

Committee: Strategic Development	Date:	Classification: Unrestricted	Agenda Item No: 6.2
Addendum report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Shay Bugler		Ref No: PA/08/146	
		Ward(s): St Katherine's and Wapping	

1. APPLICATION DETAILS

- 1.1 Location: Saint Georges Estate, Cable Street, London E1
- 1.2 Existing Use: Residential
- 1.3 Proposal: Refurbishment of existing buildings and erection of nine buildings ranging from 6 to 9 storeys in height to provide 193 dwellings (13 x studios, 67 x 1 bed; 79 x 2 bed, 22 x 3 bed, 7 x 4 bed and 5x5 bed). Erection of four townhouses and erection of a community centre of 510 sqm and landscaping.

- 1.4 Drawing Nos: AP.004.A; AP.003.C; AP.010.D; AP.011.E; ap.019.b; AP.020.B; AP.025.A; AP.030.A; AP.031.A; AP.032.A; AP.033.A; AP.034.A; AP.037.A; AP.039.A; AP.040.A; AP.045; AP.050.A; AP.051.A; AP.052.B; AP.053.B; AP.059.B; AP.060.A; AP.065; AP.070.A; AP.071.A; AP.074.A; AP.076.A; AP.077.A; AP.078.A; AP.079.A; AP.080.A; AP.085; AP.090.A; AP.091.A; AP.092.A; AP.096.A; AP.097.A; AP.099.A; AP.100.A; AP.105; AP.110.A; AP.111.A; AP.115.A; AP.119.A; AP.120.A; AP.123AP.130.C; AP.131.C; AP.133.C; AP.139.A; AP.145; AP.150.A; AP.151.A; AP.152.A; AP.153.A; AP.155; AP.157; AP.190.A; AP.191.A; AP.192.A; AP.196.A; AP.197.A; AP.199.A; AP.210; AP.211

- Design, Access and Community involvement Statement (Burrell. Foley, Fisher)
- Landscape Statement (Coe Design Landscape Architecture)
- Ground Conditions Report (Herts & Essex Site Investigation)
- Noise Assessment (Enviros)
- Air Quality Assessment (Enviros)
- Daylight and Sunlight Report (Calford Seaden)
- Archaeological Assessment (Sutton Archaeologicval Services)
- Arbocultural Impact Assessment (DF Clark Bionomique Ltd)
- Transport Assessment (Peter Brett Associates)
- Sustainability and Energy Efficiency Report (Whitecode Design Associates)
- Planning and Regeneration Statement- (August 2008) by Leaside Regeneration

Applicant: East End Homes
Owner: East End Homes
Historic Building: N/A
Conservation Area: N/A

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, 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 national, regional and Council estate regeneration policy and guidance, which seek that all homes be brought up to Government's "Decent homes plus" standard, as part of estate renewal schemes. As such, the development complies with policy 3A.9, 3A.12 and 4B.3 of the London Plan and policies DEV1, DEV2, HSG1 and HSG5 of the Council's Interim Planning Guidance (October 2007), which seek to ensure this.
- The proposal maximises the development potential of the site without any of the problems typically associated with overdevelopment. As such, the development complies with policy 3A.9, 3A.12 and 4B.3 of the London Plan and policies DEV1, DEV2, HSG1 and HSG5 of the Council's Interim Planning Guidance (October 2007), which seeks to ensure this.
- In light of the estate renewal objectives and the fact that there is no net loss of housing, the proposal provides an acceptable amount of affordable housing and mix of units overall. As such, it is in line with policies 3A.4, 3A.7, 3A.8 and 3A.9 of the London Plan, policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2, HSG3 and HSG5 of the Council's Interim Planning Guidance (October 2007), which seek to ensure that new developments offer a range of housing choices.
- The replacement and overall increase of multi-functional community (Class D1) use is acceptable and would provide essential community services. As such, it is in line with policies S7, and SCF11 of the Council's Unitary Development Plan 1998 and policy SCF1 of the Council's Interim Planning Guidance (October 2007), which seek to ensure services are provided that meet the needs of the local community.
- The amount of amenity space is acceptable and in line with policies HSG16 of the Council's Unitary Development Plan 1998 and policies HSG7 of the Council's Interim Planning Guidance (October 2007), which seek to improve amenity and liveability for residents.
- The height, scale and design of the proposed buildings are acceptable and in line with policy criteria set out in 4B.1 of the London Plan, policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (October 2007), which seek to ensure buildings are of a high quality design and suitably located.
- Transport matters, including parking, access and servicing are acceptable and in line with policies DEV1 and T16 of the Council's Unitary Development Plan 1998 and policies DEV17, DEV18 and DEV19 of the Council's Interim Planning Guidance (October 2007), which seek to ensure developments can be supported within the existing transport infrastructure.
- It is considered that the proposed development would not have an adverse impact on

the residential amenity of the surrounding properties, subject to appropriate conditions, to mitigate against the impact of the development. A number of conditions are recommended to secure the submission of details of materials, landscaping, external lighting, plant, and to control noise and hours of construction.

- Planning contributions have been secured towards the provision of additional affordable housing, a new community centre, highway improvements and environmental improvements across the entire site in line with Government Circular 05/2005, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Interim Planning Guidance (October 2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

- Should the scheme receive housing grant from the Housing Corporation, 35% affordable housing by habitable rooms will be provided (Option 1); should this scheme not receive housing grant from the Housing Corporation, 25% affordable housing by habitable rooms will be provided (Option 2)
- A contribution of **£262, 941** to mitigate the demand of the additional population on health care facilities
- A contribution of **£296, 208** to mitigate the demand of the additional population on education facilities
- A contribution of **£806, 677** for the provision of a new community centre
- Allocating **£10.155** million to secure the upgrade of existing units to decent home standards
- Preparation of a Green Travel Plan
- A car free agreement to restrict the occupiers of the new build units from applying for residents parking permits in the area
- Car club scheme
- Commitment towards utilising employment initiatives in order to maximise the employment of local residents
- Any other planning obligation(s) considered necessary by the Corporate Director Development & Renewal.

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

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

Conditions

- 3.5
- 1) Permission valid for 3 years
 - 2) Details of the following are required: material including samples of proprietary directional glazing, CCTV, external landscaping including semi mature trees
 - 3) Details of visibility splays on Wellclose Square are required
 - 4) Full refuse details
 - 5) Demolition and Construction Management Plan
 - 6) Amending condition bicycle parking details (1 cycle space per unit)
 - 7) Energy efficiency strategy implementation

- 8) Disabled car parking details
- 9) Bicycle parking details
- Wind Assessment
- 10) Telecommunications study
- 11) Soil contamination
- 12) Highways works
- Limit hours of power/hammer driven piling/breaking bout to between 10.00 hours to 16.00 hours Monday to Friday
- 13) Archaeological evidence details
- 14) Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 9.00 Hours to 17.00 Hours on Saturdays.
- 15) Community centre to be restricted to D1 use
- 16) Servicing management Plan
- 17) Details on foul & surface drainage systems
- 18) Storage facilities for oil, fuels or chemicals
- 19) Surface water source control measures
- 20) Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal.

3.6 Informatives

- 1) Subject to S106 agreement;
 - 2) Contact Building Control
 - 3) Contact Environmental Health
 - 4) Contact Highway Services with regard to S278 highway works
 - 5) Contact Thames Water
 - 6) Contact Cross London Rail Links Limited
 - 7) Any other informative(s) considered necessary by the Corporate Director Development & Renewal
- 3.7 That, if by 28th November 2008 of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4.0 BACKGROUND

- 4.1 This application was originally presented to the members of the Strategic Development Committee on the 29th May 2008. The original report recommended approval of this proposal subject to the conditions and completion of a Section 106 agreement. The previous committee and addendum report are attached in appendix 1. At the meeting, it was agreed to defer the item to clarify some of the figures detailed in the report.
- 4.2 The application was again presented to the members of the Strategic Development Committee on the 10th July 2008. However, it was deferred to enable further negotiation in respect of increasing:
- the amount of affordable housing and;
 - the mix of social rented accommodation.

5. CONSIDERATION

- 5.1 Following on from this previous committee meeting, the applicant subsequently attended a meeting with Officers to discuss what options were available to increase the provision and mix of affordable housing on site.

Option 1 (35% affordable housing with grant funding)

- 5.2 The first option considered was to provide 35% affordable housing. However, a financial appraisal of the scheme revealed that this could only be achieved should the Housing Corporation provide grant for this scheme.
- 5.3 Whilst this option would achieve the amount of affordable housing normally expected in new residential developments (35%), it is not certain that such funding is obtainable. This is because previously the Housing Corporation have only provided grant for new, rather than replacement housing on the basis that other regeneration revenue funding would provide grant for such development. Ordinarily, estate renewal grants have not been given a high priority by the Housing Corporation. Moreover, the Council's old policy of seeking 'grant free' affordable housing has meant that neither Registered Social Landlords or the Housing Department have sought grant for this type of development previously.
- 5.4 However, the Council's new estate renewal housing policy (HSG 5) and the Council's more liberal approach to accepting grant funding, plus the increased grant resources available to the Housing Corporation has meant that such an approach for new grant funding is now more likely to be acceptable. Early indications from the Housing Corporation to the applicant and Council Housing Officers are that a grant application seeking to fund the new supply affordable housing units in this development may be successful.
- 5.5 Should grant be received, the proposal would make provision for 35% affordable housing by habitable rooms. The scheme will provide for 54 new affordable units. 29 units in the social rented and 25 units in the intermediate tenure.
- 5.6 Policy HSG2 of the Council's IPG seeks an adequate choice of housing size and states a need for 45% of all affordable units to be provided as larger family housing (3 bed +). Market and intermediate housing should provide 25% of units as family sized accommodation. The proposal achieves the following mix:

Dwelling mix in Option 1

5.7

Unit size	Total units	Social Rented			Intermediate			Private Sale		
		Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	13	0	0	0	0	0	25	13	9.4	25
1 bed	67	1	3.2	20	11	47.8	25	55	39.6	25
2 bed	79	14	45.2	35	12	52.2	25	53	38.1	25
3 bed	22	4	12.9	30	0	0	25	18	12.9	25
4 bed	7	7	22.5	10	0			0		
5 bed	5	5	16.2	5	0			0		
Total	193	31	100	100	23	100	100	139	100	100

- 5.8 The proposal makes provision for 13% family units within the market tenure which falls short of the 25% target. However, the scheme makes provision for 55% affordable housing in the social rented tenure which well exceeds policy requirement of 45%. Overall, the Council considers this to be acceptable.
- 5.9 As noted above, this proposal can only be achieved with the provision of grant funding. Given the current economic climate and the slowing down of the construction of new homes, the Housing Corporation is now likely to consider grant funding for estate regeneration schemes. As such, there is a reasonable expectation that this option is deliverable.

Option 2 (25% affordable housing, excluding grant funding)

- 5.10 The second option discussed with the applicant was to look at the possibility of increasing the provision of affordable housing without grant funding. Officers and the applicant looked at increasing the provision of affordable housing by more than current 25% on site. However, the detailed financial assessment of the scheme provided by the applicant showed that the cross subsidy necessary for the refurbishment of the whole estate made the provision of any more affordable housing or a change in the mix of the housing provided problematic. If either the percentage of affordable housing was raised or the mix changed, then the cost of this would directly affect the refurbishment works proposed to the existing Estate and its residents.
- 5.11 Moreover, Policy HSG5 makes special provisions whereby it will relax the requirement for additional affordable housing in estate regeneration schemes, where it can be demonstrated additional market housing is absolutely necessary in order to cross subsidise the works being undertaken to bring the existing dwellings on site up to 'decent homes plus' standard. The applicant has demonstrated to the Council that the provision of market housing on the estate regeneration site is necessary in order to cross-subsidise the works being undertaken to bring existing dwellings on site up to decent homes plus standard.
- 5.12 The refurbishment works and associated costs of the Estate renewal are in summary:

New Kitchens and bathrooms	£ 3,845,976.27
New central heating	£ 3,271,589.22
Roof repair renew	£ 879,193.98
Thermal insulation/façade improvement	£ 4,721,670.93
New double glazed windows	£ 1,576,110.53
Estate garden improvement - including play areas	£ 3,501,045.63
Improved security- concierge/entry doors	£ 1,089,671.00
New block entrances	£ 657,800.00
New Lifts	£ 1,484,900.00
Improved staircases and landings	£ 619,230.15
Improved safety works- asbestos and fire	£ 1,290,932.50
Improved lighting	£ 578,105.00
Balcony upgrading	£ 75,631.19
New mains electrical supply	£ 1,546,462.50
Water mains renewal	£ 619,230.15
New refuse disposal system	£ 127,765.00
New Community facilities	£ 768,000.00
Total	£ 26,653,314.04

The Council has been informed that the above works figures are without fees on Costs and VAT.

Dwelling mix in option 2

5.13

Unit size	Total units	Affordable Housing						Market Housing		
		Social Rented			Intermediate			Private Sale		
		Units	%	Target %	Units	%	Target %	Units	%	Target %
Studio	13	0	0	0	0	0	25	13	8	25
1 bed	67	0	0	20	1	7	25	66	41	25
2 bed	79	2	11	35	13	93	25	64	40	25
3 bed	22	4	22	30	0	0	25	18	11	25
4 bed	7	7	39	10	0					
5 bed	5	5	28	5	0					
Total	193	18	100	100	14	100	100	161	100	100

5.14 Option 2 makes provision for 32 new affordable units. The proposal makes provision for 11% family units within the market tenure which falls short of the 25% target. However, the scheme makes provision for 56% affordable housing in the social rented tenure which well exceeds policy requirement of 45%. Overall, the Council considers this to be acceptable.

5.15 Planning permission for similar estate regeneration projects were approved with significantly less affordable housing than the amount of affordable housing proposed in Option 1 & Option 2. For example:

- The estate regeneration project at Leopold Estate made provision for 12% affordable housing by habitable rooms and was approved in August 2008.
- The regeneration of the British Street Estate made provision for 10% affordable housing by habitable rooms. This was approved in June 2007.

5.16 In many estate regeneration proposals, developers may be unable to secure grant funding to provide 35% affordable units because the Housing Corporation has hitherto been unwilling to fund these schemes. The purpose of HSG5 of the IPG 2007 is to allow a degree of flexibility on the amount of affordable housing provided, where it can be sufficiently demonstrated that the provision of market housing on an estate is necessary to cross subsidise the works being undertaken to bring existing dwellings up to a 'decent homes plus' standard. The applicant has demonstrated this in detail to the Council. As such, Officers consider that a reason for refusal on lack of affordable housing grounds would be difficult to sustain.

Additional information

5.17 Since the publication of the previous Committee reports (dated 29th May 2008 & 10 July 2008), the Council has received two additional responses from St. Paul's C. and E. Primary School & Shapla Primary School. They raised the following concerns:

- The proposed underground car park on the estate fronting Wellclose Square would affect the safety of children crossing the road on Wellclose Square
- The majority of cars would use the proposed Wellclose Square exit rather than the existing exit. This would mean that cars are brought out further down Cable Street, thereby increasing the danger to the pupils.
- St Paul's school was not consulted on the proposed development.

5.18 *Officers comment:*

The overall car parking provision in the estate will be reduced from 207 spaces to 195 spaces. Some of the existing on street parking will be moved to an extended parking area beneath the new podium between Shearsmith House and Hatton House. The purpose of

providing an additional exit is to reduce congestion on the existing access points on Cable Street. There is no evidence to suggest that they will have an adverse impact on the safety of pupils. Notwithstanding, the applicant will be required to provide visibility splays of 2.4m by 4m close to the Wellclose Square. This will be secured by way of condition.

St. Paul's C of E Primary School were consulted on the proposal on 12th February 2008.

5.19 **Shapla Primary School**

- The proposal affects the safety of the pupils at Shapla Primary School
- Shapla School has at no stage been consulted on these proposals.

5.20 *Officers comment:*

The school is not located within the immediate vicinity of the site. There is no evidence to suggest that having an access point off Wellclose Square could endanger the safety of pupils. The footpaths around the site are in good condition and this in itself promotes pedestrian safety.

Shapla Primary School were consulted on 12th Feb 2008.

6.0 **Conclusions**

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.