

Committee: Strategic Development	Date: 9 th October 2008	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Development & Renewal		Title: Planning Application for Decision	
Case Officer: Jason Traves		Ref No: PA/08/1162	
		Ward(s): Bromley by Bow	

1. APPLICATION DETAILS

Location: St Andrews Hospital, Devas Street, E3 3NT

Existing Use:

Proposal: Development up to 10 storeys in height to provide 194 dwellings (85 x 1bed, 65 x 2bed, 38 x 3bed, 3 x 4bed, 3 x 5bed); 80sqm shopping, drink and professional service uses (Use Classes A1,A2, and A4), 2004sqm of community, health, education and cultural uses (Use Class D1) and/or assembly and leisure uses (Class D2) together with provision of open space and landscaping; cycle ways and pedestrian routes; vehicle , motor cycle and cycle parking; and ancillary works.

The application has been submitted as a hybrid, concurrently with the outline application PA/08/1161 for the redevelopment of the entire St Andrews hospital site.

Drawing Nos: 527-07: 000 P1; 99 P1; 100 P3; 101 P4; 102 P4; 103 P3; 104 P3; 105 P3; 106 P3; 107 P3; 108 P3; 109 P3; 110 P2; 200 P2; 201 P1; 210 P1; 211 P2; 300 P2; 301 P3; 400 P1; 401 P2; 402 P1; 403 P1; 800 P1; 801 P1; 802 P1; 901 P1; 902 P1; 903 P1; 904 P1; 905 P1; 906 P1; 907 P1

TOWN364(08): 5001 R09; 5002 R07

No. 13 x plans of the existing St Andrews hospital (Greenhatch Group)

No.1 x survey plan (Greenhatch Group)

Planning Statement
Design and Access Statement
Environmental Statement
Shadow Analysis
Transport Assessment
Framework Travel Plan
Statement of Community Involvement

Applicant: London Development Agency and Barrat Homes (East London)
Owner: London Development Agency
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, Interim Guidance, associated supplementary planning guidance, as well as the London Plan and Government Planning Policy Guidance and has found that:

- (a) The proposed land use is in accordance with the Interim Planning Guidance Proposals Map in proposing a scheme comprising of residential units (Class C3), a healthcare facility (Class D1), as well as the provision of over 1ha of open space. As such the proposal is in line with the Leaside Area Action Plan and draft Bromley-by-Bow masterplan Policy CP19 which encourages redevelopment of the site which includes housing, a PCT facility and public open space contribution.
- (b) The scheme has a density of 770 habitable rooms per hectare. The scheme is considered to be an appropriate scale and shows no symptoms of overdevelopment. As such, the scheme is within the capacity of the site and area and in accordance with the guidance on density, pursuant to Policies 3A.3 'Maximising the Potential of Sites' of The London Plan, Policies CP20 'Sustainable Residential Density' and HSG1 'Determining Residential Density' of the LBTH Interim Planning Guidance (2007), which seek to ensure that development is sustainable and set an appropriate location.
- (c) The scheme provides significantly in excess of the total required amenity open space. Therefore, the proposal addresses the amenity needs of future occupiers pursuant to policies HSG 16 'Housing Amenity Space' and 'Residential Space SPG' of the LBTH adopted UDP 1998 and CP25 'Housing Amenity Space' of the LBTH Interim Planning Guidance (2007).
- (d) The scheme provides for 57% affordable housing. The 47:53 split between the social rent and shared ownership tenures is acceptable, on the basis that over 50% affordable housing is achieved. The scheme also provides 23% family housing. Therefore the scheme caters for housing need, pursuant to Policies CP22 'Affordable Housing', 3A.7 'Affordable Housing Targets', CP21 'Dwelling Mix and Type' of the LBTH Interim Planning Guidance (2007).
- (e) The scheme complies with LBTH Policy DEV1 'Design Requirements' and CP4 'Good Design', which require a development to be sensitive to the area and that buildings and spaces should be high quality, attractive, safe and well integrated.
- (f) The scheme provides for the amenity of future occupiers in making adequate provision for waste/recycling storage. As such, the scheme is in accordance with Policies 4B.1 'Design Principles for a Compact City', 4B.5 'Creating an Inclusive Environment', 4A.3 'Sustainable Design and Construction', 4B.10 'Large-scale Buildings – Design and Construction' of The London Plan (Consolidated 2008), Policies CP1 'Creating Sustainable Communities' of the Interim Planning Guidance as well as PPS1 and PPS3 which seek to ensure a high quality environment and the amenity of future occupiers.
- (g) The scheme provides for the amenity of future occupiers in making adequate provision for noise and vibration impacts through the building design. Therefore the scheme is in accordance with Policies 4B.1 'Design Principles for a Compact City', 4B.5 'Creating an Inclusive Environment', 4A.3 'Sustainable Design and Construction', 4B.10 'Large-scale Buildings – Design and Construction' of The London Plan (Consolidated 2008), Policies CP1 'Creating Sustainable Communities' of the Interim Planning Guidance as well as PPS1 and PPS3, which seek to ensure a high quality environment and the amenity of future occupiers.
- (h) The scheme has taken into consideration its relationship with neighbours and any

potential impact posed. There is no significant overshadowing, microclimate effects, privacy, outlook or overlooking impacts. In terms of loss of light, only three habitable rooms are moderately affected by this development. This is not deemed, on balance, to outweigh the benefits this scheme will bring for the area, sufficient to justify a reason for refusal. Therefore, the scheme has appropriately addressed its relationship and impact with neighbours, in accordance with Policies 4B.1 'Design Principles for a Compact City', 4B.5 'Creating an Inclusive Environment', 4A.3 'Sustainable Design and Construction', 4B.10 'Large-scale Buildings – Design and Construction' of The London Plan (Consolidated 2008), Policies CP1 'Creating Sustainable Communities' of the Interim Planning Guidance as well as PPS1 and PPS3 which seek to ensure the amenity of the adjacent area is protected.

- (i) The scheme would have no significant transport impact on the area. Furthermore, the access, servicing, car parking, bicycle parking and car club arrangements for the development are acceptable. Therefore the scheme accords with Policies PPG13 'Transport' as well as Policies 2A.1 'Sustainability Criteria', 3A.7 'Large Residential Developments', 3C.1 'Integrating Transport and Development' of The London Plan (Consolidated 2008), Policies ST25, ST28, ST30, of the adopted UDP 1998 and Policies CP1 'Creating Sustainable Communities, CP41 'Integrating Development with Transport' CP43 'Better Public Transport', DEV16 'Walking and Cycling Routes and Facilities' of the LBTH Interim Planning Guidance 2007. These policies seek to ensure the scheme adequately provides for the needs of the future development, as well as considering potential impacts on the surrounding area.
- (j) Measures incorporated into the scheme, including green roofs, a Combined Heat and Power (CHP) system, and bio-fuel boiler have satisfactorily addressed the policy requirement to reduce carbon dioxide emissions as well as providing renewable energy. The scheme therefore accords with Policies CP3 'Sustainable Environment', CP38 'Energy Efficiency and Production of Renewable Energy', DEV5 'Sustainable Design', DEV6 'Renewable Energy' of the LBTH Interim Planning Guidance 2007 as well as Policies 4A.4 'Energy Assessment', '4A.6 Decentralised Energy: Heating, Cooling and Power', 4A.7 'Renewable Energy' of the London Plan (Consolidated 2008). These policies seek to tackle climate change by reducing the reliance on non-renewable energy resources and reducing pollution, thereby, making schemes more energy efficient and sustainable.

3. RECOMMENDATION

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

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

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

- a) In the event that the associated outline (hybrid) is approved, the following s106 form the subject application should apply:
 - An addendum agreement to the outline application to secure a proportion of affordable housing of **57%** based on habitable rooms of the proposed units to be provided as affordable housing with a 47:53 split between social rent and shared ownership tenures;
 - Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, employment/training initiatives.
- b) In the event that the associated outline (hybrid) is refused, the s106 should take the following form. Namely, an agreement that secures as pro-rata

contribution to mitigate the impact of the 194 units of phase 1:

- A proportion of **57%** based on habitable rooms of the proposed units to be provided as affordable housing with a 47:53 split between social rent and shared ownership tenures;
- Provide **£704,200.00** towards the upgrade to Bromley-by-Bow station upgrade and connectivity improvements;
- Provide **£345,166.25** towards education to mitigate the demand of the additional population on education facilities;
- Provide **£50,300.00** towards highway improvement works; and
- Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, employment/training initiatives and public art opportunity

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

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

Conditions

- 1) Time limit for full planning permission
- 2) Details of the following are required:
 - Materials board and drawings of scale 1:5
 - Balcony details with typical drawings and sections of scale 1:5
- 3) A Landscape management plan is required.
- 4) Parking provision for:
 - Minimum 3 accessible parking spaces for people with a disability of which, minimum 1 accessible space for the PCT facility;
 - Minimum cycle spaces; should be provided
- 5) Final delivery/servicing strategy to be agreed
- 6) Car free agreement is required
- 7) S278 agreement is required
- 8) Full details of waste and recycling facilities
- 9) Full details of green roofs
- 10) Hours of construction limits (0800 – 1800, Mon-Fri: 0800 – 1300 Sat)
- 11) Piling hours of operation limits (10am – 4pm Mon-Fri)
- 12) Wheel cleaning facility during construction
- 13) 20% renewables required.
- 14) Full particulars of renewable and efficiency details
- 15) Full particulars of the fitout of the healthcare facility required
- 16) Final BREEAM healthcare assessment
- 17) Final Code for Sustainable Homes assessment
- 18) Lifetime homes standards and 10% wheelchair accessible housing
- 19) Full land contamination study and remediation measures [as required by the Environment Agency (EA)]
- 20) Full particulars of clean fill
- 21) Full particulars of wind mitigation measures
- 22) Full particulars of noise mitigation measures
- 23) Full particulars of mechanical ventilation and ductwork
- 24) Further modelling and full particulars of air pollution mitigation measures
- 25) Full particulars of the surface water drainage system as required by EA
- 26) Details of storage of oils, fuels and chemicals as required by EA

- 27) Program of archaeology as required by English Heritage
- 28) Water impact study as required by Thames Water (TW)
- 29) Drainage strategy as required by TW
- 30) Black Redstart survey required
- 31) Bat study required
- 32) Construction Management plan is required
- 33) Any additional conditions as directed by the Corporate Director Development and Renewal

Informatives

- 1) Legal agreement
 - 2) For landscaping condition consult ecology section and Natural England to ensure nectar rich varieties included in scheme
 - 3) For green roof design consult Natural England and ecology section
 - 4) Consult Thames water in respect drainage impact study, drainage strategy and connection to the sewer as well as any other issues or approvals that may be required
 - 5) Consult Metropolitan Police
 - 6) Consult PCT and metropolitan police in respect of the healthcare facility fitout
 - 7) Renewable energy systems to be explored in future phases of the scheme
 - 8) S278
 - 9) Car free grampion
 - 10) Consult EA
 - 11) EA to be consulted to establish if separate approval is required in respect of the use of clean fill.
 - 12) Consult LFEPA in respect of infrastructure for fire fighting purposes
 - 13) Consult EH archaeology
 - 14) Submit info in a detailed project design to address potential damage to remains
 - 15) Consult GLA in respect of waste strategy and acoustic measures
 - 16) Note that undercroft parking is not given full permission and needs to come forward as part of reserved matters
 - 17) Consult GLA and TFL in respect of the deliver/servicing mgt plan
- 3.4 That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The subject scheme is the detailed application for phase 1 namely (Block A) and is a hybrid application, being submitted concurrently with the outline scheme for the redevelopment of the entire St Andrews hospital site. For details of the outline scheme, see the separate report for PA/08/1161.
- 4.2 The application proposes a development up to 10 storeys in height with a central communal courtyard space. It comprises of 194 dwellings (85 x 1bed, 65 x 2bed, 38 x 3bed, 3 x 4bed, 3 x 5bed); 80sqm shopping, drink and professional service uses (Use Classes A1, A2, and A4), 2004sqm of community, health, education and cultural uses (Use Class D1) and/or assembly and leisure uses (Class D2). It also provides open space and landscaping; cycle ways and pedestrian routes; vehicle, motor cycle and cycle parking; and ancillary works.
- 4.3 Block A is between 3 and 10 stories high, with a central communal courtyard space. It includes a primary care trust (PCT) facility at the northern end of the building. The other non-residential use is located in the south western corner of the site and comprises one unit to be commercial (Class A1, A2 or A4). The residential dwellings are located throughout the

scheme and include market, social rent and shared ownership tenures. The ground floor provides for servicing including waste and cycle storage. The basement level is occupied by the combined heat and power (CHP) plant and other renewable technologies. It will cater for the entire outline scheme (Blocks A – E).

- 4.4 The key aspects of the detailed application are as follows:
- The provision of 2,004sqm for a Primary Care Trust (PCT) facility which is predicted to generate 16 general practitioner jobs in the PCT;
 - The provision of 80sqm of commercial floor space (Class A1, A2 and A4) which is predicted to generate 3 jobs;
 - 12,418sqm of residential (C3) flats with sizes ranging between studio – 5 bedroom;
 - Affordable housing provision which equates to 57% of total habitable rooms or 59% of the GEA, or 49% of unit yield;
 - Residential design that achieves level 3 for the Code for Sustainable Homes Criteria as well as 10% wheelchair housing;
 - In terms of sustainability: the incorporation of measures predicted to reduce Carbon dioxide emission by more than 20%;
 - A total of 4890.56sqm of amenity space comprising:
 - A total of 2,174.56sqm of private amenity space in the form of gardens, balconies and roof terraces;
 - 665sqm communal space in the central courtyard;
 - A total of 2,051sqm of publicly accessible open space comprising Reeves Square (687sqm), Nelson Walk (659sqm) and amenity improvements in the form of pavement widening adjacent Devas Street and Devons Road (705sqm);
 - A total of 128sqm of children's playspace within the courtyard and Nelson's Walk;
 - The provision of 3 accessible parking spaces for people with a disability, of which 1 is dedicated to the PCT facility;
 - The provision of 194 secure cycle spaces for residential C3 flats, 18 spaces (9 Sheffield stands) in the forecourt of the PCT and 6 spaces (3 Sheffield stands) in Nelson's Walk; and
 - The provision of refuse and recycling facilities.

Site and Surroundings

- 4.5 The application site comprises 0.76Ha in the south western corner of the former St Andrews hospital. This section of the St Andrews site has a frontage with Devon's Road to the west and Devas Street to the south.
- 4.6 The hospital was constructed in 1969 and was originally the Stepney Sick Asylum. The site is all but demolished. The agent advises that the original building comprised of eight separate blocks which were later added to in the 1930s and post 1945. All that remains are the central tower, a line of trees along the northern boundary as well as a series of relatively modern buildings in the south east of the site.
- 4.7 To the north, the site is bordered by London Underground track. Bromley-by-Bow tube station is adjacent the site and serves the District line and Hammersmith and City Lines. Beyond this is the Devons and Bow Bridge estates.
- 4.8 To the south are residential flats in the Coventry Cross estate as well as Marnier Primary School.
- 4.9 In relation to the primary school, it is noted that planning permission was granted on 14 August 2008 for a three storey extension on the western elevation of the school (LBTH Ref. PA/08/1258). The additional 1497sqm floorspace includes six classrooms. The school also benefits from planning permission granted 14 August 2008 for a nursery school extension of 155sqm (LBTH Ref. PA/08/1299).

- 4.10 Beyond the rest of the St Andrews hospital site is the A12 and the interchange for Devas Street. Further still is a mix of commercial and residential sites.
- 4.11 To the west is a public park, bordered by the residential properties on Reeves Road and Devon's Road. To the west, adjoining the London Underground track are allotment gardens. Further along Devas Street is Devon's Road DLR station.
- 4.12 The LBTH Leaside Area Action Plan and the Mayors Lower Lea Valley Opportunity Area Planning Framework identify this as an area for change and opportunity, indicating the need for a masterplan to bring forth change in a coordinated and systematic way. As a consequence, the draft Bromley-by-Bow Masterplan area has been prepared. It has been subject to public consultation and is pending further work and progression towards adoption as an SPG. The objectives include:
- Addressing the physical barrier of the A12,
 - Developing a connected/legible/cohesive neighbourhood,
 - Enhance the public realm,
 - Enhancing the mix of uses and enhancing a positive identity for the area.
- 4.13 Key elements of the masterplan include access improvements to Bromley-by-Bow station, a new PCT facility, as well as a new public open space on the St Andrews site.

Planning History

- 4.14 The following planning decisions are relevant to the application:
- 4.15 PA/02/669; PA/02/1815 Outline application for the demolition of all of the existing buildings except the clock tower block and the erection of 10 new blocks across the site between 21 - 45m in height. These were proposed to be used as 782 new residential flats, 2000 sqm of Class A1/A2/A3/B1/D1 and D2 accommodation, of which at least 1000 sqm should be for a primary health care facility (Class D1), 2000 sqm of public open space and a new pedestrian link to Bromley by Bow underground station. Also, 190 car and 64 secure cycle parking spaces were proposed. The Development Committee resolved to grant permission on 14th May 2003.

5. 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:

Unitary Development Plan 1998 (as saved September 2007)

Proposals:		Partially within a flood protection area
Policies:	ST23	Housing
	ST25	Housing
	ST35	Shopping
	ST37	Open Space, Leisure and Recreation
	ST49	Social and Community Facilities
	ST50	Social and Community Facilities
	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV8	Protection of Local Views

DEV12	Provision of Landscaping in Development
DEV15	Retention and Replacement of Mature Trees
DEV50	Noise
DEV51	Soil Tests
DEV55	Development and Waste Disposal
DEV56	Waste Recycling
DEV69	Efficient Use of Water
EMP1	Encouraging New Employment Uses
EMP6	Employing Local People
EMP10	Development Elsewhere in the Borough
HSG7	Dwelling Mix and Type
HSG15	Preservation of Residential Character
HSG16	Housing Amenity Space
T1	Improvements and Extension to the Underground
T16	Traffic Priorities for New Development
T18	Pedestrians and the Road Network
T21	Pedestrian Needs in New Development

Interim Planning Guidance for the purposes of Development Control

Proposals:	LS8	St Andrews Hospital	
Core Strategies:	CP1	Creating Sustainable Communities	
	CP3	Sustainable Environment	
	CP4	Good Design	
	CP5	Supporting Infrastructure	
	CP7	Job Creation and Growth	
	CP14	Combining Employment and Residential Use	
	CP19	New Housing Provision	
	CP20	Sustainable residential Density	
	CP21	Dwelling Mix and Type	
	CP22	Affordable Housing	
	CP25	Housing Amenity Space	
	CP27	High Quality Social and Community Facilities to Support Growth	
	CP30	Improving the Quality and Quantity of Open Spaces	
	CP31	Biodiversity	
	CP35	Lee Valley Regional Park	
	CP38	Energy Efficiency and Production of Renewable Energy	
	CP39	Sustainable Waste Management	
	CP40	A Sustainable Transport Network	
	CP41	Integrating Transport and Development	
	CP46	Accessible and Inclusive Environments	
	CP48	Tall Buildings	
	CP49	Historic Environment	
	CP50	Important Views	
	Policies:	DEV1	Amenity
		DEV2	Character and Design
		DEV3	Accessibility and Inclusive Design
		DEV4	Safety and Security
DEV5		Sustainable Design	
DEV6		Energy Efficiency and Renewable Energy	
DEV7		Water Quality and Conservation	
DEV8		Sustainable Drainage	
DEV9		Sustainable Construction Materials	
DEV10		Disturbance and Noise Pollution	
DEV11		Air Pollution and Air Quality	
DEV12		Management of Demolition and Construction	

DEV13	Landscaping and Tree Preservation
DEV14	Public Art
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routed and Facilities
DEV17	Transport Assessments
DEV18	Travel Plans
DEV19	Parking for Motor Vehicles
DEV20	Capacity for Utility Infrastructure
DEV21	Flood Risk Management
DEV22	Contaminated Land
DEV24	Accessible Amenities and Services
DEV25	Social Impact Assessment
DEV27	Tall Buildings Assessment
EE2	Redevelopment/Change of Use of Employment Sites
RT3	Shopping Provision Outside of Town Centres
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing Provisions in Individual Private Residential and Mixed-Use Schemes
HSG4	Varying the Ratio of Social Rented to Intermediate Housing
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating the Provision of Affordable Housing
SCF1	Social and Community Facilities
CON2	Conservation Areas
CON4	Archaeology and Ancient Monuments

Supplementary Planning Guidance/Documents

Designing Out Crime Pts 1 and 2 (2002)
Sound Insulation (1998)
Archaeology and Development (1998)
Residential Space (1998)
Landscaping Requirements (1998)

Spatial Development Strategy for Greater London (London Plan)

2A.1	Sustainability Criteria
2A.5	Opportunity Areas
2A.6	Areas for Intensification
2A.9	The suburbs: supporting sustainable communities
3A.1	Increasing London's Supply of Housing
3A.3	Maximising the Potential of Sites
3A.5	Housing Choice
3A.6	Quality of New Housing Provision
3A.7	Large Residential Developments
3A.8	Definition of Affordable Housing
3A.17	Addressing the Needs of London's Diverse Population
3A.18	Protection and Enhancement of Social Infrastructure and Community Facilities
3A.21	Locations for Health Care
3A.23	Health Impacts
3A.28	Social and Economic Impact Assessments
3B.3	Mixed Use Development
3C.1	Integrating Transport and Development
3C.2	Matching Development to transport Capacity
3D.13	Children and Young People's Play and Informal Recreation

	Strategies
3D.14	Biodiversity and Nature Conservation
4A.3	Sustainable Design and Construction
4A.4	Energy Assessment
4A.5	Provision of Heating and Cooling Networks
4A.6	Decentralised Energy: Heating, Cooling and Power
4A.7	Renewable Energy
4A.11	Living Roofs and Walls
4A.13	Flood Risk Management
4A.14	Sustainable Drainage
4A.17	Water Quality
4A.19	Improving Air Quality
4B.1	Design Principles for a Compact City
4B.2	Promoting World Class Architecture and Design
4B.3	Enhancing the Quality of the Public Realm
4B.5	Creating an Inclusive Environment
4B.6	Safety, Security and Fire Prevention and Protection
4B.6	Respect Local Context and Communities
4B.9	Tall Buildings - location
4B.10	Large-scale Buildings – Design and Impact

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPS25	Development and Flood Risk
PPG13	Transport
PPG15	Planning and the Historic Environment
PPG24	Planning and Noise

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

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

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:

LBTH Ecology

6.3 Considers that the Environmental Statement (ES) has covered all the relevant issues and consulted with the appropriate authorities. The officer is satisfied that the scheme will not result in a net loss of biodiversity on site. Rather, there will be a net gain following the completion of the development. Living roof and green roof should be included where possible. There may be potential impact to Black Redstarts. The use of nectar rich plants in the planting scheme will provide a food source for birds. A bat survey is recommended in the ES and should be completed.

(Officer comment: The scheme includes the provision of green roofs as part of the scheme.

An appropriately worded condition requiring a detailed landscaping plan and an informative for the ecologist to be consulted. This will ensure planting includes nectar producing varieties. In respect of Black Redstarts, the species was not identified on site at the time of the survey. Nevertheless, an appropriately worded condition is recommended for the mitigation measures during the construction phase in accordance with the ES. An appropriately worded condition is also recommended for a bat survey to be completed, it being noted that no bats were identified in the 2km radius assessment area of the ES.)

LBTH Education

6.4 No comments received.

LBTH Energy Efficiency Unit

6.5 Overall, the energy strategy is acceptable and the following appropriately worded conditions are recommended to address the requirement for further detailed information:

- Full particulars of the energy efficiency measure prior to commencement;
- The final Code for Sustainable Homes assessment to be approved prior to occupation of the residential units;
- The final BREEAM healthcare assessment and full particulars of the efficiency measures, passive design features and low/zero carbon technologies shall be approved prior to the occupation of the PCT.

(Officer comment: Appropriately worded conditions of approval are recommended if approval is granted)

LBTH Environment Health

6.6 Contaminated land

The scheme is acceptable and the standard contamination condition is recommended. A further condition is also recommended in respect of the use of clean fill imported onto the site for reprofiling ground levels.

(Officer comment: Appropriately worded condition is recommended if approval is granted.)

Daylight and Sunlight

6.7 Only 1 habitable room of 144 Devons Road will suffer a loss of light. The assessment of the impact to these rooms in terms of the Building Research Establishment (BRE) Average Daylight Factor (ADF) test indicates that the level of impact is tolerable. Specifically, the living room window of 144 achieves an ADF of 0.8% and the pass rate for living rooms is 1.5%. As such, this is not considered to be a reason for refusal.

(Officer comment: This matter is not considered significant to warrant refusal when balanced with the regeneration benefits of the scheme.)

Microclimate

6.8 The effect of wind on and around the proposal is acceptable.

Noise and vibration

6.9 There is no vibration impact posed whilst noise impact posed by surrounding roads is tolerable. An appropriate condition is recommended for further testing full particulars of the noise mitigation measures to be provided.

(Officer comment: The appropriately worded condition is recommended to deal with noise mitigation. In respect of noise experienced in the open space, open space provision is identified in the site allocation and was also secured as part of the previous planning permission for the site. The scheme is also equivalent to other recently approved amenity

spaces in other areas of the borough that are in adjacent to roads and railway land. In addition, the overall regeneration benefits and quality of the provision of open space is considered to balance this concern.)

Air quality

- 6.10 The air quality impact of the surrounding area on future occupiers is tolerable. An appropriately worded condition is recommended for further testing and full particulars of mitigation measures at the detailed application stage.

(Officer comment: The appropriately worded condition is recommended if the application is approved.)

LBTH Highways

- 6.11 Matters relating to traffic generation, access parking, public transport, walking and cycling, have been considered as part of the assessment of the outline scheme (PA/08/1161) and are acceptable. In respect of the subject application for phase 1, the provision of bicycle, refuse/recycling storage and accessible parking for people with a disability is supported

LBTH Parks and Open Spaces

- 6.12 No comments received

LBTH Waste Management

- 6.13 Satisfied with the draft management scheme. The proposed kerbside collection could address the issue of carrying distances form refuse, it being noted that this matter is covered by building regulations. Vehicular access is also considered acceptable.

(Officer comment: An appropriately worded condition is recommended for the final waste management plan to be agreed prior to commencement.)

LBTH Youth and Community Services

- 6.14 No comments received

British Broadcasting Corporation (BBC)

- 6.15 No comments received

British Waterways

- 6.16 No comments received.

Commission for Architecture & Built Environment (CABE)

- 6.17
- Generally supportive of the design, but concerned that the height and amount of development will compromise the quality of the open space and the internal courtyard;
 - Need to consider BRE light issues because of the width of the courtyard compared the height of the buildings;
 - Care has been taken to ensure well-functioning flats internally;
 - The architectural treatment considers the context;
 - The success of the scheme will depend on the detailing and quality of the materials.

(Officer comment:

- In respect of shadowing, amendments to the scheme have reduced the height of the building, thereby reducing the shadowing of the central courtyard in line with BRE standards. The level of amenity of the open space in this regard is therefore considered acceptable;
- High quality materials will be secured by an appropriately worded condition.)

Docklands Light Rail

6.18 No comments received

English Heritage (Statutory)

6.19 Comments received from EH relate to the outline scheme rather than the subject application.

English Heritage (Archaeology)

6.20 Appropriately worded conditions are recommended to secure a program of archaeological work and to complete a more thorough recording and analysis of historic buildings.

(Officer comment: The conditions are recommended if the application is approved.)

Environment Agency (Statutory)

6.21 No comments received.

Government Office for London (Statutory)

6.22 No comments received.

Greater London Authority (Statutory)

6.23 GLA comments consider the outline scheme rather than the subject application

Lea Valley Regional Park Authority

6.24 No comments received

London Borough of Newham

6.25 No comments received

London City Airport

6.26 No safeguarding objection is raised to the proposal.

London Fire & Emergency Planning Authority (Statutory)

6.27 The Authority raise not objection to the scheme and recommend a condition for full particulars of water supply for fire fighting purposes to be agreed.

(Officer comment: This matter is not a planning consideration. It will be dealt with as part of the approval under the building regulations. An appropriately worded informative is recommended for LFEPA to be consulted.)

London Thames Gateway Development Corporation

6.28 No comments received

Metropolitan Police

- 6.29
- Happy that the development is being built in the spirit of secured by design principles and should be able to achieve certification; and
 - Request that the PCT building achieve fitout to Secured by Design Certification.

(Officer comment: An appropriately worded informative is recommended for metropolitan Police to be consulted on the detailed design of elevations, landscaping and amenity spaces, entrances, boundary treatments. An appropriately worded condition is recommended for the details of the fitout of the PCT to be agreed and an informative for metropolitan police to be consulted.

National Air Traffic Control Services

6.30 No objection to the proposal.

Natural England (Statutory)

6.31 No comments received.

National Grid

6.32 No comments received.

Network Rail

6.33 No comments received.

Olympic Delivery Authority (ODA)

6.34 The Authority advises that they have no comment to make on the proposals.

Poplar Harca Limited

6.35 No comments received.

Thames Water

- 6.36
- Developer is responsible for providing adequate drainage;
 - Surface waters to be attenuated;
 - Removal of groundwater is not permitted;
 - Prior approval from Thames Water is needed for connection to the sewer;
 - No works should take place within 3 metres of sewers without approval from Thames Water;
 - Petrol and Oil interceptors are recommended in car parking;
 - A drainage strategy shall be agreed prior to commencement;
 - Recommends the installation of a fat trap from all catering establishments;
 - Impact study on the existing water supply infrastructure is required prior to commencement;
 - Network reinforcement will be required as determined by the water modelling impact assessment;
 - Points of connection to the sewer are to be agreed;
 - Surface water retention should be applied so there is no increased peak flow compared to the historic situation.

(Officer comment: Appropriately worded conditions are recommended for a drainage strategy and impact study to be agreed prior to commencement.)

Tower Hamlets Primary Care Trust

6.37 No comments received.

Transport for London (Statutory)

6.38 No comments received

7. LOCAL REPRESENTATION

7.1 A total of 990 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: 11 Objecting: 11 Supporting: Nil
No of petitions received: 01 containing 310 signatories

7.2 No local groups/societies made representations.

7.3 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:

Landuse

- Overdevelopment;
- Unacceptable strain on local resources (schools, doctors, public transport, utilities) caused by this development;
- Concerns about the precedent set by this development for other sites, including underutilised industrial sites in the area;
- Sets a precedent for development along the A12 heading to the Olympics site.

Housing

- Quality of the housing proposed is unacceptable;
- The level affordable housing is insufficient;
- Concern about the impact that market housing and new residents will have on the community in this area;

Design and Access

- The height and visual impact of the towers is unacceptable;
- Design quality and visual impact of the scheme is unacceptable;
- The scheme affects the character of Devas Street;
- Relationship with the area, in terms of bulk and height is unacceptable;
- The replacement buildings need to be high quality to compensate for the loss of the St Andrews Hospital;
- Detrimental impact to the 3 Mills area and it's conservation and waterway values;
- Proximity of towers to Three Mills Conservation Area;

Amenity

- The scheme does not incorporate enough open space including children's playspace and sport facilities;
- Loss of light, in particular to Denbury House and Maltings Close
- Loss of privacy, in particular to Denbury House;
- Loss of skyline;
- Nuisance (unspecified) to residential neighbours;

Transport

- Bromley-by-Bow underground station is currently overused;
- Width of the pavements of Devas Street is insufficient;
- Traffic impact in terms of congestion and parking;

Planning contributions

- Investment in the public transport system is needed to cope with the increased demand;
- Interference with television and telephone reception;

Other

- The community uses proposed including health, education, youth and cultural facilities are not sufficient in size to cater for families in the local area;
- Insufficient detail provided in respect of the community, health, education and cultural facilities, their accessibility and the benefit they would provide to local residents;
- Terrorism concerns because of the 27 storey building adjacent to the London Underground Station and its proximity to the Olympics site;
- Problems with antisocial behaviour associated with public house and bar uses
- Concern about consultation and that residents views have been ignored;

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

Negative comments:

- Problems (unspecified) with residential towers when they are not properly maintained;
- The current proposal is very different to the previous scheme for the site;
- Reduction in property values as a consequence of the development;
- Loss of views;
- High rise buildings, as proposed here, will not raise the profile of East London.
- Anti-social behaviour associated with public house/bar uses.

Positive/neutral:

- It is considered that an attractive scheme has been put forward;
- Request to be re-housed, as their current accommodation does not cater for the current family needs;
- A request for local residents to be given priority in allocations for affordable housing and businesses in the development.

7.5 The following issues were raised in representations, but are relevant to the outline application and are addressed in report PA/08/1161:

- The height and visual impact of the towers;
- Proximity and impact to the 3 Mills area, it's conservation and waterway values;
- Proximity of towers to Three Mills Conservation Area;
- Issue of terrorism with the 27 storey building adjacent to the London Underground Station and in proximity to the Olympics site;

7.6 The following procedural issues were raised in representations, and are addressed below:

- Proper public consultation has not taken place

8. MATERIAL PLANNING CONSIDERATIONS

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

- Land Use
- Housing
- Design and Access
- Amenity
- Transport
- Environmental Statement
- Planning contributions
- Other

Land Use

Demolition

8.2 The site is almost completely demolished. Whilst English Heritage has objected to the loss of the hospital buildings, making particular reference to the clock tower, it should be noted that consent is not required for demolition. The former hospital buildings were not listed and the site does not fall within a conservation area. As such, consent is not required for such development.

8.3 Nevertheless, demolition is justified for the following reasons:

- The existing building stock was not suitable for conversion having regard to current building regulations;

- Reuse of the building stock would have compromised the ability to deliver other aspects of the scheme (E.g. the 1ha of open space);
- The scheme's positive contribution in respect to design quality, sustainability and regeneration benefits.

8.4 Moreover, the replacement of the existing buildings was established by the previous consent for redevelopment, PA/02/1815 on 14 May 2003.

8.5 Overall, the demolition of the existing buildings is considered acceptable.

Mixed-use

8.6 In respect of objections for the redevelopment of this site and the precedent it may set for future development in this area along the A12, Mayoral and LBTH planning guidance promotes a residential-led, mixed use redevelopment of the former St Andrews hospital site. The Mayor's Lower Lea Valley Opportunity Area Planning Framework (January 2007) identifies the site as a potential new housing area. Within the LBTH Leaside Area Action Plan, the St Andrews in site allocation 'LS8' indicates redevelopment for Residential (Class C3), Health Care (Class D1) and public open space usage. This is reinforced in the draft Bromley-by-Bow masterplan.

8.7 The application provides the mix of uses specified. As such, it is considered acceptable.

8.8 In respect of comments by objectors, the proposed development is not considered to set an undesirable precedent for development of industrial sites in the area.

Loss of the hospital facility

8.9 In respect of the loss of the St Andrews hospital facility, it is noted that health services have been consolidated into Newham General Hospital as the St Andrews site has gradually fallen vacant. Moreover, the mixed use scheme incorporates a £4.65m healthcare facility, catering for up to 20,000 existing and future residents. This type of facility is much needed in the area. Furthermore, Tower Hamlets Primary Care Trust was consulted and raised no objection to the loss of St Andrews. They support the re-provision of the healthcare facility.

Employment

8.10 Policy EMP1 'Encouraging New Employment Uses' of the adopted UDP 1998 promotes employment growth that meets the needs of local people. Whilst EMP 2 'Retaining Existing Employment Uses' opposes the loss of employment floorspace, it allows exceptions where quality buildings and a reasonable density of jobs will result.

8.11 The scheme proposes a reduction of employment floorspace from the hospital to 3,284.4sqm of non-residential floorspace including commercial, community, health and leisure uses. Whilst a reduction in employment floor area is evident, it should be noted that the hospital use has ceased and the site vacant. As such, the site produces no jobs at present.

8.12 In consideration of Policies EMP1 and 2, the following jobs will be created by the proposal:

- 322 construction jobs are attributable to phase 1
- 3 retail jobs in phase 1
- Up to 16 general practitioner jobs in the healthcare facility of phase 1

8.13 Further, in respect of Policy EMP 2, the scheme is considered to create high quality buildings.

8.14 Therefore, the loss of floorspace is considered justified pursuant to Policies EMP1 and EMP2 of the adopted UDP 1998 since it provides a reasonable level of jobs, high quality buildings and other land uses sought by the Council.

8.15 The scheme is also consistent with EMP 6 'Employing Local People' of the adopted UDP 1998, and CP1 'Creating Sustainable Communities', and CP15 'Provision of a Range of Shops and Services' of the Interim Planning Guidance, which amongst other things, seek to encourage a range of job opportunities, that are supportive of the local community and economy.

Density

8.16 Objections were received in respect of overcrowding, population numbers and density.

8.17 Policies 3A.3 'Maximising the Potential of Sites' of The London Plan, Policies CP20 'Sustainable Residential Density' and HSG1 'Determining Residential Density' of the LBTH Interim Planning Guidance (2007) promote maximising the intensity and efficient use of sites.

8.18 The site has a Public Transport Accessibility Level (PTAL) of 5. The LBTH Policy team consider the site to be in an 'urban zone'. The density provisions are as follows:

- London Plan: 200-700 habitable rooms per Hectare (urban zone)
- Interim Guidance: 450-700 habitable rooms per Hectare (urban)

8.19 Phase 1 is equivalent to 770 habitable rooms per hectare. The scheme is considered appropriate and shows none of the characteristics that are typically associated with an overdevelopment such as:

- Loss of privacy and overlooking;
- Increased sense of enclosure;
- Loss of light;
- Insufficient rooms sizes;
- Poor mix of units; and
- Lack of amenity space.

8.20 Furthermore, planning obligations, including for the Bromley-by-Bow station upgrade, education and highway improvements, as well as public open space and PCT facility provision on site, help mitigate the impacts of the scheme.

8.21 Moreover, the scheme has other regeneration benefits including:

- The provision of a series of publicly accessible open spaces;
- 57% affordable housing, a level which is unprecedented in any recent planning application considered by LBTH;
- Provision of a £4,636,475 PCT facility;
- Improved permeability and connectivity through the site which is further reinforced by section 106 planning contributions secured as part of the outline scheme for upgrading of and links to the Bromley by Bow station and local highway improvements;
- A built form that addresses the street, contributes positively to establishing an urban grain for the site and area, improves connectivity, permeability and links; and
- Energy efficiency, renewable and sustainability measures within the development to improve its sustainability and reduce its energy demand.

8.22 Maximising the efficient use of sites is further reinforced by Interim Planning Guidance Policy CP20 'Sustainable Residential Density' which states:

“The council will resist any proposed housing development that results in an inefficient use or under-development of a site.”

- 8.23 Overall, the density is acceptable and accords with Policy 3A.3 of the London Plan (Consolidated 2008) and CP20 and HSG1 of the LBTH Interim Guidance which seek to maximise the development potential of sites in an efficient and sustainable way.

Housing

- 8.24 Objections were received in respect of the level of affordable housing, as well as the impact of new private dwellings on the existing community.

- 8.25 The detailed application for phase 1 proposes 194 residential (Class C3) with the following mix:

Units <i>(Habitable rooms)</i>	Market Sale	Social Rent	Shared Ownership
1 Bedroom flat	50 <i>(100)</i>	5 <i>(10)</i>	30 <i>(76)</i>
2 Bedroom flat	38 <i>(114)</i>	12 <i>(36)</i>	15 <i>(45)</i>
3 bedroom flat	10 <i>(40)</i>	14 <i>(69)</i>	14 <i>(56)</i>
4 Bedroom flat	0 <i>(0)</i>	3 <i>(18)</i>	0 <i>(0)</i>
5 Bedroom flat	0 <i>(0)</i>	3 <i>(21)</i>	0 <i>(0)</i>
Total Units	98 <i>(254)</i>	37 <i>(154)</i>	59 <i>(177)</i>
Total Affordable Units		96	<i>(331)</i>

Affordable Housing

- 8.26 Based on habitable rooms, Policy CP22 ‘Affordable Housing’ of the LBTH IPG requires 35% affordable housing provision, whilst the London Plan target is for 50%. Phase 1 comprises of 57% affordable housing, which exceeds the minimum requirements of LBTH policy and the London Plan.
- 8.27 Policy HSG10, ‘Calculating Provision of Affordable Housing’, requires that the disparity between habitable room (the primary indicator) and floorspace is only 5%. Phase 1 proposes 59% based on floor area and therefore accords with the policy.
- 8.28 The affordable housing provision is further split into social rented and shared ownership tenures. A split of 80:20 is required pursuant to Policy HSG 4 ‘Loss of Housing’ in the LBTH interim Planning Guidance, whilst The London Plan 2004 indicates a region wide requirement of 70:30 split pursuant to Policy 3A.7 ‘Affordable Housing Targets’. Both the LBTH Interim Planning Guidance London Plan allow this ratio to vary in instances where greater than 50% affordable housing is achieved. Phase proposes a 47:53 split which is acceptable as the scheme achieves more than 50% affordable housing.

Family Housing

- 8.29 CP21 'Dwelling Mix and Type' of the LBTH Interim Planning Guidance 2008 requires family housing in all tenures. The requirement of 30% family sized housing is based on the following requirement in each tenure:
- Social rent – 45%
 - Intermediate - 25%
 - Market - 25%
- 8.30 Additionally, Policy HSG 2 'Location of New Housing' and Table DC.1 set out the appropriate mix of units in the social rent tenure.
- 8.31 The table below provides a comparison with policy and the family housing achieved across the borough.

Table: Family housing provision comparison

Tenure	% Policy	% Outline PA/08/1161	% Phase 1 PA/08/1162	% Annual Monitoring 2006/7
Social-rented	45	57	54	17.5
Intermediate (Shared ownership)	25	8	16	2.5
Market	25	25	15	4
Total	30	30	23	7

- 8.32 The provision of family sized units is in line with policy aspirations and exceeds what was achieved across the borough as published in the LBTH Annual Monitoring Report 2006-7. Therefore, the scheme is a positive step towards LBTH achieving key housing targets and better catering for housing need. Moreover, the scheme is part of the larger redevelopment of the whole site which provides a good mix of family sized accommodation.

Wheelchair Housing and Lifetime Homes

- 8.33 Policy HSG9 'Density of Family Housing' of the Interim Planning Guidance requires housing to be designed to Lifetime Homes Standards and for 10% of housing to be wheelchair accessible or "easily adaptable". All units will meet Lifetime homes standards with 10% of these being wheel chair accessible. This requirement will be secured by an appropriately worded condition.

Code for Sustainable Homes

- 8.34 Pursuant to Policies DEV2 and DEV69 of the LBTH UDP 1998 and CP3, DEV5 and DEV6 of the LBTH IPG housing should meet a minimum sustainability target of Level 3. The scheme achieves Code Level 3 and has an aspiration to achieve Code Level 4. This requirement will be secured by an appropriately worded condition.

Internal Space Standards

- 8.35 Pursuant to the Residential Space SPG, all C3 units across in the outline scheme (Blocks A – E) achieve the minimum total floorspace standards.
- 8.36 Whilst flats 66, 67, 68 exceed to total floorspace required, their living rooms are undersized at 21.4sqm. The SPG requires a 6-8 person dwelling to provide between 21.5 - 23.5sqm. The non-compliance is considered very minor, will not pose significant harm to future occupiers and therefore, is not a substantial reason for refusal.
- 8.37 Overall, the tenure, mix and quality of housing proposed are considered appropriate and high quality. It will contribute to borough housing targets, will cater for need and assist in achieving balanced and mixed communities in the area. It addresses the concerns raised by objectors of the amount of affordable housing being proposed and the possible effects of private housing on the balance of the community.

Amenity Space

- 8.38 Objections have also been received in respect of the amount of open space and play space being provided by the scheme.
- 8.39 The London Plan (2008) defines ‘open space’ as *“all land in London that is predominantly undeveloped. This definition covers a broad range of types of open spaces within London, whether in public or private ownership and whether public access is unrestricted, limited or restricted”*.
- 8.40 ‘Open space’ is defined in the LBTH Interim Planning Guidance as *“...a broad range of open space types within the borough, whether in public or private ownership and whether public access is unrestricted, partially restricted or restricted. Open space includes , but is not limited to, green spaces such as...amenity space, children’s play areas, and hard surface spaces such as playgrounds, squares or piazzas.”*
- 8.41 ‘Amenity space’ which is considered with ‘open space’, is defined as *“an area within the cartilage of a residential development that is used for recreation, e.g gardens or landscaped space. This includes both ‘private’ and ‘communal’ amenity space.”*
- 8.42 Whilst Policy CP30 of the LBTH Interim Planning Guidance seeks a standard of 1.2 hectares open space per 1000 population, the Leaside AAP, site designation L8 requires redevelopment of St Andrews to include a component of open space of 1Ha or as per the masterplan, whichever is the greater. The Bromley-by-Bow Masterplan does not specify the size although, it indicates the following qualitative requirements:

“A new public open space is required on the Community Spine enclosed by the new health centre, Marner School [to the south of the application site] and new residential development. Through its scale and design this park has the potential to help form the future identity of Bromley-by-Bow. As such, it should be designed to take high levels of football, through the use of high quality hard and soft landscaping and be inviting to all residents in the area. Children’s play facilities and plentiful seating and quality lighting should also be provided.”

- 8.43 The following tables set out the required private, communal and play space requirements of the LBTH UDP and IPG.

Table: Residential Space SPG 1998 requirements

Tenure	Proposed	SPG Requirement	Total (m ²)
Family Units	44	50sqm of private space per	2200

		family unit	
Non-family units	150	50sqm plus an additional 5sqm per 5 non-family units;	200
Child Bed spaces	55	3sq.m playspace per child bed space	165
Total			2565

Table: Amenity Space per HSG7, LBTH Interim Planning Guidance

Units	Total	Minimum Standard (sqm)	Required Provision (sqm)
Studio	-	6	
1 Bed	77	6	562
2 Bed	55	10	550
3 Bed	38	10	380
4 Bed	0	10	-
5 Bed	3	10	-
TOTAL	880		1492
Ground Floor Units			
Studio	0	25	-
1 Bed	8	25	200
2 Bed	10	25	250
3 Bed	0	50	-
4 Bed	3	50	150
5 Bed	0	50	-
Total			600
Grand Total			2092
Communal amenity	50sqm for the first 10 units, plus a further 5sqm for every additional 5 units		235
Total Housing Amenity Space Requirement			2327

- 8.44 The application proposes the following amenity space provision for the entire site is as follows:
- **665sqm** communal amenity space in the central courtyard
 - **900sqm** of public amenity space comprising of Nelson's Walk between Blocks A and B (525sqm), Block A health centre forecourt (375sqm);
 - **705sqm** public amenity space elsewhere;
 - **2199sqm** private amenity space (653.42sqm in balconies, 1,137sqm in rood terraces, 403.3sqm in ground floor gardens)
 - Within these spaces is **128sqm** of defined children's play space within the above totals, comprising of Block A courtyard (68sqm), and Nelson's Walk (60sqm),
- 8.45 The total amenity space provision is **4469sqm**. As such, the combination of public, communal and private amenity space provision across the scheme exceeds the total required provision of the LBTH adopted UDP and Interim Planning Guidance standards. It is therefore considered acceptable on balance as meeting the needs of future occupiers.

Design and Access

- 8.46 Pursuant to The London Plan (Consolidated 2008), Policy 4B.1 'Design Principles for a Compact City' requires schemes, amongst other criteria, to create/enhance the public realm, respect local context/character and be attractive to look at. Policy 4B.9 'Tall Buildings – Location' outlines related Plan policies and considerations for the siting of tall buildings which includes tall buildings as a “*catalyst*” for regeneration. Policy 4B.10 'Large-Scale Buildings – Design and Impact' provides further guidance on design considerations including context, attractiveness and quality. CABE and English Heritage Guidance on tall buildings as previously discussed in section 6, also informs the consideration of tall buildings.
- 8.47 In consideration of the LBTH UDP 1998, Policy DEV1 'Design Requirements' indicates development should be sensitive to the area and the capabilities of the site. Consideration of street frontages, as well as providing for safety and security should also be considered. Within the Interim Planning Guidance Policy CP4 'Good Design' states that buildings and spaces should be high quality, attractive, safe and well integrated. Policy CP48 'Tall Buildings' confirms that tall buildings can be considered anywhere when accompanied by the appropriate justification. They should contribute to a high quality, attractive environment, respond to context and contribute to vitality. These considerations amongst other matters also form part of the criteria of Policy Dev27 Tall Buildings Assessment of the LBTH Interim Planning Guidance.
- 8.48 The design is considered to accord with the above policies and is acceptable, as discussed in more detail below.
- 8.49 Objections have also been received raising concern about the design quality and visual impact of the scheme. Others have argued that the scheme needs a high quality design to replace the attractive hospital buildings.
- 8.50 The buildings have a pleasing appearance and high quality finish. They will contribute positively to the varied architectural character and form of the area. The development will act as a potential catalyst for regeneration envisaged in the Bromley-by-Bow Masterplan.
- 8.51 Objections were raised to the scheme's impact on the character of Devas Street, and its bulk and height relationships.
- 8.52 The building line of the perimeter block is considered to be successful in addressing the street frontages of Devas Street and Devon's Road. The scheme contributes to the creation of a series of publicly accessible streets on site. This will help establish the evolving residential character of the area, thereby contributing to a sense of place and identity for the area.
- 8.53 The streets and open spaces proposed will improve the permeability of the site and its linkages to the surrounding area. This benefit will be realised by existing residents of the surrounding area, as well as the future occupiers.
- 8.54 The series of high-quality and varied public open spaces and communal courtyards offer a range of spaces to cater for the passive, recreational and play needs of future users.
- 8.55 Active ground floor uses across the site, including residential C3 dwellings, will enliven street frontages by contributing to round-the-clock activity. This positively enhances the safety and security of users and minimises any potential crime opportunities.
- 8.56 The creation of wider footpaths on Devon's Road and Devas Street will provide the following benefits:

- Improved visual amenity of the street scene in terms of openness;
- Improved pedestrian infrastructure; and
- Increased pedestrian flows as a consequence of the improved connectivity to the Bromley-by-Bow Station.

- 8.57 The scheme successfully provides for the access and servicing needs of the development including refuse storage and collection, bicycle storage and parking for people with a disability. The location of facilities and the level of provision are acceptable to the LBTH Highways, Strategic Transport and Waste teams. It is further considered that the intensity of development can be accommodated without a significant impact on the local road system, The site benefits from a Public Transport Accessibility Level (PTAL) 5.
- 8.58 Energy efficient and renewable measures have been incorporated into the scheme including green roofs, Combined Heat and Power (CHP) system and bio-fuel boilers. This means the proposal achieves the required carbon reduction percentage, as well as the percentage of energy to be generated by renewable means.
- 8.59 For the above reasons, the design is considered to be a thoughtful, high quality and a successful approach to redevelopment. The scheme has been extensively reviewed and influenced by officers as well as the Metropolitan Police and found to be acceptable. Specific attention has been paid to the amenity for neighbours and future occupiers as discussed in the next section. In addition, treatment of the public spaces and connectivity have been improved. As such, the scheme is supported as being a high quality and a successful design solution.

Amenity

Future Occupiers and Users

- 8.60 The consideration of amenity for future occupiers are identified in Policies 4B.1 'Design Principles for a Compact City', 4B.5 'Creating an Inclusive Environment', 4A.3 'Sustainable Design and Construction', 4B.10 'Large-scale Buildings – Design and Construction' of The London Plan (Consolidated 2008), Policy ST23 Housing of the adopted Unitary Development Plan 1998 and Policy CP1 'Creating Sustainable Communities' of the Interim Planning Guidance as well as PPS1 and PPS3.
- 8.61 The level of amenity achieved for future occupiers of the development is considered acceptable for the following reasons:
- Floorspace schedules for Block A achieves the total minimum floorspace standards, in accordance with the LBTH Supplementary Guidance on Residential Space Standards;
 - Amenity space is appropriately provided in the development. All units benefit from private amenity space either in the form of a balcony, roof terrace or ground floor garden. In addition, the variety, quality and amount of communal and public open spaces and outdoor space is achieved and will cater of the needs of residents;
 - The application provides a variety of bicycle parking options for residents. These include Sheffield stands within public and communal areas, landscaped storage racking systems in the courtyard and dedicated storage rooms within the building footprint, adjacent to residential foyers. Bicycle parking has been the subject of extensive negotiation with officers. The variety, location and quantity (194 spaces) provided is acceptable;
 - The arrangements for waste and recycling facilities in the draft management plan are acceptable. The final details of the management of facilities will be secured by condition;
 - Having regard for the Building Research Establishment (BRE) guidance, all residential C3 units in the detailed application benefit from sufficient internal levels

- of light to the satisfaction of the Environmental Health Team;
- No significant privacy/overlooking impacts will be experienced through the development. Courtyard dimensions as well as the separation between future blocks A – E achieve at least 18m in the majority of cases;
- Ground floor private amenity spaces will be separated from public and communal spaces through a combination of hard and soft landscaping. The detailed design of these relationships is controlled through a condition requiring full particulars of landscaping;
- No significant microclimate effects will be experienced on site. Public areas will achieve sufficient levels of comfort levels for their intended use;
- Any air quality impact posed by the surrounding area will be tolerable, subject to an appropriately worded condition for further sampling and subsequent installation of mitigation measures;
- Noise and vibration impacts have also been assessed. No significant impact is posed by either the railway track to the north. An appropriately worded condition is recommended for the inclusion for full details of the noise mitigation measures to address road noise;

Neighbour Impacts

- 8.62 The consideration of impacts to neighbours are addressed in policies 4B.10 of the Mayor's London Plan (consolidated 2008), DEV1 of the LBTH Interim Planning Guidance, and DEV2 of the LBTH Unitary Development Plan 1998. Objections were received raising concern for loss of light, privacy, and outlook.
- 8.63 The scheme is considered acceptable for the following reasons:
- There is no significant overshadowing and loss of light to adjacent properties other than to one ground floor living room window at 144 Devons Road to the west of the site. The assessment has considered the Average Daylight Factor (ADF) test within the Building Research Establishment (BRE) good practice guide, 'Site Layout Planning for Daylight and Sunlight'. The living room window of 144 Devons Road achieves an ADF of 0.8% and the pass rate for living rooms is 1.5%. The Environmental Health team have extensively scrutinized this aspect of the scheme and consider this impact is tolerable since all other windows pass BRE tests and benefits of the scheme are considered to outweigh the single failure. Furthermore, on balance, the benefits of the scheme are considered outweigh this issue;
 - There is no significant noise or general disturbance impacts to warrant refusal. Impacts during the construction phase will be mitigated by a condition requiring a Construction Management Plan. In the operational phase, the intended uses are compatible with the area and not considered to pose concern. It should be noted that a condition will require a management plan for the community and leisure facilities, further ensuring no impact upon the amenity of the area;
 - In respect of privacy/overlooking impacts, window-to-window separation of at least 18m is achieved to all neighbouring properties other than 16m to 144 Devon's Road. This relationship is not considered to pose a significant concern given that it is a relationship across a public street. Furthermore, the variable building setback of Block A means the 16m separation is only at a single pinch point at the northern end of the façade;
 - Whilst the scheme will pose some impact to outlook, it should be noted that the St Andrews hospital buildings would have limited the outlook of neighbours to some extent. Along Devon's Road for example, the 'existing' drawings indicate the hospital comprised of buildings of between 3-5 storeys. The additional scale and height of the proposal is considered positive, given the high quality design proposed;
 - No significant air quality impacts are posed. It is noted that a condition requiring a construction management plan will deal with air quality impacts at the construction phase. At the operational phase, the development including traffic generation will

not contribute any significant effect upon air quality. An appropriate condition is recommended for full particulars of the emissions of the bio-mass boiler at the detailed design stage;

- No significant traffic impacts posed to the local road system in the opinion of the LBTH Highways Team. They consider that the local road system is capable of accommodating the additional increase traffic generated;
- To address potential parking impact in the local streets, future occupiers will be exempted from applying for parking permits. This restriction will be secured through a s106 planning obligation;
- In respect of pedestrian impacts and safety, the building setbacks facilitate increased pavement widths in Devas Street and Devon's Road which will accommodate additional pedestrian activity. Also, s106 contributions for local highway improvements will benefit pedestrians in this area;
- The associated benefits of the scheme in respect of improved connectivity, permeability, open space provision, upgrade to the Bromley-by-Bow station, and introduction of a healthcare facility will be of a positive benefit to local residents.

8.64 Therefore, amenity for future occupiers and neighbours has been adequately addressed. On balance, the scheme is considered acceptable in this regard.

Transport

8.65 Transport provision and impact is considered in PPG13 'Transport' as well as Policies 2A.1 'Sustainability Criteria', 3A.7 'Large Residential Developments', 3C.1 'Integrating Transport and Development' of The London Plan (Consolidated 2008), Policies ST25, ST28, ST30, of the adopted UDP 1998 and Policies CP1 'Creating Sustainable Communities, CP41 'Integrating Development with Transport' CP43 'Better Public Transport', DEV16 'Walking and Cycling Routes and Facilities' of the LBTH Interim Planning Guidance 2007.

8.66 Objections have been received in respect of impact to the capacity of Bromley-by-Bow Station, traffic congestion, parking stress, congestion on pedestrian pavements, and the need to invest in transport infrastructure.

8.67 In relation to access, parking, traffic generation, deliveries/servicing, waste collection, impact on public transport, these issues have been considered and are acceptable.

8.68 The Highways team have also considered bicycle parking provision is acceptable.

8.69 The Highways team also recommend a s278 agreement for highway improvements.

8.70 Overall, the scheme adequately caters for the transport access and infrastructure requirements for future users. Moreover, in terms of the whole scheme for the redevelopment of the St Andrews site, no significant impacts are posed to the local highway network in terms of safety, and parking stress. Any impact in terms of traffic generation and queue lengths is tolerable and not a reasons to refuse the application. Therefore the scheme is acceptable and recommended for approval.

Environmental Statement

8.71 The application was supported by an Environmental Statement (ES) which considered matters including:

- accessibility,
- sustainability,
- site prep and construction,
- traffic and transportation,

- Socio-economics,
- archaeology and built heritage
- microclimate,
- daylight/sunlight/overshadowing/light spillage/solar glare,
- ground conditions,
- water resources/drainage/flood risk,
- Air quality,
- noise/vibration,
- electronic interference,
- Aviation,
- ecology,
- townscape and visual impact,
- cumulative impact,
- residual impacts

- 8.72 A Regulation 19 request for further information was made in respect of chapters 8 Socio-economics, 11 Daylight, 12 Archaeology, 19 Ecology, 20 Cumulative and Volume 2 Summary. The additional clarification and information provided was placed on renotification.
- 8.73 Overall ES and the Regulation 19 information were considered satisfactory and sufficient to assess the application. The scheme is acceptable since there are no significant impacts identified to warrant refusal.

Planning contributions

Background

- 8.74 Circular 05/2005 outlines, among other things, the broad principles of Planning Obligations. Obligations can take the form of private agreements or unilateral undertakings given by a developer and are *'intended to make acceptable development which would otherwise be unacceptable in planning terms'*.
- 8.75 Securing planning contributions that are relevant to mitigation of the impact of the scheme have been secured as part of the outline application. In the scenario that the outline and subject applications are both approved, an addendum agreement will be necessary to secure the affordable housing in Block A of phase 1. However, in the scenario that the outline application is refused, planning contributions to mitigate the impact of 194 units need to be secured. This would necessitate a pro-rata contribution for the heads terms negotiated as part of the outline scheme and would be as follows:
- A proportion of **57%** based on habitable rooms of the proposed units to be provided as affordable housing with a 47:53 split between social rent and shared ownership tenures;
 - Provide **£704,200.00** towards the upgrade to Bromley-by-Bow station upgrade and connectivity improvements;
 - Provide **£345,166.25** towards education to mitigate the demand of the additional population on education facilities;
 - Provide **£50,300.00** towards highway improvement works; and
 - Provide for car club, car-free agreement, Travel Plan, TV reception monitoring and impact mitigation, and employment/training initiatives.

Other

Community consultation

- 8.76 Objections were received about consultation and that resident's views were not considered.

In addition to the formal notification of the application by LBTH (see section 7) the applicant's separately undertook public consultation. This is set out in the Statement of Community Involvement. The consultation was undertaken in June, July, August and September 2007. This consisted of:

- A launch event in June 2007
- A local stakeholder contact program
- Website with reference to a telephone hotline and email address form seeking further advice
- Press release
- Workshops/exhibitions in July 2007
- Representation at the 'Unity' community festival in July 2007
- Feedback on the first phase of the engagement and consultation
- Public workshops and exhibitions in December 2007
- Meetings in November and December 2007 with local stakeholders
- A newsletter was issued 1 February 2008-09-15
- Art workshops with local schools were organised

- 8.77 The community feedback is summarised in the Statement of Community Involvement and was in respect of topics including: existing building; principle of development and housing need; accessibility; education; community amenities; employment schemes; retail provision; open space provision; safety and security; transport and parking; the A12. The document sets out the changes made to the scheme taking on board the comments and suggestions made.

- 8.78 A further consultation event was held June 2008 and an associated newsletter was produced.

- 8.79 Consequently, there is sufficient evidence indicating that the public has been engaged and their views considered in the development of the scheme.

Phasing

- 8.80 As part of the consideration of the outline scheme, an appropriately worded condition is recommended for a phasing plan to be agreed.

Impact on local resources

- 8.81 Objections were received in respect of the strain on local resources with particular mention of schools, doctors, public transport and utilities. The impact is considered to be appropriately mitigated for the following reasons:

- The full education contribution is secured to mitigate the effect of the increase in population;
- In respect of healthcare, the scheme provides a primary care trust facility, predicted to employ up to 16 general practitioners and servicing up to 20k people;
- In respect of transport, the scheme was given extensive consideration by the Highways team as discussed under Transport. No significant impacts are posed, it should be noted that the full planning contributions for the upgrade to the Bromley-by-Bow Underground station, as well as local highways improvements are proposed in the outline scheme; and
- In respect of utilities, it is the responsibility of the developer to ensure sufficient supply and connection to necessary infrastructure. Notwithstanding, the scheme was referred to Thames Water and National Grid for consideration and appropriately

worded conditions are recommended specifically relating to water supply infrastructure. This will ensure that future occupiers have access to the necessary infrastructure without impact to the surrounding area.

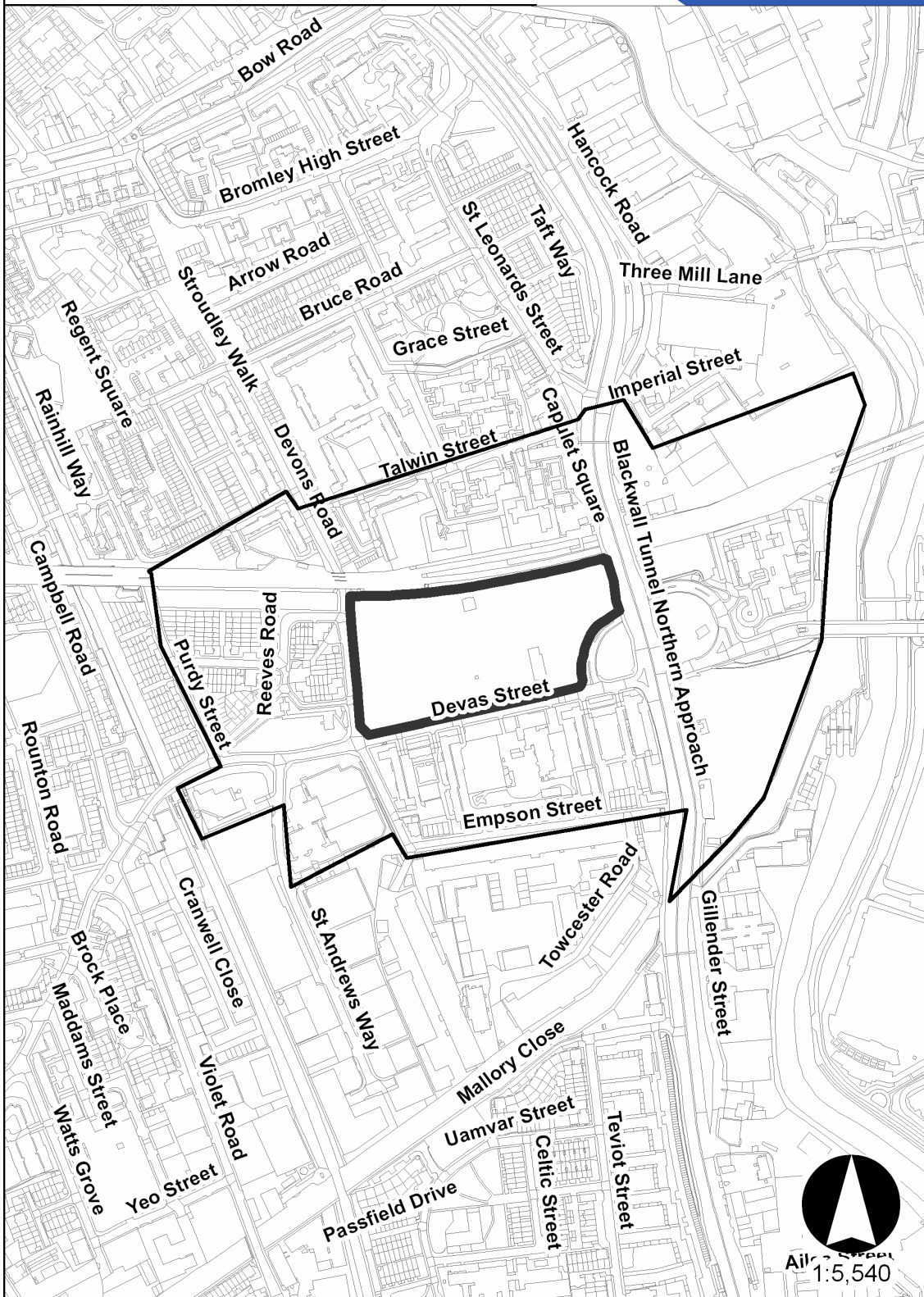
Other

- 8.82 In respect of the matter of terrorism, the scheme has been considered by the Metropolitan Police. No threat or risk in this respect has been identified. No evidence has been submitted specifying any probable threat of terrorism for this scheme and in this location. Furthermore, safety and security is maximised by the scheme's design as previously discussed. In addition, this issue is considered to be balanced by the regeneration benefits of this scheme.
- 8.83 In respect of the impact to TV reception, the s106 planning agreement obliges the developer to undertake testing through the course of developing the site and undertake mitigation where necessary. It is noted this will address any potential impact to TV reception. Fixed line and mobile phone reception is not considered to be affected by the development and no significant issues are identified in the ES.

9. Conclusions

- 9.1 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application
Site Map



Planning Application Site Boundary



Consultation Area



Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288