

Committee: Development	Date: 18 February 2016	Classification: Unrestricted
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Report of: Director of Development and Renewal	Title: Applications for Planning Permission
Case Officer: Piotr Lanoszka	Ref No: PA/15/02674
	Ward: Mile End

1.0 APPLICATION DETAILS

Location:	25-28 Dalgleish Street, London, E14
Existing Use:	Vacant
Proposal:	Construction of a part four storey, part seven storey building to provide 60 flats with refuse and recycling facilities together with laying out of a 'Homezone' in Dalgleish Street.
Drawings:	DLG-DS-01-GF-DR-A-P001 rev P0, DLG-DS-01-GF-DR-A-P002 rev P0, DLG-DS-01-LG1-DR-A-P099 rev P0, DLG-DS-01-GF-DR-A-P100 rev P1, DLG-DS-01-01-DR-A-P101 rev P1, DLG-DS-01-02-DR-A-P102 rev P0, DLG-DS-01-03-DR-A-P103 rev P0, DLG-DS-01-04-DR-A-P104 rev P0, DLG-DS-01-05-DR-A-P105 rev P0, DLG-DS-01-06-DR-A-P106 rev P0, DLG-DS-01-07-DR-A-P107 rev P0, DLG-DS-01-ZZ-DR-A-P200 rev P1, DLG-DS-01-ZZ-DR-A-P201 rev P0, DLG-DS-01-ZZ-DR-A-P202 rev P1, DLG-DS-01-ZZ-DR-A-P203 rev P1, DLG-DS-01-ZZ-DR-A-P301 rev P0, DLG-DS-01-ZZ-DR-A-P302 rev P1, 15/230/100, TR02 rev P0, DLG-DS-01-GF-DR-A-K009 rev P0.
Documents:	<ul style="list-style-type: none"> - Design & Access Statement, ref DLG-DS-01-ZZ-RP-A-P610 S2-P0, dated September 2015; - Planning Statement, ref KG/18542, dated September 2015; - Transport Statement, ref PB3614/R001/LDN, dated 18/09/2015; - Residential Travel Plan Statement, ref PB3614, dated 18/09/2015; - Daylight and Sunlight Report, ref 44815/IM, dated 22/09/2015; - Energy Report, ref HLES34084/003Rv2, dated September 2015; - Noise Assessment, ver 3.0, dated 16/09/2015;

- Sustainability Statement, ref HLES34084/004Rv3, dated 18/09/2015;
- Sustainable Drainage Systems, ref HLEF37503/001R, dated 18/09/2015;
- Computer Generated Images, dated November 2015;

Applicant and owner: Greenland Hertsmere (London) Ltd

Historic Building: None

Conservation Area: None

2.0 EXECUTIVE SUMMARY

- 2.1 This report considers an application for planning permission for redevelopment of a highly accessible vacant brownfield site to provide a residential development of 60 new dwellings within a part 4, part 7 storey building. Officers recommend approval of planning permission.
- 2.2 The applicant's intention is to provide the site as a donor affordable housing site for the Hertsmere House scheme (ref PA/15/02675, discussed elsewhere on this agenda), however, should the Hertsmere House scheme not be implemented, the site could also hypothetically come forward as an affordable housing donor site for a different scheme or as a housing association-led scheme. As such, the application should be considered on its own merits.
- 4.1 Given the donor site aspiration, the development would be 100% affordable: 43.3% of units would be provided as three and four bedroom flats at social target rents; 45% of units would be provided as one and two bedroom affordable rented flats at Borough Framework rents; while 11.7% of units would provide a mix of shared ownership accommodation.
- 4.2 While there would be no private units within the scheme, because the site is surrounded by two substantial market-led schemes, the proposed tenure mix would not prejudice the policy objectives of creating mixed and balanced communities.
- 4.3 The report explains that the proposed residential accommodation would be high quality with generous communal amenity spaces and play areas. The scheme would optimise the development potential of the site while minimising amenity and townscape impacts.
- 4.4 Subject to the recommended conditions and obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- 3.2 Any direction by the London Mayor.

- 3.3 The prior completion of a legal agreement to secure the following planning obligations:

Financial contributions:

- a) £23,520.00 towards construction phase skills and training (payable at commencement);
- b) Monitoring fee equivalent to £500 per each substantial Head of Terms

Total financial contribution: £23,520.00 plus monitoring contribution.

Non-financial contributions:

- a) Affordable housing (100% by habitable room, 60 units)
 - 35.3% Affordable rented (27 units)
 - 54.6% Social rented (26 units)
 - 10.1% Shared ownership (7 units)
- b) Car free
- c) Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 10 apprenticeships
- d) Delivery of Dalglish Street 'Home Zone'
- e) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

- 3.4 That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above acting within delegated authority. If within three months of the resolution the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

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

3.6 Conditions:

Compliance

- a) Compliance with plans
- b) 3 year time limit for implementation
- c) Withdrawal of permitted development rights for erection of fences and gates, painting of brickwork
- d) Implementation and retention of waste storage facilities
- e) Compliance with energy and sustainability strategies

Pre-commencement

- f) Construction Management Plan including measures to protect amenity, minimise noise & air pollution, working hours restrictions
- g) Construction Logistics Plan
- h) Construction Method Statement including Piling Method Statement to safeguard structural integrity of adjoining highway and Thames Water infrastructure
- i) Land contamination

Pre-superstructure

- j) Samples of all facing materials, elevation & fenestration details
- k) Details of landscaping to rear courtyard, roof terrace and home zone: including soft & hard landscaping, biodiversity measures, street furniture & play equipment, lighting, visitor cycle parking, security measures and inclusive access provision
- l) Details of highway works (S278 agreement)
- m) Details of surface water drainage & SUDs
- n) Details of internal cycle parking
- o) Details of wheelchair accessible and adaptable units
- p) Details of all mechanical equipment and noise insulation to residential units
- q) Details of Secured by Design measures
- r) Details of photovoltaic panels

Pre-occupation

- s) Delivery & Servicing Plan
- t) Travel Plan

3.7 Informatives:

- a) Thames Water

3.8 Any other conditions or informatives as considered necessary by the Corporate Director for Development & Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

4.5 The application site is located at the south-eastern end of Dalgleish Street, a small cul-de-sac accessed from Lowell Street, off Commercial Road. The site has been vacant for a number of years but was previously occupied by a single storey warehouse building.



Figure 1 – Site location plan

- 4.6 To the north of the site is Sir William Burrough Primary School with its outdoor play areas, to the east are garages and flats above retail premises fronting onto Salmon Lane, while to the south and west are large recently constructed residential developments. The closest residential development consists of a number of blocks, including Iona Tower, abutting the south-eastern boundary of the site, and Shannon Apartments, abutting the western site boundary.
- 4.7 Dagleish Street is an adopted highway providing access to the application site and service access to the school. The school's main entrance is from Salmon Lane.
- 4.8 The site benefits from very good public transport accessibility (PTAL rating of 5), with convenient pedestrian access to bus connections on Commercial Road as well as to the Limehouse Station which serves the Docklands Light Railway and c2c trains from the Fenchurch Street railway terminal to locations in East London and Essex.
- 4.9 The site is located within an edge of centre area of the Salmon Lane Neighbourhood Town Centre which is within 200m walking distance from the site. The Limehouse Neighbourhood Centre is also in close proximity, within 260m walking distance.
- 4.10 The site is neither listed nor located within a conservation area. The nearest heritage assets are the Regents Canal Conservation Area to the east and north-east, as well as the Lowell Street Conservation Area to the south. The nearest listed buildings are the Grade II listed townhouses and railway bridge on Commercial Road, to the south of the application site.
- 4.11 The site, as the whole Borough, is within Air Quality Management Area. The site carries no other policy designations.

Proposal

- 4.12 The application proposes redevelopment of the site to provide 60 flats in a part four, part seven storey building. Communal amenity areas with play space would be provided within a courtyard at rear as well as within a roof terrace at 4th floor level.



Figure 2 – Bird’s eye view CGI, looking south

- 4.13 The application includes a proposal to re-lay Dalglish Street and introduce traffic calming measures to create a ‘home zone’ with 3 wheelchair accessible car parking spaces.
- 4.14 The development would be 100% affordable, with a large proportion of family-sized units at social target rents – 43.33% of all units. The tenure split of affordable rented to intermediate units would be at 88%:12%.
- 4.15 The following unit mix is proposed:

	Affordable Rented		Intermediate	Market
	Borough Framework	Social Target	Shared Ownership	
1 bed	8	0	1	0
2 bed	19	0	5	0
3 bed	0	17	1	0
4 bed	0	9	0	0
Total	27	26	7	0

Figure 3 – Proposed housing mix

- 4.16 The applicant's intention is to develop the site as a donor affordable housing site for the Hertsmere House scheme ref PA/15/02675, however, should the Hertsmere House scheme not be pursued, the site could also hypothetically come forward as an affordable housing donor site for a different scheme or as a housing association-led scheme.

Planning History

- 4.17 The application site benefits from an extant planning permission for a broadly similar but private market focused residential development with 36% affordable housing.

- 4.18 Outline planning permission, ref PA/11/03382, granted 21/03/2012, for:

Construction of a part four storey, part seven storey building to provide 60 flats (22 x 1 bedroom, 19 x 2 bedroom, 8 x 3 bedroom and 11 x 4 bedroom) with refuse and recycling facilities together with laying out of a 'homezone' in Dalgleish Street.

- 4.19 Approval of reserved matters was granted on 30th March 2015 (ref PA/15/00393).

5.0 POLICY FRAMEWORK

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

5.2 Government Planning Policy

National Planning Policy Framework 2012
Planning Policy Guidance 2014 with subsequent alterations

5.3 London Plan consolidated with alterations since 2011

- 2.9 - Inner London
- 3.1 - Ensuring equal life chances for all
- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people's play and informal recreation facilities
- 3.7 - Large residential developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.10 - Definition of affordable housing
- 3.11 - Affordable housing targets
- 3.12 - Negotiating affordable housing
- 3.13 - Affordable housing thresholds
- 4.4 - Managing industrial land and premises
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.4A - Electricity and gas supply
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals

- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.16 - Waste net self-sufficiency
- 5.17 - Waste capacity
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.7 - Better streets and surface transport
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking
- 7.1 - Lifetime neighbourhoods
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.19 - Biodiversity and access to nature
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP06 - Delivering successful employment hubs
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero carbon borough
- SP12 - Delivering placemaking (place of Limehouse)
- SP13 - Planning obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering sustainable development
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM13 - Sustainable drainage
- DM14 - Managing waste
- DM15 - Local job creation and investment
- DM20 - Supporting a sustainable transport network

- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place-sensitive design
- DM25 - Amenity
- DM26 - Building heights
- DM29 - Achieving a zero carbon borough and addressing climate change

5.6 Other Material Planning Documents

- Planning Obligations SPD (LBTH 2012)
- Revised Draft Planning Obligations SPD (LBTH 2015)
- Draft Minor Alterations to the London Plan (GLA 2015)
- Control of Dust and Emissions during Construction and Demolition SPG (GLA 2014)
- Accessible London: Achieving an Inclusive Environment SPG (GLA 2014)
- Housing SPG (GLA 2012)
- Draft Interim Housing SPG (GLA 2015)
- Shaping neighbourhoods: character and context SPG (GLA 2014)
- Shaping neighbourhoods: play and informal recreation SPG (GLA 2012)
- Sustainable Design and Construction SPG (GLA 2013)
- Site Layout Planning for Daylight and Sunlight (BRE 2011)
- Consultation on proposed changes to national planning policy (DCLG 2015)

6.0 CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application. The responses are summarised below.

Transport for London

6.3 TfL has no objection to the principle of development and welcomes the car free nature of the scheme.

6.4 The 3 on-street car parking spaces should be allocated blue badge bays with options to increase wheelchair accessible parking explored further.

6.5 Provision of 112 cycle parking spaces is welcome; however, the access doors appear too narrow to meet the London Cycle Design Standards.

6.6 The final Travel Plan, a construction Logistics Plan and a Delivery & Servicing Plan should be secured by condition.

Thames Water

6.7 No objection with regard to sewerage infrastructure capacity and water infrastructure capacity.

6.8 Thames Water request that a piling method statement is secured by condition to safeguard underground sewerage infrastructure.

6.9 Informatives should be attached to advise the applicant of the minimum water pressure provided by Thames Water and that it is the responsibility of the developer

to make proper provision for surface water drainage, and that Thames Water approval is required for surface water drainage and ground water drainage discharges to a public sewer.

Metropolitan Police

- 6.10 No objection. Details of Secured by Design measures should be secured by condition.

Canal & River Trust

- 6.11 The site is sufficiently far from the canal to ensure that there should not be any significant impact.

London Fire and Emergency Planning Authority

- 6.12 Not satisfied with the proposals due to insufficient information regarding fire service vehicle access and water supplies. Subsequently clarifications and auto-tracking diagrams were provided by the applicant demonstrating vehicle access and water supply but no further response from the LFEPA has been received.

LBTH Environmental Health – Contaminated Land

- 6.13 Request that a condition be attached to ensure proper treatment of contaminated land if any unusual or odorous ground conditions are encountered.

LBTH – Transportation & Highways

- 6.14 The development should be secured as 'car free' through the S106 agreement.
- 6.15 Provision of 3 wheelchair accessible spaces and potential for a car club bay is welcomed. Any works would be subject to a S278 agreement.
- 6.16 The principle of a 'home zone' is welcomed with detailed to be agreed with the Highway Design Team as part of a S278 agreement.
- 6.17 While the quantity of cycle spaces is in line with policy, further information is required on the detailed design to ensure adequate accessibility.
- 6.18 Construction Management Plan and a Construction Method Statement should be secured by condition, in particular to safeguard the operation of the school and to assess impact of basement excavation on structural integrity of the highway. No part of the building should project onto the public highway.

LBTH – Sustainable Drainage

- 6.19 The proposed strategy is acceptable. The design incorporates permeable paving, green roofs and an attenuation tank to reduce discharge rates to 50% of existing. Full details of sustainable drainage measures should be reserved by condition.

LBTH – Waste Policy

- 6.20 Raises no objection but advises of emerging capacity guidelines to future proof the development.

LBTH – Noise & Vibration

6.21 No comments provided.

7.0 LOCAL REPRESENTATION

7.1 Public consultation took place in accordance with statutory requirements. This included a total of 432 letters sent to occupiers of neighbouring properties, a press advert published in East End Life and site notices displayed outside the application site.

7.2 1 letter of objection was received. The letter raises the following issues:

- Loss of sunlight
- Loss of private views
- Increased demand for, and congestion of, local facilities
- Adverse amenity impact arising from construction works

7.3 The above issues are addressed in the Material Planning Considerations section of this report, other than for the loss of private view which is not a material planning consideration.

8.0 MATERIAL PLANNING CONSIDERATIONS

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

1. Land use
2. Housing
3. Townscape & design
4. Amenity

8.2 Other material issues addressed within the report include transportation & servicing, energy efficiency & sustainability, biodiversity, planning obligations, as well as financial, health, human rights and equalities considerations.

Land Use

8.3 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives, introducing a presumption in favour of sustainable development. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles: an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure; a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and an environmental role – protecting and enhancing the natural, built and historic environment.

- 8.4 These economic, social and environmental goals should be sought jointly and simultaneously. The framework promotes the efficient use of land with high density, mixed-use development and encourages the use of previously developed, vacant and underutilised sites to maximise development potential, in particular for new housing.
- 8.5 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health.
- 8.6 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan seeks to alleviate the current and projected housing shortage in the Capital through provision of an annual average of 39,314 of new homes over a ten year period (2015-2025). The minimum ten year target for Tower Hamlets is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is embraced by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 8.7 The London Plan policies 4.1 and 4.2 seek to promote and enable the continued development of a strong, sustainable and diverse economy - ensuring the availability of sufficient workplaces in terms of type, size and cost. The Council's Core Strategy policy SP06 seeks to support the competitiveness, vibrancy and creativity of the local economy, ensuring a sufficient range, mix and quality of employment uses and spaces with a particular focus on the small and medium enterprise sector, and through ensuring job opportunities are provided or retained in each place. The relevant Managing Development Document policy is DM15. This policy supports the upgrading and redevelopment of employment sites outside of spatial policy areas provided that redevelopment does not result in the loss of active and viable employment uses.
- 8.8 The site does not carry any land-use designations; however, it previously contained a single storey warehouse building providing storage facilities for the English National Opera. The building was vacated in November 2007 and demolished in 2008. As such, there was no employment use on the site for more than 8 years.
- 8.9 Over the last 10-15 years, the character of the area has changed substantially, with all of the nearby light industrial and employment sites to the south and west redeveloped for residential use.
- 8.10 Through granting planning permission for a similar residential development on this site on 21/03/2012 (ref PA/11/03382), the Council has already established the principle of a residential redevelopment of the site.
- 8.11 Given the above, it is considered that erection of a wholly residential development on this highly accessible vacant brown field site is acceptable from the land use perspective, contributing towards provision of much needed housing in accordance with the aforementioned policies and the principles of the National Planning Policy Framework.

Housing

Affordable Housing

8.12 In line with section 6 of the National Planning Policy Framework, the following London Plan policies guide the provision of affordable housing:

- policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing
- policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure
- policy 3.11 requires that 60% of affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale, with priority given to provision of affordable family housing.
- policy 3.13 states that the maximum reasonable amount of affordable housing should be secured, subject to viability and site constraints

8.13 The Council's policy SP02 of the Core Strategy sets an overall strategic target for affordable homes of 50% of new construction, with a minimum of 35% provision sought, subject to viability. The overall strategic tenure split for affordable homes is set as 70% affordable rented and 30% intermediate. This split is reiterated by policy DM of the Managing Development Document which also requires that affordable housing provision is to be calculated by using habitable rooms to allow for the most suitable mix of affordable housing.

8.14 Policy DM3 of the Managing Development Document requires developments to maximise affordable housing on-site. Off-site affordable housing will be considered where it can be demonstrated that:

- a. It is not practical to provide affordable housing on-site;
- b. to ensure mixed and balanced communities it does not result in too much of any one type of housing in one local area;
- c. It can provide a minimum of 50% affordable housing overall, subject to viability;
- d. It can provide a better outcome for all of the sites including a higher level of social rented family homes; and
- e. Future residents living on all sites use and benefit from the same level and quality of local services.

8.15 The following tables illustrate the proposed mix of housing and the rent levels:

	Affordable Rented		Intermediate	Market
	Borough Framework	Social Target	Shared Ownership	
1 bed	8	0	1	0
2 bed	19	0	5	0
3 bed	0	17	1	0

4 bed	0	9	0	0
Total	27	26	7	0

Figure 4 – Proposed housing mix

	Borough Framework (service charge included)	Social Target (service charge excluded)
1 bed	£202	£141.43
2 bed	£212	£149.74
3 bed	£225	£158.06
4 bed	£264	£166.37

Figure 5 – Rent levels

- 8.16 Given the donor site aspiration, the development would be 100% affordable: 43.3% of units would be provided as three and four bedroom flats at social target rents; 45% of units would be provided as one and two bedroom affordable rented flats at Borough Framework rents; while 11.7% of units would provide a mix of shared ownership accommodation. This level of affordable housing would not be deliverable without significant subsidy which in this case is to be provided from the market-led Hertsmere House scheme, however, in a hypothetical scenario, the site could also be delivered as 100% affordable as a donor site for a different market-led scheme or perhaps by a housing association if a source of funding was identified.
- 8.17 The principle of the Dalgleish Street site serving as a donor site for the Hertsmere House scheme is discussed within the Hertsmere House report, elsewhere on this agenda; however, as described below, the site is considered to be suitable for a 100% affordable development with a higher proportion of family sized and social rented properties than could be delivered as part of the Hertsmere House scheme or by another similar scheme, within a high density, high value location such as Canary Wharf. Hertsmere House is located within approximately 1.3km of walking distance from the site (approximately 15 minutes).
- 8.18 The following plan shows the application site in relation to two adjoining market-led schemes which were completed within the last 10 years. The two schemes currently provide 32% of affordable housing by habitable room. Following construction of the Dalgleish Street development, the proportion of affordable housing in the immediate vicinity would increase to 41% by habitable room.

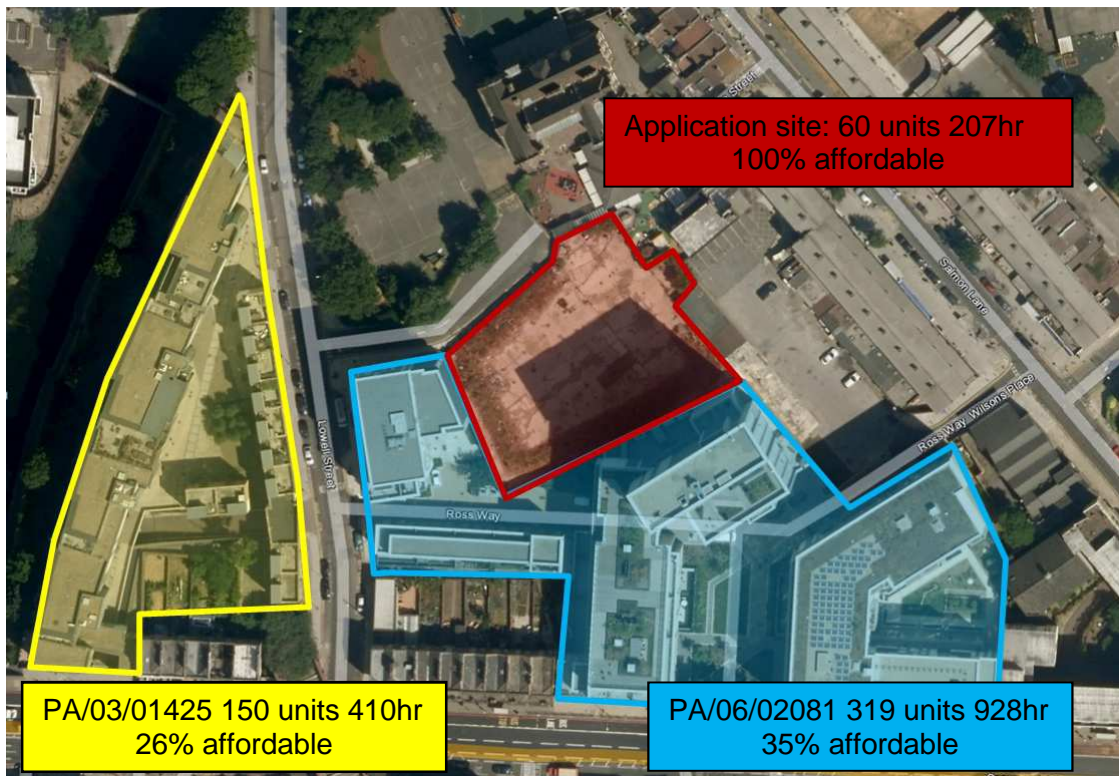


Figure 5 – Adjoining developments

- 8.19 While there would be no private units within the proposed development, because the site is surrounded by the two substantial market-led schemes, the proposed tenure mix would not prejudice the policy objectives of creating mixed and balanced communities. The proposal would not result in creation of a mono-tenure estate.
- 8.20 At ward level, according to the 2011 Census, 51% of households in the Mile End Ward live in affordable housing accommodation, against a borough average of 40% and a Greater London average of 24%. There are 5886 households within the ward and the addition of a further 60 households living in affordable accommodation would result in a negligible impact on the balance of tenures within the ward.
- 8.21 In terms of local service provision and amenities which would be available to the future residents, the site benefits from very good public transport access and is within short walking distance to two neighbourhood town centres; there are 5 primary schools within 500m walking distance, 5 secondary schools within 1500m walking distance, as well as a day nursery, a children’s centre and a pre-school playgroup. The local area benefits from good access to nature and recreational & play opportunities, with Regent’s Canal, Limehouse Basin and Limehouse Cut located nearby. Local open spaces include Stonebridge Wharf, Ropemakers Fields, Rectory Gardens, St Annes Churchyard and Mile End Park. The site is also within walking distance to the Canary Wharf Major Centre, a walk that would take approximately 20 minutes, either through Ropemakers Fields and along the Thames or along Commercial Road and West India Dock Road.
- 8.22 The tenure split of affordable rented to intermediate would be 88%:12%, significantly skewed toward affordable rented provision in comparison to the LBTH target of 70%:30% and the London Plan target of 60%:40%. Nonetheless, the proposed tenure split is considered to be acceptable for a donor site or a 100% affordable site as it focuses on meeting the highest priority needs of families on the Council’s

affordable housing register. The lower proportion of intermediate housing would not prejudice the objectives of the policy to an extent which would warrant refusal of the proposal.

- 8.23 Overall, the proposed development is considered to accord with the aforementioned policies as it maximises provision of affordable housing including social rented family housing in a sustainable location with good access to local facilities and amenities, without resulting in creation of an area where any single tenure predominates.

Unit Mix

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

Unit size	Affordable Rented			Intermediate		
	Units	%	Target	Units	%	Target
1 bed	8	15%	30%	1	14%	25%
2 bed	19	36%	25%	5	72%	50%
3 bed	17	32%	30%	1	14%	25%
4 bed	9	17%	15%	-	-	

Figure 7 – Proposed unit mix

- 8.25 The proposed unit mix is in broad accordance with policy, with more focus on provision of three and four bedroom family sized units in the affordable rented tenure. Family sized units would constitute 45% of all units. A lower proportion of single bed units in both affordable rented and intermediate tenures allows for provision of a larger proportion to two bedroom units which, while not conventionally considered family sized, can provide affordable accommodation to smaller families, especially within two-bedroom, four-person units. This is particularly pertinent where affordability of three bedroom intermediate units can be challenging.

Housing Quality

- 8.26 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime. Additionally, policy DM3 requires that affordable housing should be built to the same standards and should share the same level of amenities as private housing.
- 8.27 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private amenity space for all new homes. Policy DM25 requires a good level of amenity for the future occupiers including through provision of adequate daylight and sunlight, outlook and privacy
- 8.28 The 'National Space Standard' was introduced by the Government from 1st October 2015. The requirements of the standard are consistent with those of the London Plan

and Managing Development Document with respect of gross internal area; however, the minimum floor to ceiling height has been reduced from 2.5m to 2.3m for at least 75% of the Gross Internal Area.

- 8.29 The internal areas of the proposed flats would be generous, with all of the flats meeting and exceeding the minimum floorspace standards. The submitted floor plans demonstrate that all necessary furniture and storage can be comfortably accommodated within the proposed layouts. 2.5m high floor to ceiling heights would be provided, providing housing quality in excess of the minimum standard.
- 8.30 The proposed building would be divided into two access cores, with a typical floor having 6 or 5 units per core.
- 8.31 A relatively high proportion of units would be north facing – 35%; with dual aspect units at only 20%. On a small site, such as this, with the tallest part of the building located along an east-west axis to minimise the impact on existing residents to the south and to safeguard the development potential of the Council owned site to the east, the large proportion of single aspect and single aspect north facing units is considered to be largely unavoidable and dictated by the distribution of massing on the adjoining sites and the established courtyard block typology. A reduction in the number of single aspect units would significantly undermine the quantum of residential accommodation that the site could provide. The generous outlook over Dalgleish Street and the trees located along the school boundary would to some extent mitigate the northern single aspect to overall result in an acceptable standard of accommodation to these flats.
- 8.32 The proposed flats would benefit from adequate privacy, outlook and private external amenity space in excess of the minimum standards.
- 8.33 Average daylight factor calculations have been submitted to demonstrate the quality of daylighting to the proposed units. Out of the 207 habitable rooms, the majority would enjoy very good daylighting with only 3 living rooms and 7 bedrooms falling below the British Standard requirement of 1.5% ADF for living rooms and 1% ADF for bedrooms. These shortfalls are minor and the scheme would be acceptably lit overall. Areas of glazing have been maximised with floor to ceiling windows provided.
- 8.34 With regard to sunlighting, 18 out of 29 rooms facing within 90 degrees due south would not receive the recommended amount of annual probable sunlight hours and 4 would not receive the recommended amount of winter sunlight hours. However, most of these windows are located beneath balconies which reduce the amount of sunlight which can reach a window. The adjoining Iona Tower, at 14 storeys, also provides a substantial obstruction. The view of the independent consultant appointed to review the submitted Daylight & Sunlight report is that the development does not provide self-inflicted obstructions to sunlight. As such, given the built up context of the application site and the fact that balconies provide valuable amenity space which itself would be well sunlit, the proposed sunlighting is considered to be acceptable.
- 8.35 All of the units would be delivered to the Lifetime Homes Standards with 10% of the units provided as wheelchair accessible, at the following mix: 3 x 2 bed 3 person, 2 x 2 bed 4 person and 1 x 3 bed 5 person. All of these units would be located at ground level with majority benefiting from generous private gardens. A minimum of 3 blue badge parking spaces would be provided within the Dalgleish Street home zone.

- 8.36 Overall, the proposal would provide a high quality of living accommodation and amenity to the future occupiers of the development, in accordance with the aforementioned policies.

Communal amenity space and play space

- 8.37 Policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments, this is in addition to communal amenity space required by London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document at a ratio of 50sqm for the first 10 units plus 1sqm for every additional unit.
- 8.38 Policy DM4 advises that LBTH child yields should be applied to ensure that 10sqm of useable child play space is provided per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.
- 8.39 Using the LBTH child yield calculations, the development is anticipated to yield 69 children (27 under 5s, 26 of 6-10 year olds and 16 11-15 year olds). Accordingly, 690sqm of play space is required for all of the three age groups, in addition to 90sqm of communal amenity space.
- 8.40 The application proposes creation of two communal areas: a ground level courtyard at rear – measuring approximately 600sqm and a roof terrace at 4th floor level – measuring approximately 420sqm. The total provision would be 1020sqm which is significantly in excess of the play space and communal amenity space requirement of 780sqm.



Figure 8 – CGI of the proposed courtyard

- 8.41 The indicative landscaping proposals submitted with the application envisage that the majority of play space would be provided within the rear courtyard, where it is most accessible and well-overlooked from the windows of the proposed development; however, some play space can also be incorporated within the roof terrace to serve teenage children. All details would be reserved by condition.
- 8.42 A degree of additional amenity would also be provided by the proposed home zone within Dalgleish Street, where additional planting and seating facilities are envisaged.
- 8.43 Both the proposed courtyard and 4th floor roof terrace would be well sunlit, with no undue overshadowing taking place. These places would also benefit from good outlook and sky visibility.
- 8.44 Overall, the proposed communal amenity and play space areas would be acceptable, in accordance with the aforementioned policies.

Density

- 8.45 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council's town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.

- 8.46 The application site measures approximately 0.224 hectare, is within an edge of centre location, benefits from an urban context, and very good public transport accessibility - PTAL score 5. In areas of PTAL 5 and urban setting, the density matrix supports densities of up to 700 habitable rooms per hectare. The proposed density would be 924 habitable rooms per hectare, in excess of the suggested range.
- 8.47 The policy acknowledges that it is not appropriate to apply the matrix mechanically to arrive at the optimum potential of a given site. Generally, development should maximise the housing output while avoiding any of the adverse symptoms of overdevelopment.
- 8.48 The Housing SPG advises that small sites have specific opportunities and constraints with regards to density. When establishing the appropriate density for small sites, special attention should be given to factors influencing the setting of a development site, including existing streetscapes, massing and design of the surrounding built environment. Where the density of surrounding buildings is above the appropriate range in the matrix, a small site can be developed to the higher end of the appropriate density range. In both cases detailed urban form analyses may suggest that higher or lower densities are necessary to respect local context.
- 8.49 Furthermore, the SPG advises that development outside the prescribed ranges would require demonstration of exceptional circumstances (taking account of relevant London Plan policies) and states that unless significant reasons to justify exceeding the top of the appropriate range can be demonstrated, proposals should normally be resisted. The SPG recognises that making decisions on housing density requires making a sensitive balance which takes account of a wide range of complex factors. The SPG outlines the different aspects which should be assessed, these include:
- inadequate access to sunlight and daylight for proposed or neighbouring homes;
 - sub-standard dwellings (size and layouts);
 - insufficient open space (private, communal and/or publicly accessible);
 - unacceptable housing mix;
 - unacceptable sense of enclosure or loss of outlook for neighbouring occupiers;
 - unacceptable increase in traffic generation;
 - detrimental impacts on local social and physical infrastructure; and,
 - detrimental impacts on visual amenity, views or character of surrounding area.
- 8.50 All of the above aspects of the development have been assessed elsewhere within this report and found to be acceptable given the site's inner city context, the built form of adjoining development and the site's limited size. On balance, taking into account the high standard of proposed accommodation, the unit mix which appropriately prioritises provision of family sized affordable units, and the high quantity & quality of proposed communal amenity & play spaces, it is considered that the proposed density appropriately optimises the development potential of the site.

Design & Townscape

- 8.51 The National Planning Policy Framework attaches great importance to the design of the built environment.
- 8.52 In accordance with paragraph 58 of the NPPF, new developments should:

- function well and add to the overall quality of the area,
- establish a strong sense of place, creating attractive and comfortable places to live,
- respond to local character and history, and reflect the identity of local surroundings and materials,
- create safe and accessible environments, and
- be visually attractive as a result of good architecture and appropriate landscaping.

- 8.1 Chapter 7 of the London Plan as well as the Council's policy SP10 set out broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. These aims are to be realised through the detailed development management policy DM24 which aims to ensure that development is designed to the highest quality standards and is sensitive to and enhances the local character and setting of the development by respecting the design details and elements, scale, height, mass, bulk and form of adjoining development, building plot sizes, plot coverage and street patterns, building lines and setbacks, roof lines, streetscape rhythm and other streetscape elements in the vicinity. Development is also required to utilise high quality building materials and finishes. Furthermore, policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces.
- 8.2 The application site sits in an area of dense, inner city, residential context dominated by contemporary apartment blocks and post war housing estates. The two nearby conservation areas of Narrow Street and Lowell Street, including the Grade II listed buildings on the north side of Commercial Road, are not visible from the site and do not appear within the views as the site is approached from the west.
- 8.3 The cul-de-sac of Dalgleish Street separates the site from the play areas of Sir William Burrough Primary School which is located to the north. To the east are garages and low rise flats above retail premises fronting onto Salmon Lane, while to the south and west are large residential developments which have been constructed within the last 10 years.
- 8.4 The following plan illustrates the surrounding building heights and building footprints. The primary school is equivalent to approximately 5/6 residential storeys in height, with the residential development to the south ranging in height from 4 to 14 storeys. The building abutting the western site boundary, Shannon Apartments, is part 7, part 8 storeys high. The building abutting the south-eastern boundary, Iona Tower, is part 6, part 14 storeys high.



Figure 9 – Heights and building footprints

- 8.5 Both Shannon Apartments and Iona Tower present blank flank elevations towards the application site, effectively dictating the footprint and distribution of massing of development within the application site. The proposed building would be composed of two elements, a 7 storey block to Dagleish Street, continuing the strong building line set by the part 7, part 8 storey Shannon Apartments, while the lower 4 storey block would complete the courtyard arrangement by linking the 7 storey block to the flank elevation of Iona Tower.
- 8.6 This distribution of massing maximises the size of the rear courtyard, serves to maintain good outlook and separation distances from adjoining habitable rooms, and through the lower height of the 4 storey element, minimises amenity impact on residents of the north facing flats within Iona Tower. The height of the 4 storey block, including a setback from the eastern site boundary, also serves to safeguard the redevelopment potential of the low rise block fronting onto Salmon Lane, immediately to the east of the site.



Figure 10 – CGI showing a bird's eye view looking south with Shannon Apartments on the right side of the image



Figure 11 – CGI showing the courtyard arrangement with Shannon apartments on the left and Iona Tower on the right.

- 8.7 The proposed heights, building footprints and distribution of massing are considered to be appropriate in relation to the site's context, successfully completing the courtyard block arrangement.
- 8.8 The proposed architectural treatment would be contemporary, with a regular rhythm of large floor to ceiling fenestration set within generous reveals. The front elevation, shown below in the view from the junction of Dalgleish Street and Lowell Street, would be vertically accentuated with recessed balconies and columns of wider and narrower windows serving to break up the massing. Colourful panelling to balconies and entrance canopies would enliven the elevation which would be faced in light grey and light brown brick. A two storey band of light grey brick would form a plinth to the building. The easternmost part of the elevation would be set back, with projecting balconies incorporated – this, together with a reduction in height to 4 storeys, serves to further break up the massing and to provide a transition to the lower rise area to the east of the site.
- 8.9 The treatment to the courtyard elevations would be simpler but of a similarly high quality, with visual interest provided by projecting balconies off-set from each other to maximise sunlight to living rooms.



Figure 12 – CGI of front elevation

- 8.10 The public realm and the communal courtyard and roof terrace would be well overlooked, with landscaping serving to enhance the character of each area. Dalglish Street would be reorganised into a largely hardscaped home zone to provide a quieter pedestrian friendly environment suitable for a residential cul-de-sac, however a number of benches and trees would also be included to provide an element of public open space. Given the quiet nature of the cul-de-sac, the proposed defensible space measures are considered to be appropriate. The flats fronting onto the courtyard would have generous private gardens with soft landscaping providing a buffer between the private gardens and the communal courtyard.
- 8.11 For comparison purposes, the following image illustrates the front elevation of the extant scheme at the application site (ref PA/11/03382). The currently proposed scheme has broadly similar massing, heights and footprint to that previously approved, however the architectural treatment and detailing are of a much higher quality.



Figure 13 – CGI of the extant scheme ref PA/11/03382

- 8.12 Overall, the proposed development would be of a high design quality and would make a positive contribution to local townscape, in accordance with aforementioned policies. Due to the separating distances and the very limited intervisibility, the setting of the nearby heritage assets would not be affected.

Amenity

- 8.13 Further to policy 7.6 of the London Plan and SP10 of the Core Strategy, policy DM25 of the Managing Development Document requires development to protect, and where possible improve, the amenity of surrounding existing and future residents as well as the amenity of the surrounding public realm. The policy states that this should be by way of protecting privacy, avoiding an unacceptable increase in sense of enclosure or loss of outlook, unacceptable deterioration of sunlighting and daylighting conditions or overshadowing and not creating unacceptable levels of noise, vibration, light pollution or reductions in air quality during construction or operational phases of the development.
- 8.14 There are a number of properties which could be affected by the proposed development. The closest residential properties are located within Shanon Apartments to the west, at 1st floor level and above within Iona Tower to the south-east, within the terrace on the south side of Ross Way to the south, and at 1st and 2nd floor level above the Salmon Lane retail parade. Sir William Burrough Primary School is located to the north of the site with a number of play areas within close proximity to the proposed development.

Daylight, Sunlight and Overshadowing

- 8.15 Guidance on assessment of daylight and sunlight is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 0.8 times its former value. The BRE guide states

that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probably sunlight hours or less than 5% between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%. For overshadowing, the BRE guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.

- 8.16 While the above standards have been designed to assess impacts on residential properties, they are considered to provide a reasonable benchmark to assess impacts on other sensitive land uses such as schools.
- 8.17 The applicant has submitted a Daylight & Sunlight report which has been reviewed by independent consultants, with an additional report prepared by the independent consultant to re-assess the impact on the most affected properties within the adjoining Iona Tower.
- 8.18 The impact of the proposal on daylighting to the main school building would be minimal, with the only VSC losses affecting the single storey extension close to the development site; such losses would only marginally exceed the 20% threshold. The single storey school outbuilding located to the north-east of the site would be more affected with losses of between 23% and 45% VSC. Given that the main school building would not be affected, with the only adversely affected area being a small outbuilding, the impact on daylighting to the school is considered to be low overall.
- 8.19 The loss of winter sunlight would fall outside the guidelines for 5 windows within the main school building and all of the windows within the outbuilding. However, the independent consultant advises that this would not be significant. The loss of sunlight to the school playground would be minimal, well within the BRE guidelines.
- 8.20 There would be no significant loss of daylighting or sunlighting to the Salmon Street and Salmon Lane properties.
- 8.21 Daylight losses to Shannon Apartments and the properties on the south side of Ross Way would be minor adverse, with losses at below 30% VSC in all cases. Changes to daylight distribution (no-skyline) to Shannon Apartments would be within the guidelines. The Ross Way rooms with losses exceeding the guidelines are likely to be dual aspect; this would reduce the impact to within the guidelines. These properties would not experience a loss of sunlight.
- 8.22 More significant daylighting losses would occur to the north and north-east facing flats within the lower floors of Iona Tower, at 1st and 2nd floor level where the elevation of Iona Tower is in very close proximity to the site boundary. The impact is further exacerbated by the presence of long continuous balconies above the affected windows and the concave shape of the elevation of Iona Tower (in plan form) – the concave shape introduces additional obstructions from the sides. Two flats on each floor would be affected, two 1st floor flats experiencing moderate adverse impact and two 2nd floor flats experiencing minor adverse impact. The 3rd flat on each floor would be affected to a much lesser extent, as its living room faces north-east, away from the application site and only the rear bedroom would suffer daylight losses. These properties do not face within 90 degrees due south; as such, there would be no loss of sunlight.
- 8.23 The impact of the proposed development would be higher than that of the extant scheme – in the case of the extant permission, on 2nd floor only 2 windows would be

marginally outside the guidelines with all but one 1st floor window experiencing minor daylight losses of 73%/74% VSC (when the presence of balconies is discounted). In the case of the proposed scheme, where the 7 storey element extends further east than the extant scheme, only one window at 2nd floor and one window at 1st floor would be within the guidelines. Once the presence of balconies is discounted, the impact on 1st floor windows would be moderate adverse with VSC losses of between 61%-66%. The impact on 2nd floor windows would be lower, minor adverse, with VSC losses of 77%/78%. The impact on 3rd floor windows would be negligible.

- 8.24 Daylight distribution 'no-skyline' calculations have also been carried out, to provide more information about the likely quality of daylighting as a result of the development. In the case of the extant scheme, all of the Iona Tower units would be within the guidelines, losing less than 20% amount of working plane which has a view of the sky. The proposed scheme would have a higher impact, however only one 1st floor room would experience reductions outside the guideline – with a loss of 37%.
- 8.25 Overall, given the dense inner city character of the vicinity of the application site and the constraints posed by the unusual shape of the adjoining Iona Tower building, the daylight and sunlight impacts of the proposal are considered to be acceptable. The heights, distribution of massing and separation distances give due consideration to the impact on neighbouring properties.

Outlook & Sense of Enclosure, Overlooking & Privacy

- 8.26 The separation distances from habitable room windows within the surrounding properties would be generally generous, with some 30m to Salmon Lane properties, and 25m to Ross Way properties. Neither the east nor the south facing Shannon Way apartments would have a direct line of sight to any of the proposed rooms. Where the separating distances would be closer, such as between 11m and 17m from the north and north-east facing windows of the Iona Tower properties at 1st, 2nd and 3rd floor level, there would be no direct overlooking or privacy intrusion because of the oblique angles – the windows would not face directly into each other. Where the angle is shallower, the distance would be at about 17m providing adequate privacy. The separating distances and the relatively low height of the 4 storey block would also ensure that appropriate outlook is maintained and that the proposed building would not result in undue sense of enclosure.
- 8.27 The closest elevation of the school building would be some 20m away from the northern elevation of the proposed building, a distance sufficient to ensure adequate privacy. Some play areas would be located closer to the site with potential for overlooking to occur from 2nd and 3rd floor flats in the north-eastern corner of the proposed development. The main play areas of the school are located further to the north-east, on the opposite side of Dalgleish Street, behind trees. The level of overlooking would be broadly in line with that of the extant scheme and is not considered to be of such an impact as to warrant refusal of the proposal.

Construction Impacts

- 8.28 Noise, vibration and air quality impacts would be mitigated through submission of a Construction Management Plan. The plan, to cover both demolition and construction works, would be required to be prepared in accordance with the Council's Code of Construction Practice and limit the construction hours to the Council's standard construction hours of 8am – 6pm Monday to Friday, 8am – 1pm on Saturdays, with no works on Sundays and Bank Holidays. Particular attention would need to be paid to noise impacts on the operation of the adjoining school.

- 8.29 Air quality impacts of the operational development would be negligible, given that only 3 car parking spaces are proposed and that heating would be provided by individual gas boilers.

Conclusion

- 8.30 Overall, the proposal would give rise to no unacceptable impacts on the amenity of the adjoining building occupiers. Appropriate conditions have been included to mitigate any adverse impacts.

Highways, transportation and servicing

- 8.31 The NPPF emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel.
- 8.32 Policy 6.3 of the London Plan and SP09 of the Core Strategy aim to ensure that development has no unacceptable impact on the safety and capacity of the transport network. This is supported by policy DM20 of the Managing Development Document.
- 8.33 Policies 6.3 of the London Plan and DM22 of the Managing Development Document set standards for bicycle while policies SP05 of the Core Strategy and DM14 of the Managing Development require provision of adequate waste and recycling storage facilities.
- 8.34 The site benefits from very good public transport accessibility (PTAL rating of 5), with convenient pedestrian access to bus connections on Commercial Road as well as to the Limehouse Station. As such, the site is particularly suitable as a location for a high density residential development.
- 8.35 Dalgleish Street is an adopted highway providing access to the application site and service access to Sir William Burrough Primary School. The school's main entrance is from Salmon Lane to the north of the site.
- 8.36 In accordance with policy, 112 secure internal cycle parking spaces would be provided with 4 external spaces for visitors. 3 wheelchair accessible car parking spaces would be provided and the development would be secured as 'car free' other than for future affordable housing residents benefiting from the operation of the permit transfer scheme.
- 8.37 Given the very good public transport accessibility, the majority of trips would be undertaken on foot, by cycle or by public transport (estimated to form 98% of all trips). The proposed development would not result in an adverse impact on the transport system, either on its own or in comparison to the extant scheme.
- 8.38 It is noted that neither TfL nor LBTH Transportation & Highways raise an objection to the scheme, subject to imposition of relevant conditions. The proposed level of car parking is supported along with the implementation of a home zone to create a pedestrian priority environment within Dalgleish Street. The following conditions and planning obligations have been included as requested by consultees:

- Travel Plan
- Car free development
- Construction Management Plan
- Construction Method Statement
- Construction Logistics Plan
- Delivery & Servicing Plan
- Delivery of the home zone
- S278 highway works agreement
- Details of cycle storage facilities

- 8.39 The applicant has provided auto tracking diagrams showing how refuse and fire service vehicles can safely access the site. This also demonstrates that service access to the adjoining school would be maintained.
- 8.40 Adequate waste storage facilities would be provided, including for recycling, food waste and storage of bulk materials.
- 8.41 Overall, subject to conditions and S106 agreement, the proposal would not give rise to any unacceptable highway, transportation or servicing impacts.

Sustainability and Energy Efficiency

- 8.42 At a national level, the National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The climate change policies as set out in Chapter 5 of the London Plan, policy SP11 of the Core Strategy and the Managing Development Document policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.43 The submitted proposals for the Dalgleish Street development have followed the energy hierarchy of be lean, be clean & be green and seek to minimise CO2 emissions through the implementation of energy efficiency measures (8.7%), and utilise photovoltaic on the available roof area (72kWp; 41.8%). The CO2 emission reductions are anticipated to be at 46.9% against the Building Regulations 2013, in excess of the 45% policy target. A condition has been included to require implementation of the development in accordance with the submitted sustainability and energy efficiency strategies
- 8.44 The scheme incorporates sustainable drainage measures such as permeable paving, green roofs and an attenuation tank to reduce discharge rates to 50% of existing. A condition requiring submission of full details has been included.

Biodiversity

- 8.1 Policies 7.19 of the London Plan, SP04 of the Core Strategy and DM11 of the Managing Development Document seek to protect and enhance biodiversity value in order to achieve an overall increase in biodiversity.
- 8.2 The site has no existing biodiversity value. The proposed green roof and courtyard landscaping could be a significant benefit to biodiversity if best practice guidance is followed in their detailed design. A condition to this effect has been included.

Planning Obligations

- 8.3 Core Strategy Policy SP13 seeks planning obligations to offset the impacts of the development on local services and infrastructure in light of the Council's Infrastructure Delivery Plan (IDP). The Council's draft Planning Obligations SPD (2015) sets out in more detail how these impacts can be assessed and what the appropriate mitigation could be. The Council adopted a Borough-level Community Infrastructure Levy on April 1st 2015. Consequently, planning obligations are much more limited than they were prior to this date, with the CIL levy used to fund new education, healthcare and community facilities to meet the additional demand on infrastructure created by new residents.
- 8.4 The NPPF requires that planning obligations must be:
- Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and,
 - Fairly and reasonably related in scale and kind to the development.
- 8.5 Regulation 122 of the CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.
- 8.6 The applicant has agreed to meet the entire financial obligation requirements calculated in accordance with LBTH guidance. These are:
- a) £23,520.00 towards construction phase skills and training (payable at commencement);
 - b) Monitoring fee equivalent to £500 per each substantial Head of Terms
- 8.7 The non-financial obligations include:
- a) Affordable housing (100% by habitable room, 60 units)
 - 35.3% Affordable rented (27 units)
 - 54.6% Social rented (26 units)
 - 10.1% Shared ownership (7 units)
 - b) Car free
 - c) Access to employment
 - 20% local procurement
 - 20% local labour in construction
 - 10 apprenticeships
 - d) Delivery of Dalglish Street 'Home Zone'
- 8.8 All of the above obligations are considered to be in compliance with aforementioned policies, the NPPF and CIL Regulations tests.

Financial Considerations

- 8.9 Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that the authority shall have regard to:

- The provisions of the development plan, so far as material to the application;
- Any local finance considerations, so far as material to the application; and,
- Any other material consideration.

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

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

8.11 In this case, the proposed development would be liable for Tower Hamlets and the London Mayor’s Community Infrastructure Levy; however, the liability is likely to be nil due to the fact that the development would be 100% affordable.

8.12 Using the DCLG’s New Homes Bonus Calculator, this development is likely to generate approximately £109,079 of New Homes Bonus in the first year and a total payment of £654,473 over 6 years.

8.13 These financial benefits are material considerations of some weight in favour of the application.

Health Considerations

8.14 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals while the Council’s policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people’s wider health and well-being.

8.15 The proposal raises no unique health implications, and would not prejudice the opportunity of, residents, neighbours or members of the public to benefits from appropriate living conditions and lead healthy and active lifestyles. The play space and communal amenity space proposed would be in excess of policy requirements.

Human Rights Considerations

8.16 Section 6 of the Human Rights Act 1998 prohibits authorities from acting in a way which is incompatible with the European Convention on Human Rights. The relevant rights include:

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person’s civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that “regard must be had to the fair balance that

has to be struck between the competing interests of the individual and of the community as a whole".

- 8.17 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as a local planning authority.
- 8.18 Members need to satisfy themselves that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the local planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must carefully consider the balance to be struck between individual rights and the wider public interest.

Equalities Act Considerations

- 8.19 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.0 CONCLUSION

- 10.1 All other relevant policies and considerations have been taken into account. It is recommended that full planning permission should be GRANTED.

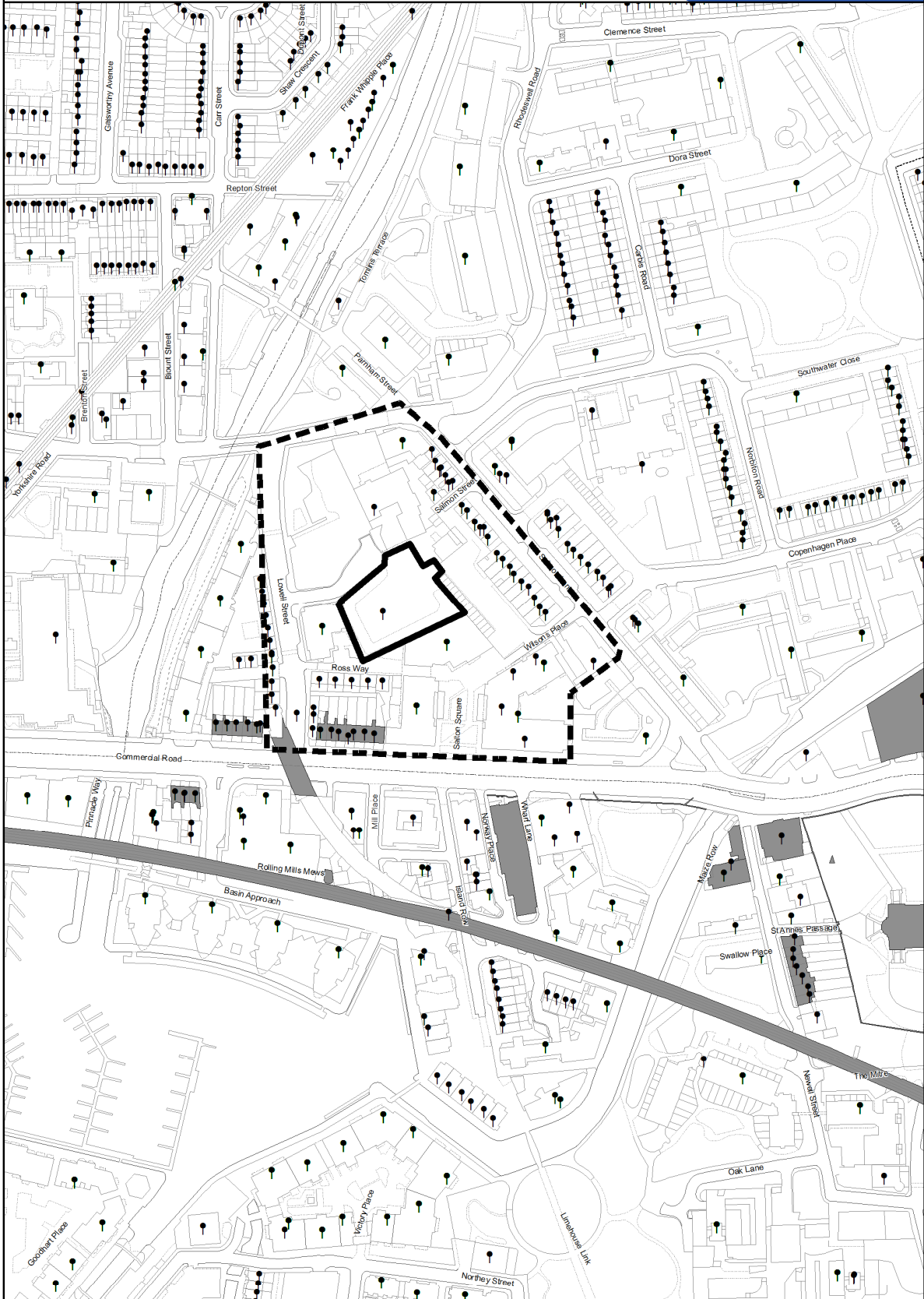
11.0 SITE MAP








- 11.1 Please refer to the next page of this report.

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Planning Application Site Map

PA/15/02674



 Planning Application Site Boundary	 Locally Listed Buildings	 Land Parcel Address	
 Consultation Area	 Statutory Listed Buildings	 0 30 m	

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