. The Boundary Estate is an historic, Grade 2 listed site.

Amenity

- 7.12
- Loss of daylight and sunlight.
 - Overshadowing.
 - Loss of privacy.
 - Increased disruption including noise and vibration.
 - Increased pollution.
 - Increased anti-social behaviour, noise nuisance and crime.
 - Sense of enclosure/ outlook.

Highways

- 7.13 There is inadequate provision for car parking spaces. This will have a negative impact on the surrounding area which currently experiences problems from lack of parking.
- 7.14 There is insufficient infrastructure along Wapping Lane to support the increased traffic levels proposed. Wapping Lane is narrow and would become a danger given the increase proposed. The traffic volumes will also ruin the safe and quiet character of the area.

Amenity space

- 7.15 The ratio of the amenity space to density is insufficient
- 7.16 The proposal will result in increase strain on children school places

Winds

- 7.17 Wind will be increased around the nearby streets. In addition, television reception and mobile phone reception will be badly affected.

Environmental and social

- 7.19 There will be increased strain on the availability of school places, doctor/dentist surgeries, water pressure, gas and electricity supplies- all of which services are already overstretched in this area.

Consultation on the amended scheme

- 7.21 Consultation letters for the amended scheme were sent out on the 1st February 2008. A total of 492 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment.

As noted in 4.3, the revised scheme was for:

- 3,443 sq.m of commercial floorspace (A1, A2,A4, B1,D1 & D2)
- 360 residential units
- 83 car parking spaces

- 7.22 The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.23 No of individual responses: 16 Objecting: 4 Supporting: 0
No of petitions received: 1 objecting containing 4 signatories
0 supporting containing 0 signatories

7.24 The objections received were based on the following grounds:

7.25 Land use and design

- The proposed density of the proposal results in overdevelopment of the site.
- This proposal will set a precedent for tall buildings in the area
- The proposal is out of keeping with the whole character of the area
- Negative impact on character and quality of Bethnal Green Rd public realm
- Tall buildings on this site should only be considered in a comprehensive local development sites.
- The 'context' studies in several of the documents, not only the DAS, is that they rely heavily on future developments, therefore the design relies for its justification upon non-existent and unapproved future possible tall buildings on sites of varying distances away.
- The Tower element is described as a 'gateway to the east', however, it is inappropriately located to perform this function, which is and will continue to be carried out by better located landmarks.
- Poor quality architectural design and finishes
- Tall buildings are unnecessary to achieve density & promote regeneration of an area.
- The tower will have a negative impact on Brick Lane and Boundary Estate Conservation Areas
- Daylight and Sunlight assessment does not include residential properties north of the development especially on homes in Redchurch Street and Old Nichol Street
- Rix mix will be dwarfed by the proposed tower and is situated immediately opposite the site
- With reference to culture, this site would be better used for creative industries as this area serves an artistic community.
- With reference to health, the area needs a modern health care centre with up to date facilities.

7.26 Amenity

Loss of daylight and sunlight to buildings to the north of the site on Redchurch Street and Club Row.

Public Realm

7.27 1) The section on public open space within the Design and Assess Statement notes that the proposal includes 1040 sqm of new public open space which equates to approximately 18.5% of the site area. The report notes that:

- 160 metres of frontage along Bethnal Green Road will be improved as part of the works. However, this may not be within the site boundary.
- Scalter Street, Cygnet Street and Bacon Street are all bound by the site but are not within the boundary although some treatment is illustrated.

(Officers comment: The improvement works stated in the design and access statement are within the site boundary. Works the take place outside the boundary will be agreed in a Section 106 and 278 agreements. A contribution of £851,000 will be provided towards improving street environment and walking links between the development AS PART OF THE Section 106 agreement.

7.28 2) The public square appears to be 8.7% of the total area

(Officers comment: The overall public space on site needs to be confirmed. This will be reported in the addendum report)

7.29 Winds

The new development will cause high winds in the nearby streets

7.30 Environmental and social impacts

The proposal will have an adverse environmental and social impact on the integrity of the local area.

7.31 Electricity, gas and water supplies will be badly affected.

7.32 The following procedural issue was raised by a member of the public with regard to pre consultation:

- The public exhibition was held on only one day (which was not on a weekend when more people would have been able to attend)
- The notice of the exhibition gave scant information in respect of the application; in particular, the notice did not mention the proposed height of the tower.
- The questionnaire, while specifically asking for feedback on the proposed public square and proposed uses for the commercial space, did not ask for principal concern of those who attended the public exhibition.

The following non material considerations were raised:

7.33 Having a 25 storey block is bad for psychological and physical health

English Heritage

7.44 English Heritage were consulted on the amended scheme and the objections raised on the initial application apply to the revised proposal (refer to 6.10-6.19)

CABE

7.45 No comments received

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land Use
2. Density
3. Design
4. Housing
5. Amenity/open space
6. Daylight and Sunlight
7. Transport
8. Sustainability

Land use

8.2 The proposed scheme includes the demolition of the existing industrial uses on the site, to

provide a mixed use residential led development.

- 8.3 The site is not designated in the Unitary Development Plan 1998 (UDP). However, the site is designated for mixed uses including residential (C3), employment (B1), retail (A2, A3, A4) and public open space in the Councils Interim Planning Guidance 2007. In addition, the site in question has been identified as a site allocation in the City Fringe Area Action Plan in the Banglatown and Brick Lane sub-area which is covered by Policy CFR32. According to Policy CFR32, the preferred uses for 32-42 Bethnal Green Road are:
- Residential (C3)
 - Employment (B1)
 - Retail (A2, A3, A4)
 - Public open space
- 8.4 In accordance with polices 3A.1, 3A.3 & 3A.5 of the consolidated London Plan (2008), the Mayor is seeking the maximum provision of additional housing in London. The London Plan housing targets (December 2006) for Tower Hamlets from 2007 to 2016 is 31,500 new homes, subject to the provision of adequate social and physical infrastructure and contributing to sustainable communities (CP19). On the basis of housing targets, it is considered that the site is appropriate for residential development.
- 8.5 In addition, where a residential led development is considered to be appropriate, the loss of employment land should be compensated with an increase in the provision of non residential uses to ensure direct employment opportunities for local people are maximised. In terms of employment generation, the current proposal provides an area of 3,434 sqm for Class A1, A3, A4, B1, D1 & D2 use). Given the range of employment densities applicable to the proposed development, once operational, the scheme will result in more employment in the area.
- 8.6 The proposed mix of land uses are therefore considered appropriate for this site.

Density

- 8.7 The site has a net residential area of approximately 0.63 hectares. The scheme is proposing 360 units or 980 habitable rooms. The proposed residential accommodation would result in a density of approximately 1544 habitable rooms per hectare (hr/ha).
- 8.8 The site has a public transport accessibility level, or PTAL, of 5b. According to TABLE 4b.1 of the London Plan, the site is best described as 'urban' and therefore has a suggested density range of 650-1100 habitable rooms per hectare (hr/ha) in accordance with the 'Density location and parking matrix'.
- 8.9 In general numerical terms, the proposed density would appear to be an overdevelopment of the site. However, the intent of the London Plan and Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity.
- 8.10 Residents have considered that this application results in an unacceptable increase in density and is therefore an overdevelopment of the site. However it should be remembered that density only serves as an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Loss of outlook;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure

- 8.11 These issues are all considered in detail later in the report and were considered to be acceptable.
- 8.12 Policy 3A.4 of the consolidated London Plan (2008) states that the Mayor will ensure the development proposals achieve the highest possible intensity of use compatible with local context, the design principles of 4B.1 and with public transport capacity.
- 8.13 Policy 3A.2 of the consolidated London Plan (2008) encourages boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG seek to:
- maximise residential densities on individual sites;
 - taking into consideration the local context and character;
 - residential amenity, site accessibility;
 - housing mix and type;
 - achieving high quality,
 - well designed homes;
 - maximising resource efficiency;
 - minimising adverse environmental impacts;
 - the capacity of social and physical infrastructure and open spaces
 - ensure the most efficient use of land within the Borough.
- 8.14 On review of these issues, a high density mixed use development can be supported in this location in accordance with London Plan, UDP and IPG policies. The scheme is considered acceptable for the following reasons:
- 8.17 A number of contributions towards affordable housing, health, education, transport, cultural, social and community facilities and local employment initiatives been agreed to mitigate any potential impacts on local services and infrastructure. It is to be noted that residents feel that the developments high density will result in increased problems. However, it is proposed that these contributions will assist in alleviating any adverse impacts from this development.
- 8.18 The development is located within an area with suitable transport links. The GLA notes that "the site is located approximately 200m east from the nearest Transport for London Road network, the A10 Shoreditch High Street. There are currently three vehicular accesses to the site via Sclater Street, and a further three via Bacon Street and Cygnet Streets. The site has a public transport accessibility level (PTAL) of 6 where 1 is poor and 6 is excellent. Two bus services operate along Bethnal Green Road, a further seven services operate along Shoreditch High Street. Liverpool Street station is within 12 minutes walk of the site and is serviced by the Central, Metropolitan, Circle and Hammersmith and City lines". Moreover, a new tube station is proposed on Bishopsgate Goodsyards. As such, given the extent of suitable transport links, a high density scheme is acceptable on this site.

Housing

- 8.21 Policy HSG2 'Housing Mix' of the Interim Planning Guidance specifies an expected unit mix.

Affordable Housing

- 8.22 Policy 3A.9 of the consolidated London Plan (1998) sets out a strategic target that 50% of the new housing provision should be affordable. Policy CP22 of the IPG document states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 8.23 An evaluation of the schemes viability was prepared by the applicant using the GLA Affordable Housing Development Control Toolkit, where the scheme is proposing less than 50% affordable housing, in line with policy 3A.10 of the London Plan. The toolkit assessment

has been scrutinised and its results, on balance, are supported. The proposal provides 35% affordable housing by habitable rooms which complies with the Councils requirement on affordable housing.

Social Rented/ Intermediate Ratio

- 8.24 Against London Plan policy 3A.9 the GLA’s affordable housing target is that 70% should be social rented housing and 30% should be intermediate rent.
- 8.25 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20 for all grant free affordable housing. A summary of the affordable housing social rented/ intermediate split is provided below:
- 8.26 The proposal provides 35% habitable rooms as affordable housing, which meets the Council’s minimum target; 71% of those are for affordable social rented accommodation and 29% for intermediate housing. This falls short on the 80% requirement for social rented within the IPG. However the scheme meets the London Plan target of 70% of the affordable being for rent, and is therefore, on balance, acceptable.
- 8.27 Policy HSG7 of the UDP states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. The UDP does not provide any prescribed targets. Overall, the application provides 65 x 3 bed; 7 x 4 bed & 5x 5 bed which the Council considers to be an acceptable mix on site.

Housing mix

- 8.28 Policy CP21 ‘Dwelling Mix and Type’ of the Interim Planning Guidance governs the ratio of social rented units to those of intermediate tenures. Policy HSG2 ‘Housing Mix’ of the Interim Planning Guidance specifies an expected unit mix.
- 8.29 The following table below summarises the proposed housing mix against policy HSG2 of the Interim Planning Guidance 2007, which seeks to reflect the Borough’s current housing:

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total Units in scheme	units	%	target %	units	%	target %	units	%	target %
Studio	32	0	0	0	0	0	25	32	12	25
1 bed	135	20	28	20	8	27.5	25	107	41	25
2 bed	116	19	26.3	35	8	27.5	25	89	35	25
3 bed	65	21	29	30	13	45	25	31	12	25
4 bed	7	7	10	10	0			0		
5 Bed	5	5	6.9	5	0			0		
TOTAL	360	72	100	100	29	100	100	259	100	100

Table 1: Proposed housing mix and tenure split

- 8.30 The Council’s Interim Planning Guidance requires 45% of social rented units to be suitable for family accommodation (3 bed or more). The proposal provides 46% family

accommodation by unit numbers. The proposed development therefore exceeds the policy requirement of HSG 2 'Housing Mix'.

- 8.31 The Council's Interim Planning Guidance requires 25% of intermediate and market units to be family sized accommodation. The proposal makes provision for 45 % family housing and in the intermediate tenure and therefore exceeds the policy requirement. The proposal makes provision for 12% family units in the private tenure and which falls short of the policy requirement. The Council is prepared to accept the deficiency of family units in the private sector and the proposal exceeds the policy requirement provision for family units in the social rented and intermediate tenure.
- 8.32 The scheme provides 72 units in the social rented sector, 29 units in the intermediate tenure and 360 units in the private tenure. The proposal makes provision for 77 family units out of a total of 360 units. Overall, the Council makes provision for 22% family accommodation within the scheme against the Council target of 30%. However it is considered that the overall provision of family sized units is in line with Councils aspirations.
- 8.33 The financial viability assessment in the form of the GLA's Toolkit has been submitted justifying the financial viability of the mix as proposed. Importantly, the scheme exceeds the amount of family housing otherwise achieved across the Borough based on the most recently published LBTH Annual Monitoring Report 2005-6 as shown in the table below. Therefore the scheme is a positive step towards LBTH achieving key housing targets and better catering for housing need.

Tenure	Borough wide %	PA/07/2193 %
Social rented	21.7%	33
Intermediate	9.7	45
Market	1.7	12
Total	6.8	22

Design

- 8.35 The existing industrial development on the site does little to make an active contribution to the urban environment. The Council's Planning Department however is of the opinion that the proposed building's height, scale, bulk and quality of design are appropriate for this location. This assessment is examined in detail below.

Bulk and Massing

- 8.36 Good design is central to all the objectives of the London Plan. Policy 4B.1 of the consolidated London Plan (2008) refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.
- 8.37 Policy CP4 of the Interim Planning Guidance (2007) states that LBTH will ensure the development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV2 of the IPG reiterates DEV1 of the UDP and states that developments are required to be of the highest quality design, incorporating the principles of good design.
- 8.38 Comments from the 2007 GLA stage 1 report advises that the site is able to take up increased massing and height, subject to high quality architecture and use of materials.
- 8.39 Policy DEV27 of the Interim Planning Guidance provides a suite of criteria that applications for tall buildings must satisfy. In consideration of the above comments and policy requirements, the proposal is considered to satisfy the relevant policy criteria as follows:

- The architectural quality of the building is considered to be of a high design quality, demonstrated in its scale, form, massing, footprint, materials & relationship to other buildings
- Presents a human scaled development at the street level.
- The wind and micro climate testing has been undertaken and concludes that the impact on the microclimate of the surrounding area, including the proposal site and public spaces, will not be detrimental.
- Demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction and resource management
- The scheme will contribute positively to the social and economic vitality of the surrounding area at the street level through its proposed mix of uses.
- Incorporates principles of inclusive design.
- The site is located in an area with good public transport access.
- Takes into account the transport capacity of the area, and ensure the proposal will not have an adverse impact on transport infrastructure and transport services.
- Improves permeability with the surrounding street network and open spaces.
- The scheme provides publicly accessible areas, including the ground floor non residential uses and public realm.

8.40 The design of the tower is positive and reflects its residential nature. Layering of cladding and materials for the tower element are of high quality and subjected to good detailing will be acceptable. Sky gardens on intermediate floors and large one at 20th floor, winter gardens for units are further positive contributions to the scheme. The revisions made to the Southern elevation have resulted in better though through and animated façade.

8.41 The access statement indicates that 10% of the units will be wheelchair accessible. The scheme should be conditioned appropriately to ensure that this is provided for.

Tall Buildings

8.42 The London Plan encourages the development of tall buildings in appropriate locations. Policy 4B.9 of the consolidated London Plan (2008) states that tall buildings will be particularly appropriate where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.10 of the consolidated London Plan (2008) requires all large-scale buildings, including tall buildings, to be of the highest quality of design.

8.43 CP48 of the Interim Planning Guidance permits the Council to consider proposals for tall buildings in locations outside the tall building cluster locations identified in this policy if adequate justification can be made for their development.

8.44 Within the wider context of the site there are a number of tall buildings. These tall buildings occur both within the City Quarter to the south west of the site but also within the more residential areas to the north of the site. Examples of tall buildings approved in the area are:

- 201 Bishopsgate- two commercial towers of 5 and 13 storeys (under construction)
- 100 Bishopsgate-40 storey commercial building (planning approved)

8.45 London Borough of Hackney's South Shoreditch SPD identifies the western corner of the site near Commercial Road and Shoreditch High Street as potential places for tall buildings. In the vicinity of the site is Bishopsgate Goodsyard. The site is constrained by the existing and future east London tube line which runs through the site. It is therefore likely that high density development will be proposed on the remainder of the site in light of the fact that it is identified an opportunity site for development in the City Fringe Area Action Plan. As such, tall buildings are likely on this site somewhere.

8.46 The GLA stage 1 report notes that the proposed development when seen in its wider context is considered to be a suitable location. The designs show that care has been taken in relation to the surrounding residential environment, including privacy, amenity and overshadowing. In particular, lower buildings have been located to the south of the site and the plan has a mix of single and dual aspect dwellings.

8.47 In addition, the GLA report states that:

“the design response has been derived from a rigorous urban design assessment and has evolved through a number of iterations to take account of microclimate, adjoining conservation areas and other constraints. In particular, the massing and orientation result in a striking and contemporary form rising at the apex of the intersection between Wheeler Street and Bethnal Green Road looking east. This produces an appropriate landmark looking east from the new Shoreditch station. The proposed form of the tall building is therefore an appropriate design response to the site’s context creating an attractive landmark building which will add positively to London’s skyline. It will also contribute to the maximisation of the site’s potential and the creation of good quality public realm”.

8.48 With reference to public realm improvements, The GLA report notes that:

“the wider proposals for the public realm, to include 1,040 sq.m. of new public space, are convincing. It will re-establish a connection towards the rich mix centre which existed historically. The Club Row covered space provides an enclosed pedestrian route integrated with the commercial units that will be a destination in itself. Other street improvements are proposed along Bethnal Green Road and Sclater Street and are welcomed. All frontages are animated by active uses and seem likely to add positively to street scene”

Built Heritage

8.49 PPG15 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a listed building to have special regard to the preservation of the setting of the listed building as the setting is often an important part of the building’s character

8.50 Policy 4B.11 of the consolidated London Plan (2008) seeks to protect and enhance London’s historic environment. Further, Policy 4B.12 and 4B.13 states that boroughs should ensure the protection and enhancement of historic assets based on an understanding of their special character.

8.51 Policy CON1 [1] of the IPG states that planning permission will not be granted for development which would have an adverse impact upon the setting of the listed building.

8.52 As mentioned earlier in this report, the site is not located in a conservation area. There are a number of listed buildings within the vicinity of the site.

8.53 English Heritage has objected on 2 key grounds. These include:

- Impact on Conservation Area and listed building
- Impacts on Bishopsgate Goodsynd

Views along Shoreditch High Street south of junction with Bethnal Green Road

8.54 The Council considers that the reduction in height of the south tower produces a more stepped effect, emphasising the contrast between the taller elements of the buildings. In addition, the predominant use of glass lightens the affect of the building and reduces the massing on the south and west elevation.

View from Bethnal Green Road at junction with Padbury Court looking south west

- 8.55 The Council considers that the stepping down of the tower adds to the visual interest. The 'wedged-shaped' towers compliment the design and mass of the Bishopsgate Tower. The eastern elevation of the lower tower is mostly glass and in keeping with the Bishopsgate Tower. The development visually links in to the City in the distance.
- 8.56 The stepped effect of the taller elements of the development provides further visual interest in a view that already includes recent development of a larger scale.

View from Buxton Street looking through Allen Gardens into Brick Lane- Fournier Street Conservation Area and towards the site

- 8.57 The setting of the listed building and the Truman Brewery chimney are not unduly harmed by the development. The Council does not consider that the development will adversely impact on the views.

Views from Bethnal Green Road at the junction with Wheler Street close to the proposed Shoreditch Station looking east and towards the Brick Lane- Fournier Street Conservation Area and the site

- 8.58 The Council considers that the setting of the Grade II public house is not harmed by the development. Views through to the Conservation Area are not adversely affected as the visual impact of the taller element will be acceptable as a result of the materials and modelling of the elevations.

Impact proposal has on Hawksmoor's Christchurch Spitalfields (Grade I building)

- 8.59 The proposal will not have an immediate or adverse impact on the setting of the Christchurch building as it is not within close proximity of the site and as such will not affect the setting of this listed building. The stepping down of the southern element of the towers provides articulation within this townscape. The setting of the Hawksmoor Christchurch Spitalfields (Grade I) and the eastern façade of Spitalfields Market (Grade II) will be unharmed as the proposal will only be partially visible in a distance background view.

Impact on the Bishopsgate Goodsyards site

- 8.60 The development of the Goods Yard is likely to come forward in phases. Officers are working jointly with LB Hackney to guide the preparation of a masterplan for Bishopsgate Goods Yard, to be adopted ultimately as SPD to provide guidance for future development. Work is at a very early stage and the draft masterplan will be subject to preliminary and statutory consultation, sustainability appraisal and equalities impact assessment. Notwithstanding comments made by English Heritage, the proposals for 32-42 Bethnal Green Road have to be considered on their merits and in the light of current planning policies and not pre-determine the design of any development that may be incorporated in the emerging Bishopsgate Goods Yard Masterplan. The Council does not consider that the proposal will prejudice future development potential of the Bishopsgate Goodsyards site.

Conclusion

- 8.61 The Council acknowledges that the proposal will affect the townscape generally. This area includes several heritage assets whose setting would be affected by the buildings and in particular the taller element of the scheme. A significant part of the tower will be visible from one significant, public open space and to a limited degree from other areas. However, the Council considers that the stepping down of the south tower provides visual interest and

articulation within the wider townscape. Views of the development from the adjacent Brick Lane- Fournier Street Conservation Area provide visual interest to the townscape and as such, the development is considered acceptable on these grounds.

Amenity/Open Space

8.62 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided, as shown below:

8.63 The following is an assessment against the residential amenity space requirements under policy HSG7 of the Interim Planning Guidance:

8.64 The amount of amenity space required is set by Policy HSG7 from the Interim Planning Guidance (2007) as detailed above. Given the dwelling mix and their locations within the scheme, this results in the following private amenity space requirements.

Minimum Private Amenity Space Provision			
Unit Types	Amenity Space Required	Number of Units	Total Amenity Space Required
All houses, ground floor flats with 3+ beds	50 sqm	6	300 sqm
Ground floor flats with less than 3 beds	25 sqm	2	50 sqm
1 bed flats and studios	6 sqm	167	1002 sqm
2 bed + flats	10 sqm	185	1850 sqm
	Totals	360	<u>3202 sqm</u>

8.64 The scheme provides private amenity space in various forms including:

- Balconies - 1618 sqm
- winter gardens- 88 sqm
- Roof terraces- 706 sqm
- Rear gardens- 100sqm

The total amount of private amenity floorspace is 2548 sqm.

8.65 This is slightly under the target figure set in Policy HSG7. However, it should be recognised that the quality of the spaces is good, with all areas being practical and useable. Furthermore, as set out below, the communal amenity space provision is well over the level sought by Policy HSG7, which does offset any shortfall in private space provision.

8.66 Policy HSG7 also sets standards in relation to communal amenity space provision. Again, the requirements for the proposal are set out below.

Minimum Communal Amenity Space Provision			
All developments with 10+ units	50 sqm for first 10 units, then 5 sqm for every extra 5 units	First 10 units	50 sqm
		Remaining Units	350 350 sqm
		Total	400 sqm

- 8.67 The proposal actually provides communal amenity space in the form of sky gardens, communal terraces, the Block A internal courtyard and the Block B internal courtyard, which have a combined total area of 2260 sqm. It should be noted this figure excludes the public open space within the scheme. This excludes significantly the figure suggested by Policy HSG7.
- 8.68 Essentially, a hard open space is welcomed in this locality. Its location, opposite the rich mix centre and surrounded by active uses, is also welcomed. The proposed design and arrangement appears to provide a sufficient, robust and useable amount of public space connected with the desire lines and movement routes for pedestrians. It does fall short of the 2 hectare requirement of the City Fringe AAP though, but its design suggests it will be used and become a lively space for local people in an urban setting.

Child Play Space

- 8.69 Policy 3A.18 'Protection and enhancement of social infrastructure and community facilities' of the consolidated London Plan (2008) seeks the protection and enhancement of social infrastructure, including child play and recreation facilities. As such, all residential development is expected to provide child play space.
- 8.70 The draft GLA Guide to Preparing Play Strategies encourages the provision of a wide range of play opportunities and spaces, rather than prescribed, fenced off area with a quota of manufactured equipment. Further, according to paragraph 11.8 of the Mayor's SPG for Housing, when assessing needs of children and young people:
- "full account should be taken of their need for play and informal recreation facilities within walking distance of their home".*
- 8.71 According to paragraph 16 of PPS3, matters to consider when assessing design quality of housing developments include the extent to which the proposed development "provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies". Paragraph 17 of PPS3 states that "where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space"
- 8.72 The scheme has various amenity areas. The most suitable areas for children's playspace are the two internal courtyards. The 'Providing for Children and Young People's Play and Informal Recreation' SPG states that play space for children under five would include both small equipped play areas and public open spaces with potential for informal play. Given this, both of the internal courtyards could be considered as being suitable for playspace. They have a combined floorspace of 1104 sqm, well over the 540 sqm sought by the SPG.
- 8.73 Given the location of the affordable units within the scheme, and the higher child yields that tenure generates, it is considered that the Block B courtyard is the most suitable for more formal children's playspace. Details of the playspace proposals, the Nature Play Area, are shown in the Landscape Design Statement submitted with the application
- 8.74 As the Landscape Design Statement sets out, the play areas have been designed to be

suitable for 5 to 11 year olds as well, in addition to under fives. There is likely to be 49 children falling within the 5 to 11 year old range, with a resulting requirement for 490 sqm of space. When combined with the 520 sqm needed for the under fives, this results in a need for 1010 sqm, which could be accommodated within the two courtyard areas, which total 1104 sqm. The scheme includes enough areas within the site for their playspace needs, as well as the playspace needs of the under fives.

8.75 The GLA stage 1 report notes that:

“overall, play space is fully integrated into the detailed design and features prominently in the landscaping proposals. The design response has produced attractive, engaging and challenging spaces for children and accords with the London Plan”.

Safety and Security

8.76 In accordance with DEV1 of the UDP 1998 and DEV4 of the IPG, all development is required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.

8.77 With reference to inclusive design, the access statement indicates that 10% of the units will be wheelchair accessible. The scheme should be conditioned appropriately to ensure that this is provided for. The affordable and market housing elements have been designed to incorporate full Lifetime Home Standard requirements.

Daylight /Sunlight Access

8.78 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment

8.79 Policy DEV1 of the Interim Planning Guidance states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.

8.80 The applicant submitted a Daylight and Sunlight report within the ES, prepared by Delva Patman Associates, which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.

a) Daylight Assessment

8.81 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.

8.82 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.

8.83 The properties tested for light deficiencies were:

49 Bethnal Green Road

51 Bethnal Green Road
114-118 Bethnal Green Road
145 Brick Lane
149 Brick Lane
151 Brick Lane
153 Brick Lane
155 Brick Lane
155 Brick Lane
157 Brick Lane
169 Brick Lane
161 Brick Lane
16 Bacon Street
93-95 Sclater Street
97-99 Sclater Street
101-103 Sclater Street
70-74 Sclater Street
66-68 Sclater Street

49 Bethnal Green Road

Daylight

- 8.84 Majority of the rooms pass the daylight sunlight test. The rooms which fall short of the BRE ADF guidance by 0.07%. This shortfall is considered to be negligible.

Sunlight

- 8.85 The property faces within 90 degrees of due south and therefore falls within the BRE sunlight criteria. The values obtained for these windows show that they will continue to receive extremely good levels of sunlight.

51 Bethnal Green Road

Daylight

- 8.86 Majority of windows pass the VSC test. The rooms which fail pass the ADF tests. The ADF values that have been obtained for each of the rooms are well in excess of the target standards.

Sunlight

- 8.87 The rooms will receive adequate daylight levels.

114-118 Bethnal Green Road

- 8.88 With reference to daylight, all rooms either pass the VSC or the ADF test.
- 8.89 The sunlight assessment falls short of the minimum room size standards. However, in the context of the site, the deficiencies are not considered to be hugely significant for west facing windows.

145-161 (odd) Brick Lane

- 8.90 155 Brick Lane and 159 Brick Lane can be totally discounted as both of these properties are fully in commercial use as bakeries and therefore do not contain any habitable rooms. 151, 153, 157 and 161 all materially satisfy the BRE Guidelines. This therefore leaves two windows. The first bedroom window in 149 Brick Lane does not fully satisfy the VSC target

but achieves a very respectable amount of internal daylight distribution and yields an ADF value of 1.49%, well in excess of the target standard. As ADF is the Council's preferred method of measurement, this room would be considered as adequate. The remaining room is the second floor room in 145 (14/147) Brick Lane which is set back in a recessed balcony. Although this single room does not satisfy the VSC test, it will nonetheless be left with relatively good internal daylight distribution, which gives the circumstances of its recessed nature, is not considered to be reasonable.

16 Bacon Street

- 8.91 The ground floor of 16 Bacon Street is in commercial use and the residential content is limited to the first and second floors. The windows serving the habitable rooms will experience more than a 25% loss in terms of VSC and daylight distribution and each of the rooms will also fall below the target ADF values. However, given the urban context of the site, it is inevitable that a loss of daylight will occur. As such, a refusal could be sustained on these grounds.
- 8.92 Sunlight will not be an issue as the windows do not face within 90 degrees of due south and therefore fall outside the BRE sunlight criteria.

93-95 Sclater Street

- 8.93 All of the rear facing windows in this property will satisfy the VSC, daylight distribution and ADF tests. Consequently, there will be no material impact on daylight. Sunlight is not an issue as these do not face within 90 degrees of due south and therefore fall outside the BRE sunlight criteria.
- 8.94 Sunlight is not an issue as these windows do not face within 90 degrees of due south and therefore fall outside the BRE sunlight criteria.

97-99 Sclater Street

- 8.95 Satisfies the BRE daylight and sunlight tests

101-103 Sclater Street

- 8.96 Satisfies the BRE daylight and sunlight tests

70-74 Sclater Street

- 8.97 Satisfies the BRE daylight and sunlight tests

60-68 Sclater Street

- 8.98 Majority of the rooms pass the daylight tests. However, some of the bedrooms will not meet the ADF tests. However, given the urban context of the site, it is inevitable that a loss of daylight will occur. As such, a refusal could not be sustained on these grounds.
- 8.99 Sunlight is not an issue as none of the windows with an aspect over the site face within 90 degrees of due south and therefore do not fall within the BRE sunlight criteria.

66-68 Sclater Street

- 8.100 Two bedrooms will fall below the target ADF standard. This is a result of restoration of the historical street pattern and natural parapet height coupled by the smaller window openings that serve those particular bedrooms.
- 8.101 The applicant was asked to assess the impacts the proposal has on 145-161 (odd numbers)

Brick Lane and 70-74 Sclater (odd numbers) Brick Lane and 70-74 Sclater Street.

70-74 Sclater Street

- 8.102 Those drawings show rooms that have a dual aspect with additional windows facing south over Bishopsgate goods yard which when added to the daylight received by the north facing windows over Sclater Street, demonstrate that internal daylight levels would be adequate.

(b) Sunlight Assessment

- 8.103 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.

Properties on Redchurch Street and Club Row

- 8.104 The Following properties on Redchurch Street and Clun Row were examined:

Property	Existing VSC	Proposed VSC	% loss
45 Redchurch Street	23.30	23.18	.52
47 Redchurch Street	20.62	20.49	.65
49 Redchurch Street	18.87	18.82	.79
51 Redchurch Street	18.22	18.02	1.10
53/55 Redchurch Street	18.67	18.48	1.01
57 Redchurch Street	21.18	20.00	5.57
59 Redchurch Street	22.74	21.54	5.29
61 Redchurch Street	22.88	21.86	4.46
63 Redchurch Street	23.52	22.36	4.92
65 Redchurch Street	23.78	21.94	7.72
67 Redchurch Street	24.67	21.97	10.95
71 Redchurch Street	25.25	23.51	6.89
73 Redchurch Street	23.55	21.33	9.41
75 Redchurch Street	21.07	20.74	1.57
77-81 Redchurch Street	20.08	19.56	1.81
3 Club Row	25.23	21.16	16.13
5 Club Row	26.05	23.17	11.06
7 Club Row	27.29	25.19	7.71

- 8.105 From the analysis, it is clear that the only part of the proposed development that will be directly visible from the first floor window serving habitable rooms is the proposed tower. The impact of that proposed tower is more prominent at the junction of Club Row and Redchurch Street where the view of the site is less obstructed by existing buildings as there is a direct line of sight along Club Row itself. The results in the table above that these will be no significant impact at all on the daylighting to any of the habitable rooms along Redchurch Street and Club Row as they will all be well within the BRE Guidelines.

Daylight and sunlight to proposed amended scheme

- 8.106 The original daylight sunlight report dated 26th October 2007, indicated that a number of habitable rooms within the two 'courtyards' would receive relatively poor levels of daylight and sunlight. Following on from this, there has been a number of revisions made to the design since the date of submission, namely:
redesign of balconies
redesign of internal room layouts

changes and increases in window sizes

- 8.107 Significant improvements have been achieved with only a very few habitable rooms which presently fail to meet the target design standards. Whilst the majority of rooms pass the ADF tests, there are a few which fall marginally short of the ADF values. However, given the constraints of the site and its urban context, the extent of the impact on daylight is not significant enough to warrant a refusal to this application.

Overshadowing

- 8.108 A portion of the courtyard in Block A and block B will be in permanent shadow. It is however possible to offset the lack of sunlight by providing high quality landscaping in order to make the courtyards an attractive sitting-out area as in the case of the areas of 'public realm' around Butler's Wharf or the covered courtyards and market square at Spitalfields and Covent Garden.

Privacy

- 8.109 According to Policy DEV2 of the UDP, new developments should be designed to ensure that there is sufficient privacy for residents. A distance of about 18 metres (60 feet) between opposite habitable rooms reduces inter-visibility to a degree acceptable to most People. This figure is generally applied as a guideline and is interpreted as a perpendicular projection from the face of the habitable room window.

Conclusion

- 8.110 If the aims and objectives of central and local government policies are to be achieved, making the best use of previously developed land in urban area and enhancing the existing housing stock, it has to be accepted that the resultant increased density of development will lead to taller buildings in relatively increased density of development will lead to taller buildings in relatively close proximity. This is a key redevelopment site for the Borough, allocated specifically for development in the Councils Interim Planning Guidance in the City Fringe, an area where a large amount of change will take place over the next few years. It has also been identified as being suitable for a Tall Building by the GLA. On this site, replacement of the existing low rise warehouse building with a suitable form of development will therefore lead to some loss of light of neighbouring properties and strict application of the BRE tests would be neither appropriate nor workable.
- 8.111 There are a number of windows which will experience an impact that goes beyond the guidelines contained in the BRE Guidelines and British Standard Code of Practice for Daylighting. The vast majority of those technical transgressions are of a relatively minor nature and are unlikely to have a material impact on the actual use of the neighbouring premises.
- 8.112 In terms of sunlight, the overall sunlight values achieved for all of the properties around the site are very good and the only matter where there is not full compliance with the BRE Guidelines is generally in terms of some minor losses to winter sunlight hours. However, even where there are losses to winter sunlight, the overall annual sunlight to those particular windows remains good.

Highways

Access

- 8.113 In terms of pedestrian access, two new pedestrian routes through from Bethnal Green Road to Sclater Street and Cygnet Street and Bacon Street are proposed. The route to the west of the site is proposed through an atrium.

- 8.114 The route through to the east of the site will act as an additional pedestrian only street for public use. This route will be attractive, provide active ground floor surveillance from overlooking residential units and ground floor uses. Seating and landscaping will be provided with this pedestrian only link.
- 8.115 It is proposed that a new pedestrian crossing be provided across Bethnal Green Road, to link the new street through the development with the Rich Mix Cultural centre on the north side of Bethnal Green Road.
- 8.116 Access to the basement level car parking is from Sclater Street and Cygnet Street
Private vehicle access for the development is proposed on Cygnet Street and Bacon Street. The local Authority highways department consider this to be acceptable.
- 8.117 Servicing of refuse is proposed along Cygnet Street, Bacon Street and Bethnal Green Road.

Car parking.

- 8.118 According to policy 3C.23 of the consolidated London Plan (1998), on-site car parking provision for new developments should be the minimum necessary to ensure there is no overprovision that could undermine the use of more sustainable non-car modes. This in part, is to be controlled by the parking standard in Annex 4 of the London Plan and UDP policies.
- 8.119 Parking standards for residential is 0.5 spaces per dwelling (no parking allowance for visitors) as set out in the Councils Interim Planning Guidance. As a result of discussions with LBTH, the number of car parking spaces is 83 at basement level. Therefore, the proposal is to have a 23% car parking provision and complies with Council policy.
- 8.120 The parking standard in Annex 4 of the London Plan states that boroughs should take a flexible approach in providing disabled spaces. The only minimum standard mentioned is for new developments to provide 2 car parking spaces which the development complies. The Accessible London Supplementary Planning Guidance (SPG) does not provide additional information with regards to the quantity of spaces to be provided. The proposal provides 8 disabled parking spaces which the Council are satisfied with.
- 8.121 It is recommended that a S106 agreement be put in place to ensure that the development is 'car free', so that no controlled parking permits are issued to the new residents of the development. As such, there will be no overspill parking from the development. Most of the residents will therefore be committed to using public transport services and alternative modes for all journeys. As noted above, the provision of public transport to the site is of a good level. Whilst the Council's Highways department have indicated that the number of spaces should be reduced, there is insufficient policy justification to sustain a refusal on these grounds.

Cycle Parking

- 8.122 The London Plan does not designate cycle parking standards. Annex 4 of the London Plan states that developments should provide sufficient secure cycle parking and supporting facilities in accordance with PPG13. It also acknowledges that TFL has indicative guidance on cycle parking standards.
- 8.123 PPG13 does not adopt a minimum figure for cycle spaces, rather requires that convenient and secure cycle parking is provided in developments at least at levels consistent with the cycle strategy in the local transport plan.
- 8.124 The TFL cycle parking standard and the Council's IPG require 1 bicycle space per unit for the residential element. The scheme makes provision for 470 cycle spaces and therefore exceeds the policy requirement which is welcomed by the Council. The additional cycle

spaces will be used for occupiers of the commercial element of the scheme.

8.125 All cycle parking will be secure, and ensure that cycling is made a viable option for residents and potential employees at the site. The cycle parking is proposed along Bethnal Green Road, Sclater Street, Cygnet Street & Bacon Street.

8.126 In response to TfL comments, the Council has the following comments to make:

(1): The Transport Assessment (TA) significantly underestimates public transport trips in the AM and PM periods and the number of trips associated with the proposed development.

8.127 The applicant has clarified this point. In the Transport assessment the number of public transport trips from the proposed development was estimated based on taking average travel to work from 2001 census data for Weavers Ward in Tower Hamlets. The target modal splits derived based on a modal split assumption for the City Fringe Area made by Buro Happold as part of the Tower Hamlets LDF Public Transport Capacity Assessment (November 2006)

The cumulative impact of the redevelopment of the Bishopsgate Goods Yard has not been adequately considered

8.128 According to the applicants transport consultants, discussions have taken place with WSP Group WHO are the transport consultants relating to the Bishopsgate Goods Yard scheme. The masterplan for this scheme is at an initial concept stage only, therefore no specific information regarding transport impacts or public transport changes or improvements have not yet been considered or made available. Therefore, it cannot be assessed at this stage in any detail. Proposal for improvements to the footway and public transport infrastructure relating to the scheme are considered to positively improve the area. Due to the fact that the proposed development is forecast to have negligible impact on surrounding highway network, the relationship between development at Bethnal Green Road and Bishopsgate Goods Yard on the highway network is negligible.

Assess the impact and necessary mitigation required on the local highways networks and footways

8.129 From the comments made by TfL, an audit relating to the condition of the local highway and footway network surrounding the site has been carried out. Proposed improvements will be carried out as part of the scheme. These include proposals relating to improvement on the pedestrian network surrounding the site, in order that non car trips by future residents and employees at the site can be maximised by improving the surrounding pedestrian environment.

TfL wish to see further swept path analysis to demonstrate that the refuse vehicles are able to able to manoeuvre within the site

8.130 The scheme now removes the need for refuse storage and collection from the basement of both buildings A & B. All refuse storage and collection is now at ground floor level allowing servicing from Sclater Street, Cygnet Street and Bacon Street. Refuse collection from stores fronting Bethnal Green Road would be required. Collection from these stores will need to be carried out during the early morning.

8.131 A swept path analysis of a large refuse vehicle to collect from refuse stores within the site fronting Cygnet Street and Bacon Street has been provided. No problem with the vehicle movement are anticipated

8.132 Funding will need to be available from Telford Homes to LBTH for proposed works to improve pedestrian network surrounding site. The works include:

1): New pelican pedestrian crossing across Bethnal Green Road outside opposite Rich Mix

2): Improvements to lighting and repaving of damaged footpaths with quality surface material outside site on Bethnal Green.

This will be secured via the Section 106 agreement.

Shoreditch High Street Station

8.133 The site is adjacent to the new Shoreditch High Street Station. This station is due to be opened in 2010. This will significantly affect both the immediate context and the development potential of the adjacent sites. The development is deemed to be reliant on access to the new East London Line Station (Shoreditch High Street Station) on Bethnal Green Road. Further contribution is requested towards improving the street environment and walking links between the development and the new station. The contribution to be negotiated between TfL and the developer.

8.134 In conclusion, TfL has in principle no objection to this application provided the above issues are resolved satisfactorily.

Sustainability

Energy

8.135 Policy 4A.7 of the consolidated London Plan (2008) seeks to adopt a presumption that developments will achieve a reduction in carbon dioxide emissions of 20% from onsite emissions of 20% from onsite renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

8.136 Carbon emissions for the development will be reduced by approximately 39% against the calculated baseline from passive design, fabric specification, energy efficiency, use of CHP and on site energy generation.

8.137 The GLA stage 1 report seek clarification on the following:

1) Was the energy efficiency carbon savings calculated through the use of appropriate software?

2) Is the combined heat and power system optimised to meet the thermal demands of the scheme?

3) Is cooling proposed for the flats or commercial areas? If cooling is proposed this should also be shown in the baseline calculations

Was the energy efficiency carbon savings calculated through the use of appropriate software?

8.138 The likely energy demand of the site was calculated using approved SAP software for the residential units while CIBSE benchmark figures were used for assessment of the commercial areas as there is insufficient technical information available to complete a detailed model using SBEM. Individual calculations were carried out for each flat type and position e.g. corner, central, ground, middle and top 32-42 Bethnal Green Road, London, E1. The results were then extrapolated out for the total flat types to give a realistic assessment of the scheme as a whole.

Is the combined heat and power system should be optimised to meet the thermal demands of the scheme?

8.139 The applicant has investigated the use of combined heat and power for the use at the

Bethnal Green Road development and proposes to include a 70kWe machine as part of the community heating system. The thermal and electrical energy loads for the project have been calculated from the modelled flat types and commercial space, the loads were then assessed against profiles projected using CIBSE empirical data to assess the hourly energy demands to determine the true energy base load profile. This allows determination of the units operating hours and carbon emissions reduction potential. CHP Design Considerations

- 8.140 When assessing the use of combined heat and power (CHP) there are a number of important factors that were considered when sizing CHP. The size of the unit was determined by the base heating and electrical load of the site that the unit will supply. In this instance the unit would be designed to supply heat energy and electricity for consumption on this site alone and therefore will not export to the national grid or adjacent buildings. As is widely recognised a CHP unit must operate for approximately 6,000 hours, and hence be considered a Quality CHP installation. If the demand is not sufficient enough then the reduced hours of operation or dumped heat energy would mean higher delivered fuel costs for residents. This is especially important on this site where there is a large volume of shared accommodation and affordable housing.

Is cooling proposed for the flats or commercial areas. If cooling is proposed this should also be shown in the baseline calculations

- 8.141 Cooling is not proposed for the residential areas. Insufficient data is available to allow a detailed analysis of the predicted cooling loads that will be encountered on the proposed site as the commercial spaces are to be developed to 'shell and core'. It is envisaged that these areas will utilise heat pumps to supply both the cooling and heating requirements. The calculated electrical energy demand includes for the use of locally installed units sized to meet the heating and cooling needs of the tenants. Therefore this approach goes towards substantiating the CHP installation by providing a larger constant electricity load throughout the day.
- 8.142 The combined heat and power has been maximised considering the following design considerations; thermal demand, electrical demand, demand profiles, operating hours, economic benefit to residents and financial feasibility.
- 8.143 In sum, therefore, the applicant has demonstrated a strong willingness to address London Plan energy policies but further work is required to: examine and provide for connections to adjacent developments in line with the emerging policies; establish verifiable baseline emissions and demonstrate improvements through energy efficient design; clarify whether or not there will be a cooling load and how this will be met; and re-examine renewable energy options in the light of an optimally sized combined heat and power system.

Microclimate

Wind

- 8.144 As part of the application, the applicant undertook a Wind Assessment to assess the impact of the proposal on the microclimate. The conclusions of the study show that the pedestrian level wind environment in and around the site will have no significant residual impact. In respect of wind conditions on the thoroughfares surrounding the site, the assessment shows that the introduction of soft landscaping measures will result in local wind conditions that are suitable for existing and planned activities.
- 8.145 The wind regime in Sclater Street must be considered in the light of proposals for Bishopsgate Goods Yard. The addendum notes that the down drafts in Sclater street in the case of southerly winds are not the result of airflows from the façade of the tower. The report concludes that the height of the tower is unlikely to have a significant or detrimental influence on pedestrian comfort or safety at ground level.

- 8.146 Careful design of landscaping and street furniture will reduce the issues identified, including trees, formal planting and café screens where appropriate. If the Committee was minded to approve the scheme in its current form, the scheme should be conditioned appropriately to ensure the mitigation measures are implemented.

Noise and Vibration

- 8.147 The consolidated London Plan seeks to reduce noise by minimising the existing and potential adverse impacts of noise, from, within, or in the vicinity of development proposals. The plan also states that new noise sensitive development should be separated from major noise sources wherever practicable (policy 4A.14).
- 8.148 Policy DEV50 of the LBTH UDP states that the Council will consider the level of noise generated from developments as a material consideration in the determination of applications. This policy relates particularly to construction noise created during the development phase or in relation to associated infrastructure works. Policy HSG15 states that the impact of traffic noise on new housing developments is to be considered.
- 8.149 The Council's noise officer also found the noise assessment to be acceptable. The scheme will be conditioned to apply restricted construction hours and operation hours, noise and vibration limits to ensure the amenities of surrounding and future residents will be protected.

Air Quality

- 8.150 The development would result in changes to traffic flow characteristics on the local road network. Effects of the proposed development on local air quality based on traffic flow predictions have been assessed
- 8.151 During the operational phase, encouraging sustainable transport and reducing dependence on the private car would reduce the impact of the development in terms of both greenhouse gases and pollutants. This will be addressed through s106 agreement.

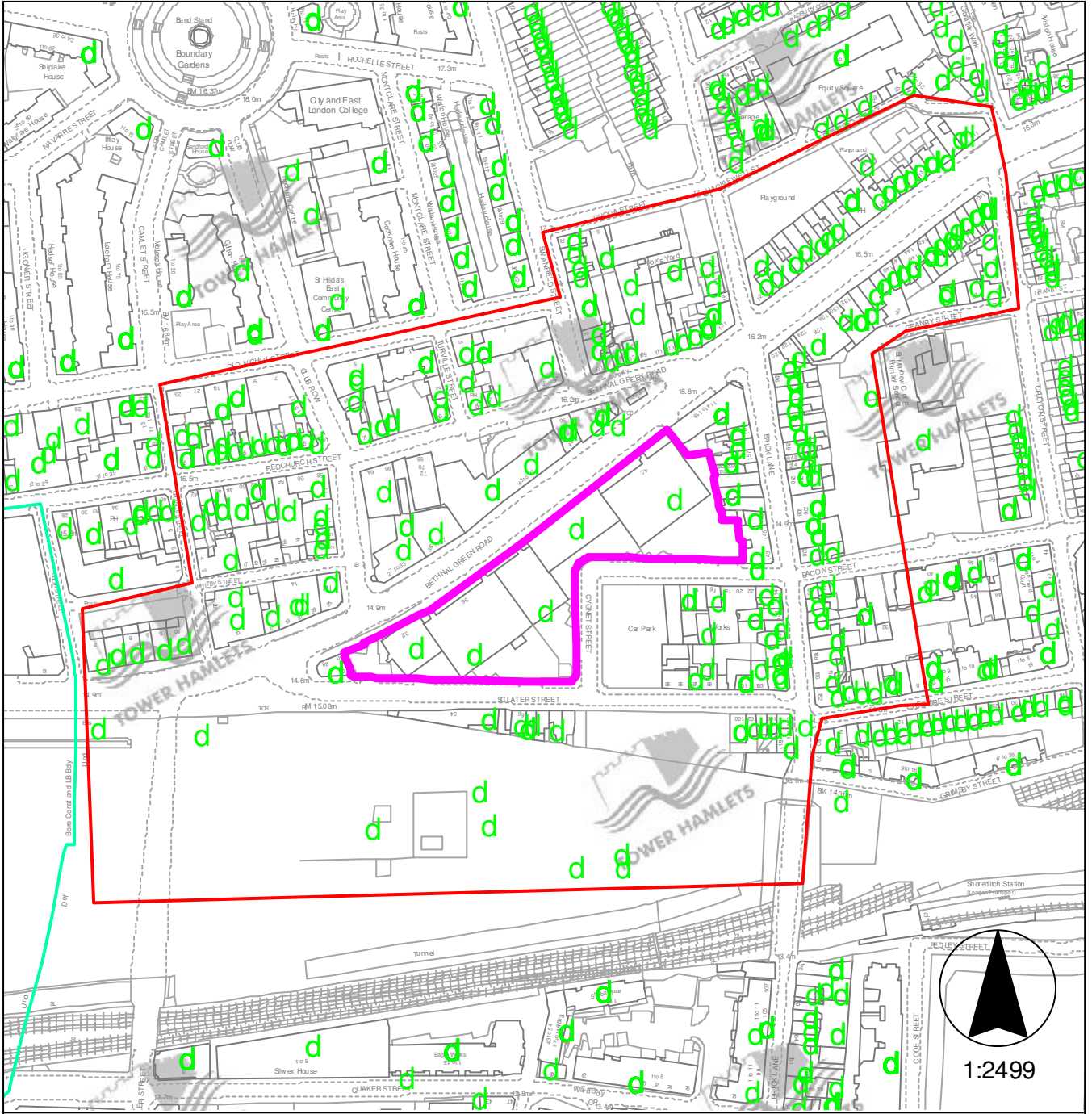
TV reception

- 8.152 A TV reception was undertaken. The results are based on a system installed for Telford Homes at 26 Wheler Street. The report notes that the signal in this area will gradually deteriorate over time with the erection of new buildings. The more buildings, especially tall buildings are built in the City, the worse the reception will be in this area. The proposal and other large scale developments in this area will impact on the signal strength in the area. Development of 32-42 Bethnal Green Road would have an impact on the television reception to the surrounding buildings, as the lowest block is 5 floors and the highest is 25 storeys.
- 8.153 The applicant will be required to monitor and mitigate TV reception loss to surrounding resident. The applicant will be required to appropriately compensate the effected residents and local businesses. It is recommended that this be secured as part of the Section 106 agreement.

9 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
- 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