

LONDON THAMES GATEWAY DEVELOPMENT CORPORATION

PLANNING COMMITTEE MEETING: 10th May 2007

Planning Application for LTGDC's Determination

Report of the Director of Planning

CASE NUMBER: LTGDC-01264-06 **DATE MADE VALID:** 03/08/2006

APPLICATION NO: 06/01246/LTGDC/LBN **TARGET DATE:** 03/10/2006

APPLICANT: The Worshipful Company of Carpenters

AGENT: Thornsett Group PLC

PROPOSAL: Construction of a part five and ten storey building to provide 64 residential units (class C3), an undercroft car park to provide parking for 28 cars, 64 bicycles and 5 motorbikes, ancillary plant and equipment, new private amenity space and provision of a new access to Jupp Road.

LOCATION: 1A Lett Road, Stratford, E15 2HP

1. SUMMARY

1.1 The application site is owned by the Worshipful Company of Carpenters ("Carpenters' Company"). The Carpenters' Company has entered into a joint venture partnership with Thornsett Group PLC to submit a planning application and redevelop the site. Thornsett Group Plc will manage redevelopment of the site and dispose of the units for market sale. The Carpenters Company will acquire and manage the proposed on-site intermediate units and make them available to local tradesman under their stewardship.

1.2 The Carpenters' Company was originally founded to safeguard the welfare of carpenters and now supports charitable and educational interests from the income derived from its property holdings. The Carpenters' Company has significant landholdings in the London Borough of Newham (LBN) and provides financial assistance to local initiatives that support training in the building crafts.

1.3 The site is located at the edge of Stratford Town Centre and currently

accommodates low grade industrial buildings.

1.4 The application proposes redevelopment of the site to provide 64 units comprising 38x1 bedroom units (59.4 %), 22x2 bedroom units (34.4%) and 4x3 bedroom units (6.2%). The application proposes 23 (35%) affordable housing units comprising 10x1 on-site intermediate units and a commuted sum towards the provision of 13 off-site social rented units.

1.5 The proposed development incorporates a 5 storey 'L' shaped perimeter block that fronts onto to Jupp Road and Lett Road and a 10 storey block which cantilevers over the perimeter block. The blocks combine to create a central courtyard and the perimeter block includes a roof top terrace. The majority of flats have access to private balconies. The application proposes 18 car parking spaces and cycle parking facilities located at undercroft level.

1.6 The principle of redeveloping the site with a residential development is considered to be in accordance with planning policies seeking the redevelopment of inefficiently used brownfield sites within town centre locations well served by public transport.

1.7 The proposed development will secure the provision of 64 new housing units, including the provision of 10 intermediate units and a contribution towards the provision of off-site social rented housing. The proposed development is considered to provide an acceptable living environment for prospective residents.

1.8 The proposed height and massing is considered to respond appropriately to the site context, but some concerns have been expressed about the visual impact of the cantilevered element in terms of its bulk, relationship to the perimeter block and presence in the streetscene. This concern is not considered to justify refusal.

1.9 The restraint based approach to car parking provision is considered acceptable given the site's proximity to Stratford station and town centre.

1.10 LBN requires a commuted sum of £1,560,000 towards the provision of off-site affordable housing on the basis that £120,000 per unit is required to provide 13x4 persons units or the equivalent on a habitable room basis. The applicant has offered a commuted sum of £1,290,000 and submitted a development appraisal to demonstrate that the scheme would be unviable if the commuted sum sought by LBN was provided in full.

1.11 While the application fails to provide the total commuted sum required to provide 13x4 persons off-site social rented units, the application is considered to be in accordance with planning policies seeking to link the provision of affordable housing to development viability within the context of encouraging as opposed to restraining development. The shortfall in affordable housing is not considered to justify refusal.

1.12 The application is recommended for approval subject to any direction from the Mayor of London, planning conditions set out in section 11.0 the report and a Section 106 agreement securing:

- £1,290,000 contribution towards the provision of off-site affordable housing;
- £100,000 contribution towards environmental improvements, education provision, traffic order amendment and skills training;
- Local Labour commitment;
- Local Goods and Services commitment.

2.1 Description of Site & Surroundings

2.1.1 The site measures 0.125ha and is currently occupied by low grade industrial buildings. The site is located at the edge of Stratford town centre and bounded by Lett Road to the south, Jupp Road to the west, the Channelsea River culvert to the east and a 3 storey telephone exchange building to the north. A terrace of two storey houses is located opposite the site in Jupp Road and a large 3 storey building occupied by the University of East London is located opposite the site in Lett Road.

2.1.2 The Carpenters Estate is located to the west of the site and contains a high proportion of social rented housing within both low and high rise housing. The LBN is developing a masterplan to form the basis of a planning application that will propose the refurbishment and redevelopment of the estate to include a net increase in the number of housing and greater mix across the affordable and private sectors.

2.1.3 A proposed development site at 302-310 High Street is located beyond the Channelsea River culvert. A planning application proposing a residential-led mixed use building the equivalent of 33 storeys was considered by the planning committee on 8 February 2007 following an appeal being lodged against non-determination. The application was due to be considered at a planning inquiry commencing on 15 May 2007. The appellant withdrew the appeal on 26 April 2007.

2.1.4 The site benefits from a PTAL (Public Transport Accessibility Level) of 6 (where 6 is the highest) given its proximity to National Rail, London Underground, Docklands Light Railway (DLR) and bus routes serving Stratford Interchange and town centre. The site's accessibility to public transport will further improve when the proposed Stratford High Street DLR station opens on the southern side of the High Street.

2.2 Description of Proposal

2.2.1 The application proposes a part 5 and part 10 storey development comprising 64 residential units. The application proposes 38x1 bedroom units, 22x2 bedroom units and 4x3 bedroom units.

2.2.2 The application proposes a 5 storey 'L' shaped perimeter block which fronts onto Lett Road and Jupp Road and a 10 storey block which on the upper floors cantilevers over the 'L' shaped perimeter block. The blocks combine to enclose a small courtyard area at podium level located above an undercroft car park accommodating space for 18 car parking spaces and facilities for cycles and motorcycles. Communal amenity space is provided on the roof of the 'L' shaped perimeter block.

2.2.3 The application proposes 35% affordable housing comprising 10x1 intermediate units provided within the development and a financial contribution towards the provision of 13 off-site social rented units or its equivalent on a habitable room basis.

3. MAIN ISSUES

- Land Use
- Design
- Housing Density
- Housing Mix/Affordable Housing
- Daylight and Sunlight
- Amenity Space
- Transport/Highways/Access
- Flood Risk
- Energy

4. RELEVANT SITE HISTORY

4.1 None

5. CONSULTATIONS/NOTIFICATIONS

Greater London Authority (GLA)

5.1 The Stage 1 reported dated 14 May 2007 set out the Mayor of London's comments on the application. The Mayor of London supported the principle of development subject to consideration of the following issues:

- Clarification to be provided that any financial contribution made in lieu of on site provision of family sized social rented housing will be linked to the delivery of new social rental family housing within future development sites on the nearby Carpenters Estate
- A financial viability assessment is required to demonstrate the proposed development cannot deliver a higher proportion of affordable housing to meet the London Plan 2004 Requirements
- Clarification is required on the intermediate housing offer and the proposed affordability levels.
- Concern is raised over the massing and design of the proposed cantilevered tower and the impact this structure would have upon the area. To overcome these concerns the design of the tower need to be substantially revised.
- Further revision to the façade treatment of the perimeter block at street level, particularly at Jupp Road are required, to help create more active street frontages and to better integrate the development with their surroundings
- Clarification is required with regards to the treatment of the Channelsea River culvert.
- To assess the impact of the proposals a shadowing study will need to be undertaken
- Clarification is required on the layout and design of the toddler area.
- The development will be expected to provide a connection to any district heating scheme which is likely to be delivered to serve the nearby Carpenters Estate and other developments in the area.
- Marked up plans drawn at an appropriate scale, including sections showing relevant gradients and any changes in level, will need to be submitted together with the written access statement and which demonstrates the approach to inclusion, and which shows how all potential users, regardless of disability, age or gender, can enter the site, move around the site, enter the buildings and use the facilities.
- The applicant should be encouraged to submit a Travel Plan that is iTRACE compliant for monitoring and enforcement purposes, which is secured and monitored through S106 agreement.

London Borough of Newham (LBN)

5.2 The LBN will report the application to its Planning Committee on 9 May 2007 with a likely recommendation that it is refused on grounds that the application makes an inadequate financial contribution towards the level of off-site affordable housing required to meet the policy requirement for 35% affordable housing. The outcome of the meeting will be reported at the committee meeting. The following provides a summary of the comments received by LBN officers:

Housing

5.3 Object on the basis that the commuted sum offered (£1,290,000) to deliver 13x4

persons units is below that sought (£1,560,000). As such, the proposed development is considered contrary planning policy seeking a minimum of 35% affordable housing as set out in LDF Core Strategy.

5.4 The application accords with policies seeking to achieve a mix of housing types and tenures. The application provides an appropriate level of intermediate housing given that the surrounding area accommodates a high proportion of social rented housing.

5.5 While there is a need for larger family sized accommodation, some locations are considered unsuitable for family housing such as town centres, main thoroughfares, commercial conversion and highly contaminated sites with a noisy environment. The site is located in the Stratford High Street area, which has been identified as generally unsuitable for family housing. As such, many of the sites may not be appropriate for anything larger than 1 and 2 bedroom units. The off-site provision will need to be for family housing provided in more suitable locations.

Forward Planning and Transportation

5.4 The site is located within the Stratford Controlled Parking Zone (CPZ) that operates between 8:00am to 6:30pm on Monday to Saturday.

5.5 The application should include an obligation to prevent future occupiers from applying for or being issued with parking permits. A contribution of £2,000 is sought towards amending the traffic order.

5.6 The proposed level of car parking is considered inadequate to meet the needs of the development. It is recommended that car parking is provided at a ratio 0.5 spaces per unit. The bicycle and motorcycle storage facilities are considered acceptable.

5.7 The position of the bin room storage 15m from the road will prevent waste trucks from entering the site for collections.

Environmental Health

5.8 Raise no objection subject to the imposition of conditions requiring the submission of (1) air quality assessment, (2) details of sound insulation between the development and non-residential adjoining premises, (3) an assessment of noise generated by road and rail movements (4) an acoustic report of on site noise generation (5) a site investigation (6) a dust management strategy and restricting the hours of (7) impact piling and (8) construction.

Environment Agency

5.9 The Environment Agency raise no objection subject to the imposition of conditions requiring (1) floor levels to be set at least 300mm above the 1 in 100 year plus climate change flood level of 4.28 metres above Ordnance Datum, (2) planting within the 5.0 metre buffer zone to be of nature species and (3) lighting levels within 5.0 metres of the bank of the Channelsea River should be maintained at background levels with no light spill from external lighting into the watercourse or adjacent river corridor habitat.

English Heritage

5.10 The site is located in an archaeological priority area as specified in the UDP. The imposition of a planning condition requiring the submission of a programme of archaeological works is requested in the event that planning permission is granted.

6. APPLICATION PUBLICITY

6.1 Site Notice Expiry: 10/07/2006

6.2 Press Notice Expiry: 28/06/2006

6.3 Neighbour Notification:

6.3.1 Site notices were placed around the site, a press notice released and letters were sent to surrounding occupiers.

7. REPRESENTATIONS

7.1 No representations have been received following the neighbour consultation process.

8. RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS 1 Delivering Sustainable Development
PPG3 Housing
PPG13 Transport
PPG16 Archaeology and Planning
PPS22 Renewable Energy
PPG25 Flood Risk

8.2 The London Plan (February 2004)

2A.3 Areas for Intensification
2A.4 Areas for Regeneration
3A.1 Increasing London's supply of housing
3A.2 Borough housing targets
3A.5 Large housing developments
3A.7 Affordable housing targets and
3A.8 Negotiating affordable housing in individual private residential and mixed use schemes
3C.15 Road scheme proposals
3C.20 Improving conditions for pedestrians
3C.21 Improving conditions for cycling
3C.22 Parking strategy
4B.1 Design Principles for a compact city
4B.3 Maximising the potential of sites
4B.8 Tall Buildings - location
4B.9 Large-scale buildings – design and impact
4C.8 Sustainable drainage

8.3 LB Newham UDP (June 2001)

S3 Quality of Development
S4 Sustainable Development
S7 Strategic Policies for Urban Regeneration: Promotion of Development
S9 Strategic Policy for Environmental Quality
S19 Strategic Policies for Housing
S20 Strategic Policies for Housing
S24 Strategic Policies for Employment
S28 Strategic Policies for Employment
S39 Strategic Policies for Leisure, Recreation and Open Space
EQ18 Promoting Urban Quality

EQ19	Design Consideration: Residential Area
EQ21	New Development: Landscaping
EQ24	Energy Efficiency
EQ26	Safety
EQ27	High Buildings: Control and Design Considerations
EQ28	High Buildings: Control and Design Considerations
EQ36	Buildings of Local Interest
EQ43	Archaeology
EQ45	Pollution
EQ47	Noise Impact
EQ62	Protection of the Flood Plain and Urban Washlands
EQ63	Surface Water Disposal
H5	Conversion/Redevelopment From Other Commercial Uses
H6	Affordable Housing
H7	Affordable Housing in New Residential Areas
HI3	Promoting Quality in Housing
HI4	Promoting Choice in Housing
H15	Housing Mix
HI6	Density
HI7	Design and Layout
EMPI	Employment Growth
T1	New Development: Environmental Impact
T2	New Development: Public Transport Accessibility
T14	Design to Minimise Road Accidents in New Developments
T15	Parking Standards for New Development
T24	Access by Cycle and Cycle Parking
OS8	Green Space in New Housing
CS1	Protection of Sites in Community Use

8.4 LB Newham Local Development Framework (February 2006)

8.4.1 The draft LDF Preferred Options Core Strategy was issued in February 2006 and sets out the vision for Newham and defines the concept of sustainable neighbourhoods. The preferred options for the core policies include:

- The Core Strategy Key Diagram identifies Stratford as a key town centre development node.
- Paragraph 6.2 requires the highest standard of design for all new development, both for buildings and surrounding private and public space.
- Paragraph 6.4 requires proposals for new development to be designed to maximise the safety and security of those using the surrounding streets and spaces and of those who will live and work within the development.
- Paragraph 6.6 supports the principle of tall buildings in Stratford on the basis that they achieve the highest design quality, are compatible with local character and complement the surrounding townscape.
- Paragraph 6.8 promotes the conservation and efficient use of energy in all new developments.
- Paragraph 6.20 requires new residential development to be of a density that is appropriate to its location and recognises that densities in excess of 700 hr/ha may be considered on sites where a PTAL of 6 exists on the basis that development is of the highest design quality, must not adversely affect the amenity of existing

residents, must provide sufficient amenity space and have regards to all other Policies in the Core Strategy.

- Paragraph 6.21 requires at least 35% of units to be provided as affordable housing.
- Paragraph 6.22 sets out the unit size and tenure mix for housing development on 'family oriented' and 'other' housing sites. On 'other' housing sites a balance of 1, 2 and 3 bedroom units is required within market, intermediate and social rented accommodation. The affordable housing offer should comprise a 60:40 split between social rented and intermediate accommodation. Off site provision or a commuted payment may be acceptable in lieu of up to a 10% of affordable housing on 'other' housing sites.
- Paragraph 6.26 sets out minimum internal space standards for new homes which includes 49m² 1 bed, 66m² 2 bed, 85.5m² 3 bed in flat developments. Grant funded affordable housing will be expected to meet Housing Corporation Scheme Development Standards.
- Paragraph 6.29 requires all new development to achieve Lifetime Homes Standards.
- Paragraph 6.62 requires new residential development to provide a minimum of 20m² of communal/semi-private, including balconies and roof terraces, per dwelling.

8.5 Other Relevant Planning Policies & SPG's

- LBN Residential Planning Guidelines SPG (May 2001)
- Lower Lea Valley Opportunity Area Planning Framework (LLV OAPF) (2007)
- London Plan Housing SPG (November 2005)

9. ASSESSMENT OF MAIN ISSUES

Land Use

9.1 The adopted Unitary Development Plan (UDP) does not designate the application site within any specific land use category. The existing employment uses are therefore afforded limited policy protection as they are not located within a Principal Employment Area or Local Employment Area designation.

9.2 The land use principle of redeveloping the site with a residential development is considered to be in accordance with London Plan, UDP and draft LDF Core Strategy policies designed to maximise the development potential of brownfield sites to contribute to achieving local and strategic housing need. This particularly applies to sites in town centre locations that benefit from good public transport accessibility.

9.3 The UDP identifies the periphery of Stratford town centre as an appropriate location for high buildings provided they adopt high quality design, do not harm the composition and harmony of existing buildings and do not have an adverse impact on the amenity of surrounding residents. The LDF Core Strategy supports the principle of tall buildings in Stratford on the basis that they achieve the highest design quality, are compatible with local character and complement the surrounding townscape.

9.4 The principle of demolishing the existing buildings and redeveloping the site with a high density residential development has the potential to secure the regeneration of an

inefficiently used site located at the edge of Stratford Town Centre. The principle of redeveloping the site with a high density residential development is contingent on the scheme leading to no site or scheme specific objections.

Design

9.5 UDP Policy EQ19 requires all new developments to adopt (1) scale and bulk in relation to the plot size and surrounding and (2) aesthetic quality in terms of the intrinsic design of the proposal and its relationship to its surroundings.

9.6 London Plan Policy 4B.1 seeks to ensure that new developments (1) respect local context, character and communities, (2) are practical and legible, (3) are attractive to look at and, where appropriate, inspire, delight and excite.

9.7 London Plan Policy 4B.8 lends support to tall buildings where they (1) create attractive landmarks enhancing London's character, (2) act as a catalyst for regeneration and (3) acceptable in terms of design and impact on their surroundings.

9.8 London Plan policy 4B.9 requires tall buildings to be of the highest quality and design and in particular (1) be suited to their wider context in terms of proportion and composition and in terms of their relationship to other buildings, streets, public and private open spaces, the waterways or other townscape elements, (2) be attractive city elements as viewed from all angles and where appropriate contribute to an interesting skyline, consolidating clusters within that skyline or providing key foci within views, (3) illustrate exemplary standards of sustainable construction and resource management and potential for renewable energy generating and recycling, (4) be sensitive to their impact on micro-climates in terms of wind, sun, reflection and overshadowing and (5) pay particular attention, in residential environments, to privacy, amenity and overshadowing.

9.9 The application proposes a five storey 'L' shaped perimeter block that fronts onto Jupp Road and Lett Road. A ten storey tower block is positioned along the site's boundary with the Channelsea River culvert which on the upper floors cantilevers over the 'L' shaped perimeter block and adopts a butterfly roofline. The development therefore reads as two distinct building elements. The ten storey block kinks along different planes to respond to the Channelsea River culvert and road alignments. This, together with the butterfly roofline serves to reduce its bulk when viewed from east and west.

9.10 The main pedestrian access is at the south east corner of the site in Lett Road within the 'L' shaped perimeter block. A secondary access is located in Jupp Road. The units fronting Lett Road have direct access from the back edge of the pavement. Vehicular access is achieved via Jupp Road to an undercroft car, cycle and motorcycle parking area. The blocks combine to create a small internal courtyard area and communal amenity space is located on the roof of the 'L' shaped perimeter. Light wells enable natural light to penetrate the undercroft car park.

9.11 The proposed 'L' shaped building will consist of a red brick facade punctuated by window openings and projecting balconies. The ten storey cantilvered block employs a metal cladding system. The contrasting finishing materials reinforce the intention to provide two distinct building elements. The elevations are effectively animated by the fenestration design and the use of projecting balconies.

9.12 Following discussions with the Corporation, GLA and LBN, the applicant has amended the scheme by (1) removing a projecting stair tower from the western elevation of the ten storey element to simplify and enhance its appearance when viewed from the Carpenters Estate and (2) lowering the parapet wall of the car park

and introducing additional glazing along the Jupp Road elevation to establish a more positive relationship and increased overlooking of the street.

9.13 While some concern has been expressed at the design and legibility of the proposed cantilevered element in terms of its bulk, relationship to the 'L' shaped perimeter block, appearance in the streetscene and cost of construction, the overall height, scale, massing and appearance of the development is considered an acceptable response to the site setting and context and would not justify grounds for refusal.

Housing Density

9.14 The application proposes a residential development comprising 64 units. The site measures 0.125 hectares resulting in a housing density of 512 units or 1264 habitable rooms per hectare.

9.15 London Plan Policy 4B.3 seeks to maximise the potential of sites through a consideration of location, public transport accessibility and local context. Policy 4B.3 requires Borough's LDF's to adopt the residential density ranges set out Table 4B.1.

9.16 These density ranges provide a guide to density relative to site classification based on an assessment of its location, setting and public transport accessibility. In considering the application of Table 4B.1, paragraph 6.7 of the London Plan Housing SPG advises that the table should not be seen as prescriptive, should be applied flexibly and support higher densities where they can be justified by local circumstances.

9.17 It is considered that based on an assessment of site setting, PTAL and proximity to Stratford town centre, the site is capable of accommodating a high density development and a building of above six storeys.

Affordable Housing

9.18 The application proposes 23 (35%) affordable housing units in the form of 10x1 bed on-site intermediate units and financial contribution towards the provision of 13 off-site social rented family units.

9.19 London Plan Policy 3A.7 seeks 50% affordable housing split between 70% social rented and 30% intermediate provision. In negotiating affordable housing Policy 3A.8 requires Boroughs to seek the maximum reasonable amount of affordable housing having regard to the need to encourage rather than restrain residential development and the individual circumstances of the site.

9.20 UDP Policy H7 requires affordable housing to be agreed taking into account location, marketing and site conditions. Paragraph 4.50 states that as a guide for negotiations, 25% of units are required on site, or 33% or its equivalent if provided off site. Paragraph 6.21 of the LDF Core Strategy requires residential schemes to provide a minimum of 35% units to be provided as affordable housing.

9.21 LBN seeks £120,000 per unit and a total contribution of £1,560,000 towards the provision of 13x4 persons off-site social rented units. This figure is based on the commuted sum required to deliver 13x4 persons units or the equivalent when calculated on a habitable room basis. LBN requested a contribution of £90,000 per unit (£1,170,000) during pre-application negotiations and the applicant put together a development package on that basis.

9.22 The applicant has offered £1,290,000 towards the provision of 13x4 persons off-site social rented units. This equates to a contribution of £99,230 per unit. LBN objects

to the shortfall in the applicant's offer on grounds that it will only deliver 10.75 units and the equivalent of only 32% affordable housing. This constitutes a departure from the policy requirement to provide a minimum 35% affordable housing. However, planning policies refer to the need to take into account economic viability and the most effective use of private and public investment when estimating the affordable housing provision from private residential developments.

9.23 The applicant has submitted a development appraisal to demonstrate that the scheme would be unviable if additional contributions were provided. The development appraisal has been verified by the GLA and LBN. Although the development appraisal makes reference to £647,000 of exceptional design costs, these relate to the provision of mesh panel and windbreaks to balconies attached to the building elevations, the construction of a flood resilient undercroft car park and the provision of a biomass boiler. These costs are considered an integral part of the development and are acceptable in assessing the scheme viability.

9.24 While the application fails to provide the total commuted sum sought towards the provision of 13x4 persons off-site social rented housing, the application is considered to be in accordance with planning policies that seek to link the provision of affordable housing to development viability within the context of encouraging as opposed to restraining development.

Housing Mix

9.25 The proposed development will comprise 38x1 bedroom units (59.4 %), 22x2 bed units (34.4%) and 4x3 bed units (6%). The applicant will make commuted sum towards the provision of 13 social rented units and 10x1 bedroom on-site units will be allocated intermediate housing to be managed by the Carpenters' Company.

9.26 London Plan Policy 3A.4 requires new development to offer a range of housing sizes and types and the corresponding Housing SPG consolidates this policy objective by seeking a preferred housing mix within new development.

9.27 UDP Policy H15 requires development to provide a mix of dwelling sizes having regard to the characteristics of the site, its relationship to the surrounding area, the nature of the development proposed and marketing considerations.

9.28 The overall mix of unit sizes is considered acceptable on the basis that the off-site units are delivered as 13x4 person units or an equivalent number of larger family sized units.

9.29 While the intermediate housing is restricted to one bedroom units, this is considered acceptable given that they will be managed by the Carpenters' Company to house tradesman training under their stewardship. This is considered to compensate for the lack of larger intermediate housing units.

Daylight and Sunlight

9.30 The applicant has submitted a Daylight and Sunlight Report that assess the impact of the development on the daylight and sunlight conditions experienced by surrounding residential buildings and prospective residents of the development. The nearest residential properties comprise a terrace of two storey houses forming 34-43 Jupp Road.

9.31 London Plan policy 4B.9 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. UDP Policy H17 requires new development to ensure a satisfactory level of amenity, outlook and natural

lighting is maintained to existing occupiers. UDP Policy EQ19 identifies the need for new developments to have regard to their surrounding in terms of scale and bulk and refers to the Residential Planning Guidelines SPG as providing supplementary detail on design standards to be incorporated within new development. The SPG adopts the Building Research Establishment (BRE) criteria for assessing the sunlight and daylight impact of new development on existing buildings.

9.32 The submitted Daylight and Sunlight Report concludes that the proposed development will not result in a material deterioration of the daylight and sunlight conditions enjoyed by surrounding residential dwellings or prejudice the development potential of adjacent sites. The report also concludes that, with the exception of four bedrooms overlooking the internal courtyard, the daylight and sunlight conditions experienced by prospective residents complies with the recommendations set out in the BRE guidelines.

9.33 The proposed development is therefore considered to be in accordance with planning policies seeking to ensure that the daylight and sunlight conditions experienced by existing occupiers is compliant with the recommendation set out in the BRE guidelines.

Amenity Space

9.34 The application provides amenity space through the provision of a ground floor internal courtyard, 5th floor roof terrace and private balconies. The internal courtyard and roof terrace measure approximately 500m² and will be accessible to prospective residents and the roof terrace includes a children's play area. With the exception of 14 units, of which 10 are identified as 1 bedroom intermediate units, all units include private balconies.

9.35 Policy H17 requires a satisfactory level of private amenity space as integral to the development. The Residential Planning Guidelines SPG recommends that for one bedroom flats 100m² of communal garden is required for up to 4 dwellings and 15m² for each additional dwelling and 25m² of communal garden per dwelling is required. The SPG acknowledges that balconies can be included within this requirement. The draft LDF Core Strategy requires all new residential development to provide communal/semi-private amenity space at a ratio of 20m² per dwelling. This equates to a requirement for 1,320m² of communal/semi private amenity space.

9.36 Although the amount of amenity space is below that sought in the UDP and draft LDF, the combined provision of private balconies and communal roof terrace and internal courtyard is considered to meet the needs of prospective residents while recognising the case for maximising the development potential of a currently inefficiently used edge of town centre site.

Transport/Highways/Access

9.37 The application proposes 18 car parking spaces and cycle and motorcycle parking located in an undercroft car park accessed from Jupp Road. The number of trips generated by the proposed development is not considered to have an adverse impact on the safe and efficient operation of the surrounding road network. The provision of 0.27 car parking spaces per unit is considered acceptable given the site's excellent public transport accessibility.

9.38 The application site is located within a Controlled Parking Zone given its proximity to Stratford station and town centre. To prevent future occupiers of the development increasing pressure for car parking in local roads, the applicant is required to enter into a S106 agreement to prevent future occupiers from applying for and receiving parking

permits and provide £2,000 towards an amendment to the traffic order.

9.39 The provision of bicycle storage at a rate of 1 per flat is considered acceptable as well as the provision of 5 motorcycle bays.

9.40 The scheme has been designed to be accessible to all those living or visiting the development.

9.41 The applicant will be required to submit details of refuse storage facilities and collection arrangements prior to commencement of the development.

Flood Risk

9.42 The site is located within Flood Zone 3 which represents a high flood risk zone. The Environment Agency raises no objection to the application subject to the imposition of conditions relating to the detailed design of the scheme.

Energy

9.43 The London Plan seeks a reduction carbon emissions by requiring the incorporation of energy efficient and renewable energy design and technology in new developments.

9.44 The applicant has submitted an Energy Statement proposing the use of gas and biomass fired boilers in combination enhanced insulation and air tightness and good practise building design measures. It is estimated that these technologies will result in a 10% reduction in carbon emissions.

9.45 It is recommended that the applicant be required to submit details of energy efficient and renewable energy technologies to ensure the London Plan targets will be met.

10. CONCLUSION AND REASONS FOR PERMISSION

10.1 The proposed development will secure the redevelopment of an inefficiently used brownfield site located on the edge of Stratford town centre and benefiting from excellent public transport accessibility.

10.2 The proposed development will secure the provision of 64 new housing units, including the provision of 35% affordable housing in the form of 10 intermediate units and a contribution towards the provision of 13x4 persons off-site social rented units.

10.3 The proposed height and massing is considered to respond appropriately to the site context, but concerns have been expressed about the visual impact of the cantilevered element in terms of its relationship to the perimeter block and presence in the streetscene.

10.4 The restraint based approach to car parking provision is considered acceptable given the site's proximity to Stratford station and town centre.

10.5 The LBN requires a commuted sum of £1,560,000 towards the provision of off-site affordable housing on the basis that £120,000 per unit is required to provide 13x4 persons or the equivalent on a habitable room basis. The applicant has offered £1,290,000 towards this provision and submitted a development appraisal to demonstrate that scheme would become unviable if this contribution was increased.

10.6 While the application fails to provide the total commuted sum sought towards the

provision of 13x4 persons off-site social rented housing, the application is considered in accordance with planning policies seeking to link the provision of affordable housing to development viability within the context of encouraging as opposed to restraining development.

10.7 The concerns relating to the building design and the shortfall in affordable housing provision are not considered to justify a refusal. The application is considered to be in accordance with relevant planning policies subject to a S106 agreement securing financial contributions towards the delivery of off-site affordable housing, environmental improvements, education provision, traffic order amendment and skills training.

11. RECOMMENDATION

The application is recommended for approval subject to (1) the planning conditions set out below and (2) a Section 106 agreement securing:

- £1,290,000 contribution towards the provision of off-site affordable housing;
- £100,000 contribution towards environmental improvements, education provision, traffic order amendment and skills training;
- Local Labour commitment;
- Local Goods and Services commitment.

11.2 The committee is recommended that the application be delegated to the Director of Planning to approve for the reason sets out in Section 10 of the committee report, subject to:

- a) any direction from the Mayor of London;
- b) a legal agreement securing the heads of terms set out in paragraph 11.1;
- c) the conditions set out below.

Conditions and Reasons:

1. The development to which this permission relates must be commenced not later than the expiration of THREE YEARS from the date of this permission.

Reasons: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

2. All works are to be completed in accordance with drawing numbers PL_00_00, PL_00_01, PL_00_02, PL_00_03, PL_00_04, PL_00_05, PL_01_00B, PL_01_01C, PL_01_02A, PL_01_03B, PL_01_04B, PL_01_05B, PL_01_06B, PL_01_07B, PL_01_08B, PL_01_09B, PL_01_10B, PL_01_11C, P1_01_12, PL_02_00, PL_02_01C, PL_02_02A, PL_02_03B, PL_03_00B, PL_03_01, PL_03_02, PL_03_03 prepared by Proctor Matthews Architects. No further drawings apply, unless otherwise approved in writing by the Local Planning Authority.

Reasons: To ensure that the development is undertaken in accordance with the approved drawings, and to protect the local amenity with regard to Policy EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001), and Policy 4B.1 of the London Plan (adopted February 2004). The development is acceptable on the basis of the particulars contained within the application and this condition seeks to ensure the development is undertaken in strict accordance with those details as approved.

3. Prior to the commencement of works on the development hereby permitted, details of materials to be used on all elevations shall be submitted to and

approved by the Local Planning Authority. Details should include colour, texture and type of materials. The approved materials shall be implemented in accordance with the approved details thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

Reasons: To ensure a satisfactory standard of external appearance and to protect local amenity and with regard to policy EQ19 of the London Borough of Newham Unitary Development Plan (adopted June 2001) and Policy 4B.1 of the London Plan (adopted February 2004).

4. Prior to the commencement of works on the development hereby permitted details of all external lighting shall be submitted to and be approved in writing by the Local Planning Authority. Details should include appearance and technical details of the power, intensity, orientation and screening of the lamps. The approved details shall implemented prior to occupation of the development hereby permitted and shall thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

Reasons: To ensure that residential amenity and highway safety is not compromised, with regard to Policies EQ26, EQ19 and EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) and Policy 4B.1 of the London Plan (adopted February 2004).

5. Bicycle storage facilities as indicated on the plans hereby approved shall be implemented only in accordance with the approved drawings. These facilities shall be constructed, surfaced and marked out prior to occupation of the development and shall be permanently maintained thereafter.

Reasons: In order to ensure that adequate cycle parking is provided on this site, in accordance with Policies T15 and T24 of the London Borough of Newham Unitary Development Plan (adopted June 2001) and Policy 3C.21 of the London Plan (adopted February 2004)

6. All demolition/construction/building works shall be limited to the hours of 0800 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays and at no time on Sundays or Statutory holidays, without the prior written approval of the Local Planning Authority.

Reason: In the interest of residential amenity, in accordance with Policies EQ45 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001) of Policy 4A.14 of the London Plan (adopted February 2004).

7. Unless otherwise agreed in writing by the Local Planning Authority no impact piling shall take place during construction.

Reason: In the interest of residential amenity, in accordance with Policies EQ45 and EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001) of Policy 4A.14 of the London Plan (adopted February 2004).

8. Any planting undertaken in the 5 metre buffer zone from the Channelsea River shall be of native species only.

Reason: To benefit wildlife and help maintain the natural balance of flora.

9. Prior to commencement of the development hereby approved, a scheme for the

attenuation and mitigation of noise and vibration from the road and rail movements shall be submitted and approved by the Local Planning Authority. The attenuation and mitigation measures shall be implemented in accordance with the approved scheme prior to occupation of the development and thereafter maintained.

Reasons: To protect the amenity of future occupants and/or neighbours and with regard to policy EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001).

10. Prior to the commencement of works on the development hereby permitted, an acoustic report shall be submitted to and approved by the Local Planning Authority. Plant operation and activity on site shall not give rise to a BS4142 rating level greater than the background level at the nearest or worst effected property. Where it is considered impractical to meet this noise standard the report should detail mitigation measures taken to reduce noise to a minimum.

The approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained thereafter. The developer shall certify to the local planning authority that the noise mitigation measures agreed have been installed. This is to include assessment of the substation, tank room and boiler room as well as all static plant and ventilation systems.

Reasons: To protect the amenity of future occupants and/or neighbours and with regard to policy EQ47 of the London Borough of Newham Unitary Development Plan (adopted June 2001).

11. Prior to commencement of the development hereby approved a decontamination scheme shall be submitted to and approved by the Local Planning Authority. The scheme will identify the extent of existing contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed. The scheme shall include:

- i. a desk top report documenting the site history
- ii. a proposal to undertake an intrusive investigation based on the findings of the desk top study
- iii. a site investigation report to investigate and identify potential contamination
- iv. a risk assessment of the site
- v. proposals for any necessary remedial works to contain, treat or remove any contamination

Where remediation is required, it shall be carried out before the site is occupied and certificate or validation report stating that remediation has been completed as agreed with the Local Planning Authority must be prepared by a suitably qualified person and submitted to the Local Planning Authority for written approval.

Reasons: To safeguard the public, the environment and surface and groundwater as this site may have or is known to have been used in the past for activities that are likely to have resulted in it being contaminated with material that is potentially harmful to humans, or the environment and with regard to policy EQ49 of the London Borough of Newham Unitary Development Plan (adopted June 2001).

12. The development hereby approved shall not be commenced until an

Environmental Code has been submitted to and approved by the Local Planning Authority to cover all aspects of the development at the site, i.e. in respect of remediation, ground works, demolition, clearance and construction stages and modes of operation relating to hours of operation, refuse disposal, dust, smoke and odour control, avoidance of fires, wheel washing, noise and vibration etc. The agreed code shall include details of its implementation and monitoring and shall be in place for the whole period of the works at the site.

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties and with regard to policy EQ45 of the London Borough of Newham Unitary Development Plan (adopted June 2001) and the London Plan (adopted February 2004).

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted to and approved by the Local Planning Authority. The development shall only take place in accordance with the approved scheme. The archaeological works shall only be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: Important archaeological remains may exist on site. Accordingly, the Local Planning Authority wishes to secure the provision of an archaeological investigation and the recording of remains prior to commencement of development in accordance with the guidance and model condition set out in PPG16.

13. The development hereby approved shall not be commenced until a detailed Site Management Plan has been submitted to and approved by the Local Planning Authority to cover all aspects of the day to day management of the site i.e. in respect of refuse storage provision and collection, play areas and communal amenity space.

Reason: In order not prejudice residential amenity of the future occupiers and to ensure that the site is managed in such a way as to ensure the safety and security of users of the site and residents of the locality and to comply with EQ26 and EQ45 of the Unitary Development Plan (adopted June 2001)

14. Prior to the commencement of development a detailed planting/landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. Any such approved landscaping scheme shall be implemented in the first planting season following occupation of the buildings or the substantial completion of the development, whichever is the sooner.

Any plants or trees that die or are removed damaged or diseased within a period of FIVE years from the substantial completion of the development shall be replaced to the satisfaction of the Local Planning Authority in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent for a variation.

Reason: To ensure a satisfactory standard of external appearance of the development and with regard to Policies Q15, EQ19 and EQ21 of the London Borough of Newham Unitary Development Plan (adopted June 2001).

15. Prior to commencement of the development details of energy efficient and renewable energy technologies shall be submitted to and approved by the Local Planning Authority. The energy efficient and renewable energy technologies

shall be implemented in accordance with the approved details.

Reason: To promote the use of energy efficient and renewable energy technologies in accordance with Policies 4A.7, 4A.8 and 4A.9 of the London Plan.

16. Floor levels should be set at least 300mm above the 1 in 100 year plus climate change flood level of 4.28 metres above Ordnance Datum.

Reason: To protect the development from flooding.

CASE OFFICER: Will Steadman

Appendix 1: Site Location Plan
Appendix 2: Proposed floor plans and elevations
Appendix 3; Computer Generated Images