

Committee: Development	Date: 2 nd July 2008	Classification: Unrestricted	Agenda Item No: 7.3
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Ila Robertson		Ref No: PA/08/00195	
		Ward(s): Whitechapel	

1. APPLICATION DETAILS

Location:	14 Fieldgate Street and 7-9 Plumbers Row, London, E1
Existing Use:	Vacant
Proposal:	Demolition of existing buildings and structures on site and redevelopment for mixed use purposes comprising a new nine storey building for commercial (Class A1/B1) at ground floor level: student accommodation at upper floors; nine residential units; car parking, access and servicing and landscaping arrangements.
Drawing Nos:	Ground Floor Plan – Drawing No.30-000 Rev 3, First Floor Plan – Drawing No. 30 – 001 Rev 3, Second Floor Plan - Drawing No.30-002 Rev 2, Third Floor Plan - Drawing No.30-003 Rev 2, Fourth Floor Plan - Drawing No.30-004 Rev 2, Fifth Floor Plan - Drawing No.30-005 Rev 2, Sixth Floor Plan - Drawing No.30-006 Rev 2, Seventh Floor Plan - Drawing No.30-007 Rev 2, Eighth Floor Plan - Drawing No.30-008 Rev 2, Roof Plan - Drawing No.30-009 Rev 2, Site Plan - Drawing No.30-100 Rev 2, West Elevation – Plumbers Row – Drawing No. 30 – 500 Rev 3, North Elevation – Fieldgate Street – Drawing No. 30 – 501 Rev 3, East Elevation – Service Road – Drawing No. 30 – 502 Rev 3, West Elevation – Plumbers Row – Drawing No. 30 – 510 Rev 3, North Elevation – Fieldgate Street – Drawing No. 30 – 511 Rev 3, East Elevation – Service Road - Drawing No. 30 – 512 Rev 3, Section C-C – Drawing No. 30 – 602 Rev 3, Section D-D – Drawing No. 30 – 603 Rev 3
Applicant:	14 Fieldgate Street Ltd
Owner:	EDF Energy Networks
Historic Building:	Adjacent the Grade II Listed Bell Foundry
Conservation Area:	N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, 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's 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 (2008) and HSG1 of the Council's Interim Planning Guidance (2007) which seeks to ensure this.
- The provision of student housing is acceptable in principle as it will fulfil a proven need for student accommodation and is situated in a suitable location. As such, the proposed use is in line with policies 3A.25 of the London Plan (2008), policy HSG14 of the UDP 1998 and policy CP24 of the Interim Planning Guidance (October 2007)

which seek to ensure the provision of specialist and student housing..

- The commercial use on the ground floor (Class A1 or B1) is acceptable in principle as it will provide a suitable provision of employment. It will also provide a useful service to the community and future residents of the development. 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 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 building height, scale, bulk and design is acceptable and in line with Planning Policy Guidance 15, policies 4B.11 and 4B.12 of the 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 quantity and quality of housing amenity space is considered to be acceptable and in line with PPS3, policy 3D.11 of the London Plan (2008) policy 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.
- Transport matters, including parking, access and servicing, are acceptable and in line with London Plan (2008) policy 3C.1, 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 policy 4A.7 of the consolidated London Plan (2008), 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 improved open space and public realm and are in line with Government Circular 05/05, 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. The prior completion of a **legal agreement** to secure the following planning obligations:
- a) **£100,000** to improvements to Altab Ali Park
 - b) **£50,000** to local environmental and highway improvements
 - c) **£75,000** to local community facilities
 - d) Green Travel Plan

- e) Maximising Employment of Local People
- f) Car free development
- g) Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal

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:

Conditions

- 1) Time Frame
- 2) Construction Hours
- 3) Contaminated Land
- 4) Car /Cycle parking
- 5) Energy Strategy
- 6) Materials/ Detailing
- 7) Landscaping
- 8) Highway Works
- 9) Secured by Design Statement
- 10) Details of green roof and options for inclusion of bird/ bat bricks
- 11) Inclusive Access
- 12) Archaeological advice
- 13) Construction Management Plan
- 14) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

Informatives

- 1) Section 106 agreement required.
- 2) Section 278 (Highways) agreement required
- 3) Construction Environmental Management Plan Advice
- 4) Any other informative(s) considered necessary by the Corporate Director Development & Renewal

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

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The application seeks permission for the demolition of existing buildings and structures on site and redevelopment for mixed use purposes comprising a new nine storey building for 1,183sqm of commercial (Class A1/B1) at ground floor level: 9,633sqm of student accommodation at upper floors, nine residential units (comprising five x one bedroom and three x three bed room), car parking, access and servicing and landscaping arrangements.
- 4.2 The student accommodation comprises 339 bed spaces, with 86 being in cluster units of five/six sharing kitchen and bathroom facilities and 253 individual studio units with individual amenities. The student housing is orientated either to the northern boundary or to the south around an internal courtyard.

Site and Surroundings

- 4.3 The site is located on the prominent corner of both Fieldgate Street and Plumbers Row. To the north of the site is Mosque Tower and Terrace that form part of the East London Mosque. To the east of the site on the opposite side of Plumbers Row is the two storey Grade II* Listed Bell Foundry. To the south of the site is 17-19 Plumbers Row which is an eight storey mixed use scheme under construction. To the west of the site are commercial uses located within two storey buildings and known as at 77-101 Greenfield Road.
- 4.4 The existing site features three main buildings ranging in one to two storeys in height with the remainder of the site formed for secure car parking.
- 4.5 There are a number of existing amenity and support services within the area and the site is in close proximity to the Whitechapel Road shopping parade and markets.
- 4.6 In terms of built heritage, the site is not located within a Conservation Area and none of the buildings on the site are listed. However, it is directly adjacent both the Grade II* Bell Foundry and eastern boundary of the Whitechapel High Street Conservation Area.
- 4.7 The site has good access to public transport and other amenities, benefiting close proximity to the Aldgate Tube Station (approximately 500m to west) and Whitechapel Tube Station (approximately 600m to east) and several bus networks operate along Whitechapel and Commercial Roads.

Planning History

- 4.8 The following planning decisions are relevant to the application:

PA/04/01524 17-19 Plumbers Row - Demolition of existing buildings and construction of a building up to eight storeys to provide commercial space on lower and ground floor with 58 residential apartments above was approved on the 12th December 2005 on the directly adjacent site to the south.

5. POLICY FRAMEWORK

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

Unitary Development Plan 1998 (as saved September 2007)

Proposals:	AAIP	Area of Archaeological Importance
Policies:	DEV1	General Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV12	Landscaping
	EMP1	Employment Growth
	HSG14	Special Needs Housing
	HSG16	Amenity Space
	T16	Traffic Priorities

Interim Planning Guidance for the purposes of Development Control

Proposals:	AAP	City Fringe Area Action Plan
	AAIP	Area of Archaeological Importance
Core Strategies:	CP1	Creating Sustainable Communities
	CP3	Sustainable Environment
	CP4	Good Design

	CP7	Job Creation and Growth
	CP11	Sites in Employment Use
	CP19	New Housing Provision
	CP21	Dwelling Mix
	CP24	Specialist needs and Specialist Housing
	CP38	Energy Efficiency and Production of Renewable Energy
	CP41	Integrating Development with Transport
Policies:	DEV1	Amenity
	DEV2	Character & Design
	DEV13	Landscaping
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV22	Contaminated Land
	EE2	Redevelopment /Change of Use of Employment Sites
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG7	Housing Amenity Space
	CON1	Listed Building

Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space

Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (London Plan February 2008)

2A.1	Sustainability Criteria
3A.3	Maximising the Potential of Sites
3A.13	Special Needs and Specialist Housing
3A.25	Higher and Further Education
3C.1	Integrating Transport and Development
3C.3	Sustainable Transport in London
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.7	Renewable Energy
4B.1	Design Principles for a Compact City
4B.2	High Quality Design
4B.3	Quality of Public Realm

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS22	Renewable Energy

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

6. CONSULTATION RESPONSE

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

6.3 London Borough of Tower Hamlets – Environmental Health

Noise and Vibration

All habitable rooms in Noise Category C must have sound attenuating glazing and ventilators recommend condition to ensure this.

Construction hours, noise levels and vibration should be appropriately limited by condition.

Contaminated Land

A potential pathway for contaminants may exist on site and will need further characterisation to determine associated risks. It is recommended that a condition is included to allow for further investigations.

Daylight/ Sunlight

The identified failures are below BRE standards and concerns are raised (OFFICER COMMENT: Daylight and sunlight are discussed in section 8.4 of this report).

6.4 London Borough of Tower Hamlets – Highways

The scheme satisfactory and meets LBTH highway requirements and appropriate control processes are scheduled to be in place when the development is complete. Any doorways over public highway and with public accessible areas should either be inward opening or egress within the site.

Require a S278 to secure relevant highways work. An informative should be added to ensure this is secured.

S106 contribution for £50,000 for highway improvement works around the Junction of Fieldgate Street and Plumbers Row. Improvement works will include relocating the CCTV, resurfacing of the carriageway around the site

6.6 London Borough of Tower Hamlets – Crime Prevention

Provision for gates on the access road from Plumbers Row and the rear service yard is required.

(OFFICER COMMENT: Plans have been amended to include this. A condition is recommended to ensure it is implemented).

No reference to secured by design or crime prevention in the submitted statement. All student based new build in the borough is being built to SBD standards. A failure here would mean residents of this building were more vulnerable to crime and the fear of crime (OFFICER COMMENT: Recommend inclusion of a condition requiring submission of evidence that is complies with these standards prior to the commencement of works on site).

6.7 London Borough of Tower Hamlets – Parks

Request a £100,000 contribution towards improvements at Altab Ali Park. (OFFICER COMMENT: The applicant has agreed a contribution of £100,000 towards the redevelopment proposals at the park as part of the s106 negotiations).

6.8 English Heritage Archaeology

No objection subject to the inclusion of an archaeology condition.

6.9 English Heritage Design – (Statutory Consultee)

This is a significant development on a sensitive site in close proximity to the Grade II* listed Church Bell Foundry. Our concerns centre on the impact of the proposal on views of the listed Foundry, particularly from the junction of Whitechapel Road and Plumbers Row.

Originally the northern part of Plumbers Row, nearest to Whitechapel Road, was once very narrow. However, the widening of the junction has opened up views of the both the foundry and the large curved site from Whitechapel Road.

Recent development has altered the scale, the character and appearance, of this area. In particular the eight storey building known as Mosque Tower to the north and an eight storey building to the south of the site.

It is important that the curved facade is carefully considered in order that a heavy and overbearing appearance is avoided.

7. LOCAL REPRESENTATION

7.1 A total of 273 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 4 Objecting: 4 Supporting: 0

7.4 The following local groups/societies made representations:

- London Muslim Centre
- Mosque Tower Residents Association

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

- Noise from arrival and departure of student residents.
- Loss of daylight/ sunlight.
- Design and massing of the building is inappropriate
- Loss of privacy across Plumbers Row
- Building is too high
- Construction noise, pollution and traffic impacts
- Proposed development will cause additional traffic and road congestion

7.6 The following issues were raised in representations, but they are not material to the determination of the application:

- Increased drug and alcohol usage (Officer comment: There is no evidence that the proposed use will lead to an increase in the amount of drug or alcohol usage)
- No benefit to local community. (Officer comment: Although difficult to ascertain, there is no evidence the proposal will not benefit the local community)

8. MATERIAL PLANNING CONSIDERATIONS

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

1. Land use
2. Conservation and design
3. Amenity
4. Open Space
5. Access/ Highways
6. Other Matters

8.2 Land use

Student Housing

- 8.2.1 The Unitary Development Plan saved Policy HSG14 states that the Council will seek to encourage the provision of housing to meet the needs of residents with special housing needs. It goes on to state that: *“Such housing should be appropriately designed and suitably located for groups with special needs...including students”*.
- 8.2.2 Paragraph 5.29 of saved policy HSG14 of the Unitary Development Plan states that the Council will *“consider student housing in a variety of locations providing there is no loss of permanent housing or adverse environmental effects.”* It also notes that: *“Additional provision could release dwellings elsewhere in the Borough in both the public and the private rented sector”*.
- 8.2.3 Policy CP24 of the Interim Planning Guidance states that the Council will promote special needs and specialist housing by focusing purpose built student housing ... *in close proximity to the London Metropolitan University at Aldgate.”*
- 8.2.4 London Plan policy 3A.25 states that the Mayor will ensure that the needs of the education sector are addressed and will support the provision of student accommodation, subject to other policies contained in the London Plan.
- 8.2.5 The Councils Interim Planning Guidance notes that student housing should be focused around the borough’s existing higher educational establishments or within close proximity, being 5 minutes walking distance, from London Metropolitan University. Given the site is located in close proximity to London Metropolitan University, being approximately 500m from Aldgate, the proposal accords with this policy.
- 8.2.6 Both the London Plan and Unitary Development Plan seek to support the provision of student accommodation in providing appropriate housing choices for residents yet they provide no indication as to the most appropriate locations for student accommodation but are thus flexible in their approach. It is therefore considered that the proposal accords with these policies and provides an appropriate location for student accommodation being in close proximity to higher education institutions and public transport.
- 8.2.7 It is noted that the applicant has provided a letter of support for the proposal from the London Metropolitan University.
- 8.2.8 Overall, it is considered that there is an identified need for student accommodation and the site is situated in an appropriate location, with good transport links and being within easy walking distance of the main University campus at Aldgate. Furthermore, it is considered to be an efficient use of brownfield site and would not result in a loss of any permanent housing. It therefore accords with both the London Plan and Council policy.

Employment Uses

- 8.2.9 The existing site provides 2,500sqm of employment generating floor space in the form of car rental shop with associated parking, an art supply shop and warehousing uses

employing approximately 20 people on site.

- 8.2.10 Saved Policy EMP1 of the Unitary Development Plan encourages the redevelopment and upgrading of employment sites already or last in employment use, to produce more employment opportunities for all sectors of the community.
- 8.2.11 Policy CP11 of the Councils Interim Planning Guidance states that the Council will seek to protect viable employment sites (not specifically allocated for employment uses) which may form part of a mixed use development. Further, the Council will seek to retain sites for employment:
- Where the site is well-located in relation to the strategic or local highway networks; or rail or water transport;
 - Where the site benefits from high public transport accessibility and/or are on the edge of town centres;
 - Where there is current or future demand for them as employment uses; and where sites are viable for the existing employment use.
- 8.2.12 Policy EE2 in the Interim Planning Guidance (October 2007) generally resists development resulting in a loss of employment except in certain circumstances. The proposal seeks to re-provide 1,183sqm of commercial floor space on the ground and 9,633sqm of student accommodation on the upper levels. It is considered that increased employment opportunities will arise from both the commercial and student housing components of the proposal, with approximately 65 jobs anticipated.
- 8.2.13 In line with saved policy EMP1 of the Unitary Development Plan, and policy EE2 in the Interim Planning Guidance (October 2007), the proposal is not considered to result in a loss of employment and provides good quality replacement employment floor space, likely to generate an appropriate density of jobs for this location. As such, this proposal is acceptable in employment terms.

Residential Uses

- 8.2.14 The proposal seeks consent for the provision of nine residential units in part of the building fronting Plumbers Row. The nine units would comprise of 5 -one bedroom units and 3-three bedroom units.
- 8.2.15 The applicant has demonstrated that the proposed residential units are of an acceptable size and quality. The site is located within an existing residential context with units prevalent at adjoining mixed use developments to both the south along Plumbers Row and as part of the East London Mosque to the North. It is considered that the site is an acceptable location for residential uses.
- 8.2.16 It is considered that the site is appropriate for a mix-use development and that the proposal is in accordance with the Councils vision of providing balanced sustainable communities.

8.3 Conservation and Design

Site Layout

- 8.3.1 Policy DEV2 in the Interim Planning Guidance (October 2007) requires that the design and layout of proposed development should achieve the following:
- Respect the local character and setting of the site;
 - Reinforce local distinctiveness and contribute to a sense of place;
 - Produces a public realm that is integral to the development;
 - Ensure the public realm is comfortable and useable for pedestrians;

- Creates visual interest and building articulation;
- Contributes to the legibility and permeability of the urban environment;
- Ensure the use of high quality materials and finishes; and
- Ensure the development is comfortable and appropriate for the needs of all users.

- 8.3.2 The layout of the existing buildings, in its current condition, makes little contribution to the urban environment. The proposed redevelopment seeks to regenerate the site, providing defined edge to the corner and a strong identity for the visible site.
- 8.3.3 The layout provides cutaways along the site edge from second floor of the building to allow for suitable internal layouts and orientation of the cluster units. Given the impact such a design feature may have on the appearance of the building careful consideration of the external detailing has been undertaken by Council officers and is discussed in detail at section 8.3.9 – 8.3.18 of this report.
- 8.3.4 The internal layout of the scheme is designed around three cores, allowing for small cluster units and avoiding long corridors. This layout also allows the building to reduce energy usage and be economic to run.
- 8.3.5 The main entrance for the student housing is located along the northern boundary, which then provides access into the main communal amenity space.
- 8.3.6 In addition, the site is located in close proximity to Altab Ali Park. The applicant intends to contribute £100,000 via S106 contributions towards redevelopment works at the park. The Council Parks Team has advised that the contribution would go towards improving facilities for visitors and users of the Park, by allowing for works to improve the paths, site boundaries and entrances, provision of additional site furniture, planting and other similar facilities for users.
- 8.3.7 It is considered that the innovative design solution would reinforce local distinctiveness and contribute to a sense of place in the area especially given the existing site situation.
- 8.3.8 Overall, it is considered that the design and layout of the scheme as discussed above seeks to provide a high quality response to the constraints of the site. The proposed commercial component will seek to provide an active frontage to the ground floor around the site boundary. It is considered that given the visibility of the site that particularly attention needs to be given to the external appearance of the building. This will be discussed further in section 8.3.9 -8.3.18 of the report.

Height, Bulk and Massing

- 8.3.9 Good design is central to all the objectives of the London Plan. Chapter 4B of the London Plan 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 saved policies DEV1 and DEV2 of the UDP 1998 and the Interim Planning Guidance (October 2007).
- 8.3.10 Policy CP4 of the Interim Planning Guidance (October 2007) states that LBTH will ensure 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 Interim Planning Guidance (October 2007) reiterates DEV1 of the UDP 1998 and states that developments are required to be of the highest quality design, incorporating the principles of good design.
- 8.3.11 The general bulk and massing for the proposed building would allow for the definition and regeneration of a prominent corner site that is currently under utilised. The proposal seeks

to use cutaways into the elevation along the boundary edge to allow for better internal layout. However, Council Officers were of the opinion that the massing needs to respond in a way that allows for definition of the corner along the elevation. In response, the applicant has included with screens which whilst being permeable to ensure light egress for future residents allow for the massing to express the curve of the corner.

- 8.3.12 The building respects the emerging heights and sits well with the Listed Building given the width of the intersection between Fieldgate Street and Plumbers Row. However, this places greater weight on the external appearance of the building given both how visible the site is and the proximity to the Listed Foundry. To this end the applicant has provided sufficient evidence to ensure the quality of finishes and external appearance. Further, Councils officers have attached a condition requiring the approval of external materials prior to the commencement of works on site to ensure a high quality finish. The condition will require submission of a materials palette, window details and treatment to ground floor, including precedent studies, and images of sample materials. It will also require submission of schematic details for the mounting of the mesh cladding and landscaping, details for any corner signage proposed for shops/ building.
- 8.3.13 On balance, in accordance with London Plan guidance on quality design, and the Interim Planning Guidance (October 2007), the proposal scores merit for its response to the context, evolution of form, distinct character and the efficient use of a brownfield site that would contribute to the economy and regeneration of the area. The height of the building is considered to be acceptable given emerging precedents. The massing is considered acceptable subject to the screen and treatment of the elevation being carefully detailed with high quality materials.

External Appearance and Relationship to Adjacent Listed Buildings

- 8.3.14 The proposed student blocks would be a contemporary addition that would add interest to the area, creating a distinctive architectural impression. The proposed materials are considered appropriate. However, as noted above, to ensure the highest quality finishes are achieved, conditions requiring details of materials will be imposed.
- 8.3.15 The proposal has been assessed by the Council's Design and Conservation officers who are supportive of the scheme. It is acknowledged that, whilst the proposed scale and massing is greater than the present context, it would sit comfortably in emerging context for the area.
- 8.3.16 English Heritage has advised that the curved façade should be carefully considered in order that a heavy and overbearing appearance is avoided. To this end, the applicant has submitted computer generated images indicating the appearance of the building within the streetscene. This has been examined by the Council's conservation and design officers and considered acceptable, subject to conditions requiring the submission of sample materials to be used on elevations, particularly those facing the Church Bell Foundry. Upon receipt of these samples, it is proposed to consult Council Conservation and Design officers and English Heritage with regard to their acceptability.
- 8.3.17 The proposal takes into account and respects the local character and setting of the development site, through:
- the provision of a scale and form of development that is appropriate for this area;
 - a distinctive architectural impression that reinforces local distinctiveness and contributes to a sense of place;
 - Ensuring the public realm is comfortable and useable for pedestrians;
 - Conditions requiring details of building materials and external finishes;
 - the provision of flexible employment space to create activity; and
 - The provision of good quality purpose built and fully managed student

accommodation.

- 8.3.18 Overall, it is considered that the proposal represents a design, massing and scale which achieves a positive response to the sites context, including its relationship with the adjacent listed Foundry. On the basis of the above, the proposal generally satisfies the requirements of both the adopted Unitary Development Plan and Interim Planning Guidance (October 2007) and is considered acceptable.

Accessibility & Inclusive Design – Safety & Security

- 8.3.19 Saved policies DEV1 and DEV2 in the UDP 1998 and policy DEV3 of the Interim Planning Guidance (October 2007) seek to ensure that development incorporates inclusive design principles and can be safely, comfortably and easily accessed and used by as many people as possible. It is considered that the design and layout of public and private spaces within the development acceptable, it is recommended that a condition is included to ensure that access points are suitably designed.
- 8.3.20 Policy 3A.5 in the London plan requires 10% of new dwellings to be designed to be wheelchair accessible – this should also extend to student housing. The applicant has advised that 19 accessible rooms which is 5.6% of the total 339 rooms. Given this is below the 10% standard it is recommended that a condition is included on any permission requiring 10% provision.
- 8.3.21 The proposed nine residential units are required to achieve 100% compliance with lifetime homes standards. It is recommended that a condition is used to secure this.
- 8.3.22 Further Unitary Development Plan Policies DEV1 and DEV2 and Policy DEV4 of the Interim Planning Guidance seek to ensure that safety and security within development and the surrounding public realm are optimised through good design and the promotion of inclusive environments.
- 8.3.23 The redevelopment of this site would increase activity within the area, especially at night were the site is currently under utilised. Policy DEV4 in the Interim Planning Guidance (October 2007) states:

'The safety and security of development and the surrounding public realm should be optimised, without compromising the achievement of good design and inclusive environments, by:

- a) Ensuring building entrances are located and designed to be visible, safe and accessible;*
- b) Creating opportunities for natural surveillance of the public realm, including streets and open spaces, by:
 - i. designing development to face the street;*
 - ii. Providing windows in development to overlook streets and open spaces;*
 - iii. Providing active frontages adjoining the public realm; and*
 - iv. Providing an appropriate mix of uses within the development'.**

The proposal is considered to meet the above criteria and would add activity and natural surveillance from the windows throughout the site. The site would be fully managed and has 24 hour security. A condition requiring Secure By Design statement is recommended is permission is granted to ensure all aspects of the design have been carefully considered.

- 8.3.24 There is no evidence that the presence of students in an area would cause an increase in crime. It is unlikely that the development would result in adverse behaviour. Moreover, given the full management of the accommodation, it is considered any issues of adverse behaviour as a result of the proposed accommodation can be addressed if they did arise.

8.4 Amenity

- 8.4.1 Policy 4B.9 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.
- 8.4.2 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. Furthermore, Policy DEV1 of the IPG 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.
- 8.4.3 The applicant submitted a Daylight and Sunlight report, prepared by GIA, which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.

Daylight and Sunlight results

- 8.4.4 The standards for measuring daylight and sunlight are guided by Building Research Establishment (BRE) guidance. 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 and importantly the rooms actual use.
- 8.4.5 The change in sky visibility or VSC method only provides an indication as to whether there will be changes in lighting levels. It does not necessarily reveal whether the predicted quantity and quality of light is adequate, following the construction of a new development. However, the ADF method provides a means for making such an analysis.
- 8.4.6 The ADF will consider the amount of light necessary for the rooms use and activities generally undertaken with that room it then gives a minimum percentage for each room. These percentages are 2% for kitchens (though for a kitchen to be considered as habitable the room must be over 13sqm), 1.5% for living rooms and 1.0% for bedrooms. Any other room i.e. bathroom or hallway are not considered to be habitable and are therefore not relevant for assessment under BRE standards.
- 8.4.7 Sunlight is assessed through the calculation of what is known as the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south or, in other words, windows that receive sunlight. The amount of sunlight on a window should not be less than 5% of annual probable sunlight hours during the winter months 21st September to 21st March. This will ensure that the window will appear reasonably sunlit.
- 8.4.8 The site is located in an area which has residential uses to the north and south with predominantly commercial uses to the west and east.
- 8.4.9 The following residential properties that were considered to include habitable rooms were assessed for daylight and sunlight:
- Mosque Tower and Terrace
 - 17-19 Plumbers Row
 - 18 Plumbers Row
- 8.4.10 Mosque Tower and Terrace
The Mosque Tower and terrace sits north of the site across Fieldgate Street. Six rooms have been identified within this development as being most likely to suffer loss of daylight.

Of the six, two pass the BRE guidelines noted above (1.42 & 1.33), three just fail (0.95, 0.89 & 0.83) and there is one failure (0.68) which falls below the expected ADF level. On the basis that these rooms currently enjoy uninterrupted daylight access, the minimal number of rooms overall that are affected and the inner city urban context in which the site is located, the loss of daylight to these rooms would not sustain a refusal.

8.4.11 With respect to Sunlight, the applicant has undertaken design changes to the scheme that result in an improvement in the Annual Probable Sunlight Hours from below the BRE guideline of 4 to meet the BRE guideline of 5 on those windows most affected by the development. As a result, the sunlight access for the Mosque Tower is considered acceptable

8.4.12 17-19 Plumbers Row

This scheme is a consented scheme and has been considered for both daylight and sunlight access. All rooms within this development will retain appropriate daylight and sunlight access, well above the relevant BRE guidelines.

8.4.13 18 Plumbers Row

Across all windows at 18 Plumbers Row, there is no demonstrable loss in the amount of daylight or sunlight when compared to the current. i.e. The proposal will not make the situation worse in terms of daylight and sunlight access.

Overlooking and loss of privacy

8.4.14 The building's design includes some louvers, and the distance across Plumbers Row, it is not considered the proposed building would result in any adverse overlooking impacts or loss of privacy on the future residents at 17-19 Plumbers Row.

8.4.15 The proposed student blocks have been designed and orientated to minimise any unacceptable direct overlooking internally. It is considered that the proposal would not cause any unacceptable harm to the amenity of future occupiers of the building.

Sense of enclosure/outlook

8.4.16 Unlike, sunlight and daylight assessments, this impact cannot be readily assessed in terms of a percentage or measurable loss of quality of light. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Nevertheless, whilst it is acknowledged that the development will result in additional building form on an existing low rise site it is not considered that this would result in an increased sense of enclosure given the stepping nature of the building to the south and existing separation distances.

Noise and vibration

8.4.17 It is noted that objectors have raised concerns about noise from future students. There is no evidence to suggest that the student residents would cause more noise than any other residents. It is not considered the students would cause unacceptable noise disturbance, especially in conjunction with proper management of the site that would address any unacceptable anti social behaviour and noise.

8.4.18 Officers understand that the size of the proposed development creates concern about construction noise, debris from the site and traffic. In these circumstances, the Planning Department proposes to include a condition ensuring a stringent construction environmental management plan to this scheme to minimise noise and disturbance to nearby residents caused by construction noise, debris and traffic.

Open Space

- 8.4.19 The scheme provides a total of 9 residential units and 339 student housing bedspaces. However, there are no minimum standard of open space that relate specifically to student housing and it cannot be assessed with regard to the standard Housing policies including affordable housing, housing density and open space requirements. However, it is noted that the scheme does include a large internal courtyard, communal lounge areas and access to the first floor sedum roofs.
- 8.4.20 With respect to the 9 residential units, Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space. Each flat has a balcony of sqm off the living area/bedroom.
- 8.4.21 The site is located in a high density city fringe are and it is not surprising there is little provision of open space for the residential flats. To counter this, the applicant has agreed Contributions to park of £100,000. On the basis that this central urban location with restricted opportunity to provide the standard amounts of open space required by the SPG, the provision of a relatively small amount of open space for these 9 units is consistent with other residential properties in the area and the application would not warrant refusal on this basis.

Access/Highways

- 8.5.1 The site is in a location of good public transport accessibility (PTAL 6a) and has good links to areas with high public transport accessibility and is in close proximity to a range of local facilities, thereby encouraging more walking and reducing the reliance on private car use.
- 8.5.2 In particular the Aldgate Tube Station (approximately 500m to west) and Whitechapel Tube Station (approximately 600m to east) and several bus networks operate along Whitechapel and Commercial Roads. It is therefore considered that the site is located in a highly accessible location which would be of benefit for future residents.

Car parking and Cycle Parking

- 8.5.3 The site will provide 3 spaces. Highways have advised that one of these spaces should be for disabled use and 189 cycle parking spaces. This provision meets the standards set out by TFL and the Council's IPG. It is recommended that a condition is included to ensure the above is implemented.
- 8.5.4 According to policy 3C.23 of the London Plan, 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. It is considered that the proposal accords with this standard.
- 8.5.5 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.
- 8.5.6 In addition, a s106 agreement for the preparation, implementation and maintenance of a green travel plan will be secured.

Servicing and Refuse Provisions

- 8.5.7 It is recommended that a service management plan should be provided and secured by condition to ensure that the service areas identified above are secured and appropriately managed given the size of the development.
- 8.5.8 Provision for the storage and collection of refuse for the residential and non-residential uses has been provided for. It is recommended that a condition be included to ensure that this provision is adequate.

8.6 **Other Matters**

Archaeology

- 8.6.1 PPG15 Archaeology and Planning advises on procedures for dealing with archaeological remains and discoveries. Policy 4B.10 of the London Plan relates to historic conservation
- 8.6.2 The site is not located within an Archaeological Priority Zone as specified within the UDP and the IPG. English Heritage has reviewed the proposal and given the previous archaeological evaluations of the site under the previous schemes they do not consider it necessary for a condition to be included on the scheme.

Sustainability

- 8.6.3 The London Plan energy policies policy 2A.1 and 4A.3 to 4A.11 aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible. Energy Efficiency is addressed in policy DEV6 which reiterates the Mayor's target of 20% of new development's energy to come from renewable energy generated on site and a reduction of 20% of emissions. Policies DEV7, DEV8, DEV9 and DEV11 seek sustainable developments through water quality and conservation, sustainable drainage, sustainable construction materials and air pollution and air quality.
- 8.6.4 The applicant has submitted an energy statement to indicate that it will reduce carbon dioxide emissions through design measures to meet minimum requirements of building regulations. The proposed scheme will include a 70kWe CHP system and solar water heating panels to supply energy efficiently to the development to serve the student housing and residential units respectively.
- 8.6.5 The changes between the baseline scheme and the energy efficient scheme with CHP and renewable energy sources will lead to an overall 23% reduction in carbon dioxide emissions.
- 8.6.6 Furthermore, the statement states the residential development will achieve a code level 3 – code for sustainable homes. To ensure this is delivered Council's Energy Officer recommends that a condition is included on any permission to secure an assessment confirming compliance.
- 8.6.7 Overall it is considered that condition be included to ensure that the final Energy Strategy is submitted for approval by the LPA and that the system is secured in perpetuity.

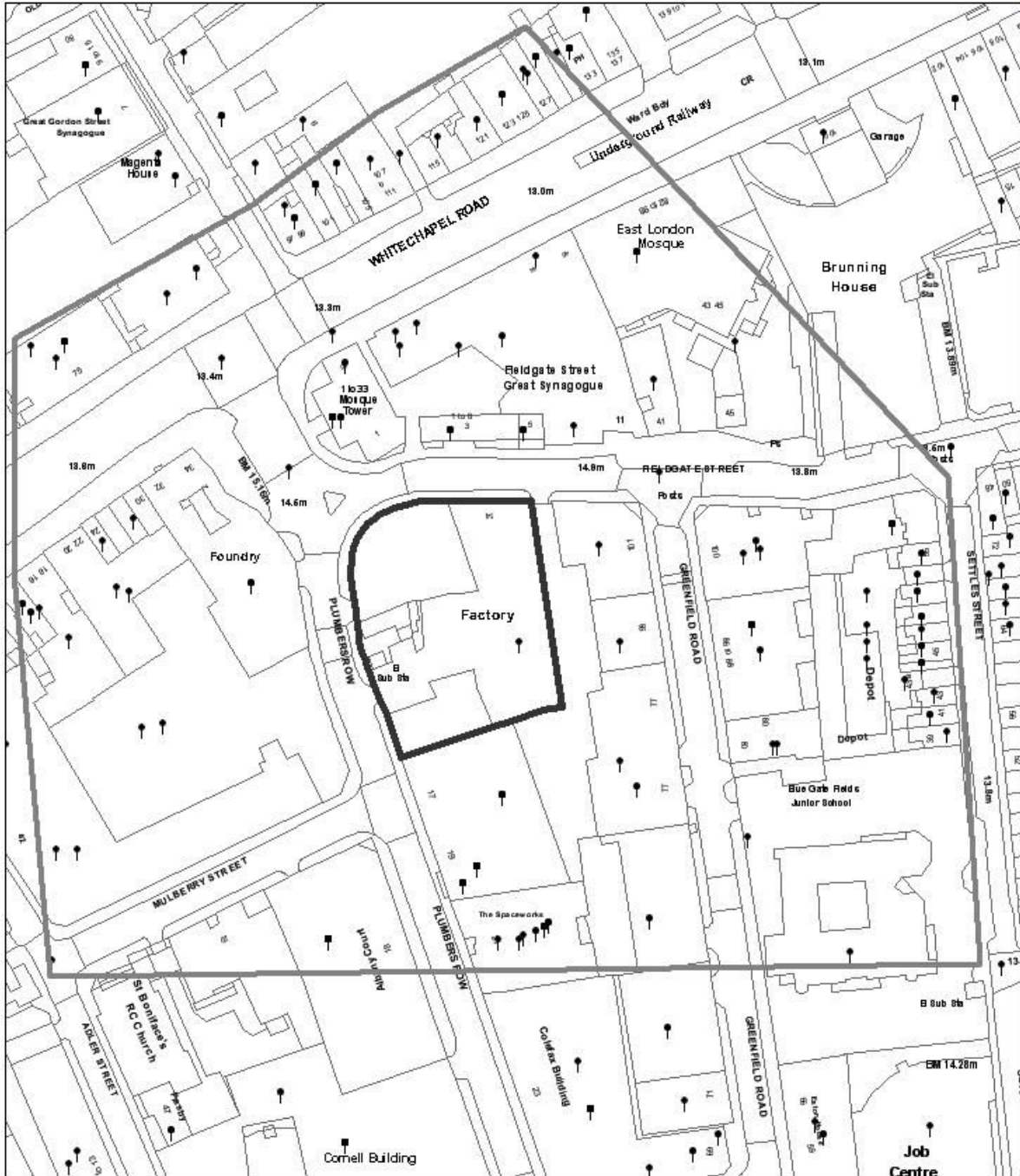
Community Centre

- 8.6.8 In order mitigate against impacts on local services, It is recommended that £75,000 be secured through the s106 agreement for the local community centre located at the Brady Arts & Community Centre in Hanbury Street.

9.0 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.

Planning Application Site Map



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



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 Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA086568

14 Fieldgate St