

## **LONDON THAMES GATEWAY DEVELOPMENT CORPORATION**

### **PLANNING COMMITTEE MEETING: 21 June 2007**

#### **Planning Application for LTGDC's Determination**

#### **Report of the Director of Planning**

**CASE NUMBER:** LTGDC-07-061-PP

**DATE MADE VALID:** 12 April 2007

**APPLICATION NO:** 07/00492/LTGDC

**TARGET DATE:** 7 June 2007

**APPLICANT:** Genesis Housing Group

**AGENT:** Stock Woolstencroft

**PROPOSAL:** Demolition of existing buildings and construction of a 7 to 20 storey mixed use development comprising 120 residential units and commercial use (Use classes B1, A3, D1, D2) and 28 car parking spaces.

**LOCATION:** 1 High Street Stratford, E15 2NA

### **1. SUMMARY**

1.1 The application site is located within the Sugar House Lane/Hunts Lane industrial area bounded by Stratford High Street (A11), the River Lea and the Three Mills Wall River. The site is located adjacent to the grade separated Bow Flyover junction of the Blackwall Tunnel North Approach (A12) and the A11 and the River Lea. The development potential of the site is constrained by the character of the area and the visual, noise and air quality impacts generated by the surrounding road infrastructure.

1.2 The application proposes redevelopment of the site to provide a residential-led mixed use development comprising 120 units and 950m<sup>2</sup> of commercial floorspace within a part 7, part 16 and part 20 storey building that functions as two distinct elements. The tower element accommodates commercial floorspace stacked over 3 floors. Car, motorcycle and cycle parking is located within a basement car park. Amenity space is provided in the form of a communal garden located adjacent to the River Lea and the A11, a 'brown roof' and private terraces and balconies. An ecology strip provides a buffer between the development and River Lea.

1.3 The application is located within a Major Opportunity Zone identified in the adopted

Unitary Development Plan (UDP) and an Industrial Area in the Lower Lea Valley Opportunity Area Planning Framework (LLV OAPF).

1.4 The LLV OAPF advocates the preparation of a masterplan to determine the form and location of development that can deliver an intensification of industrial uses within the introduction of non industrial uses including housing within the Sugar House Lane/Hunts Lane sub area. The application site is located at the north-west corner of the sub area where its development potential is significantly impacted on by surrounding road infrastructure. The introduction of new housing on this part of the site and within the configuration proposed is considered inappropriate.

1.5 The LTGDC supports the approach promoted in the LLV OAPF and will commission consultants to (1) appraise the masterplanning and associated technical work undertaken by Cleveland Developments Ltd. – an active developer in the area – on their proposals for the area and (2) expand this work to prepare a masterplan that is capable of adoption by the public sector authorities and implementation by landowners.

1.6 The principle of redeveloping the site with a residential led development is considered contrary to planning policies seeking no net loss of industrial capacity within the Sugar House Lane/Hunts Lane area. While the LLV OAPF designates this industrial area as having the potential to accommodate a proportion of non industrial uses, this is predicated on the basis that this does not result in a net loss of industrial capacity. Industrial capacity is defined as both internal floorspace and external functional areas. While the scheme incorporates some commercial floorspace it is considered to result in a net loss of the site's industrial capacity.

1.7 While the proposed form and design of development can be considered a logical response to the shape of the site, its location and proximity to strategic road infrastructure give rises to environmental impacts that will undermine the quality of housing that can be created. Industrial uses should therefore act as a buffer between environmentally insensitive infrastructure and non industrial uses. There are alternative sites within the Sugar House Lane/Hunts Lane more appropriate for redevelopment to include new housing. The masterplan will be expected to adopt these development principles.

1.8 In addition to concerns about the principle of redeveloping the site with a residential led development, the development proposes a housing density that relates poorly to the setting and accessibility of the site. This constraint is compounded by the quality of the environment surrounding the site and pedestrian routes to retail, community and public transport facilities in Bromley by Bow.

1.9 The provision of communal and private amenity space is deficient in quantum and usability given the type and density of development proposed and environmental constraints impacting on the site.

1.10 The level of car parking is not considered to reflect the site's existing accessibility to and by public transport services.

1.11 The application is recommended for refusal for the reasons set out at section 11.0 of the report.

## **2. SITE AND PROPOSAL**

### **2.1 Description of Site & Surroundings**

2.1.1 The application site measures 0.20 hectares and forms a narrow strip of land located south east of the A11/A12 Bow Flyover, north east of the River Lea and along

the western edge of the Sugar House Lane/Hunts Lane industrial area. The A12 is located beyond the River Lea and a strip of industrial sites accessed from Hancock Street. The River Lea marks the boundary between the London Boroughs of Newham and Tower Hamlets.

2.2 The site is accessed from Stratford High Street but vehicular access is limited to westbound movements given the position of the A11/A12 Bow Flyover. The site is located over 700m to the north east of Bromley by Bow underground station and 1500m from Stratford Town Centre.

2.3 The site is occupied by a two storey prefabricated office building and warehouse building. The remainder of the site comprises yard areas. It is understood the building was previously used for the storage purposes with ancillary offices associated with the packing and storage of lubricating oils. There is also a large advertisement structure at the western end of the site adjacent to the High Street.

2.4 The land located between the A11 and the Bow Back River to the north of the A11 corridor is characterised by mixed development including high density residential developments.

2.5 The site is located with Flood Zone 3 which represents a high risk zone.

## 2.2 Description of Proposal

2.2.1 The application proposes redevelopment of the site to provide a residential-led mixed use development comprising 120 units and 950m<sup>2</sup> of commercial floorspace within a part 7, part 16 and part 20 storey building that functions as two distinct elements. The tower element accommodates commercial floorspace stacked over 3 floors.

2.2.2 Car, motorcycle and cycle parking is located within a basement car park. Amenity space is provided in the form of a communal garden located adjacent to the River Lea and the A11, a 'brown roof' and private terraces and balconies. An ecology strip provides a buffer between the development and River Lea.

2.2.3 The tower block A contains 95 residential units comprising 1,2 and 3 bedroom flats from the third to 19<sup>th</sup> floors and block B contains 25 residential units comprising ground and first floor 4 bed maisonettes with 1,2 and 3 bed flats from the 2<sup>nd</sup> to the 6<sup>th</sup> floor.

2.2.4 Block A provides the private and intermediate/shared ownership flats and block B provides social rented housing.

2.2.5 A landscaped strip is provided along the entire length of the site along the river edge which is 120 metres long.

## **3. MAIN ISSUES**

- Land Use
- Design
- Housing Tenure and Mix
- Housing Density
- Amenity Space
- Residential Amenity
- Transport/Highways/Access
- Flood Risk

- Energy

#### **4. RELEVANT SITE HISTORY**

4.1 The site's primary use has been for storage and distribution uses and has been the subject of several approved planning applications associated with these uses.

4.2 On 16 April 2004 planning permission was granted for a 25m advertising structure.

4.3 Pre-application discussions took place with the LTGDC, LBN and GLA prior to submission of the application. At these meetings the public sector authorities outlined their concerns about the principle and detailed design of the proposed development.

#### **5. CONSULTATIONS/NOTIFICATIONS**

##### Greater London Authority (GLA)

5.1 The LTGDC awaits the Mayor of London issuing a Stage I report.

##### London Borough of Newham (LBN)

5.2 The LBN will report the application to its Planning Committee on 13 June 2007 with a recommendation that planning permission is refused. The outcome of the meeting will be reported at the committee meeting. The following provides a summary of the comments received by LBN officers:

##### *Environmental Health*

5.3 Raise no objection but require the imposition of planning conditions requiring details to be submitted in relation to (1) site investigation, (2) odour control (3) means of ventilation (4) sound insulation, (5) demolition and construction and (6) impact piling and the imposition of informatives.

##### *Transportation*

5.4 Object to the application on grounds that the development makes inadequate provision for car parking and will result in additional parking pressure on the highway and cause nuisance to existing residents and highway users.

##### *Housing*

5.5 Raise no objection to the proposed level of affordable housing.

##### Environment Agency (EA)

5.6 Object as the application fails to demonstrate that the risk of contaminating the soil and underlying groundwater has been adequately addressed.

##### British Waterways (BW)

5.7 British Waterways object to the application on grounds that the development would prejudice users of the waterway and seek a range of enhancements should the development be approved.

##### London City Airport

5.8 London City Airport advises that they are unable to comment fully because

insufficient information has been provided concerning maximum building heights.

## 6. APPLICATION PUBLICITY

**6.1 Site Notice Expiry:** 9.5.07

**6.2 Press Notice Expiry:** 9.5.07

**6.3 Neighbour Notification:** 24.4.07

6.3.1 Site notices were placed around the site and consultation letters were sent to 52 surrounding neighbours.

## 7. REPRESENTATIONS

7.1 One letter of objection was received from a local resident living in Wise Road which is located some distance from the application site. Given the nature of the objection there is a possibility that the objection is in relation to another scheme proposed on High Street. The following provides a summary of the comments submitted:

<b>Comment</b>	<b>Response to Comment</b>
1. The application has not been subject to an appropriate level of public consultation;	The application was advertised in accordance with the Town and Country Planning (General Development Procedure) Order 1995.
2. The development will result in noise disturbance during construction and occupation;	The application site is not surrounded by or in close proximity to any noise sensitive uses. LBN Environmental Health raises no objection to the noise generation impact of the development during construction and occupation. In the event that planning permission is granted disturbance caused during construction will be controlled by planning condition.
3. The size of the development is inappropriate for a quiet residential neighbourhood;	The application site is not located within a quiet residential neighbourhood.
4. The development will result in a loss of light in the surrounding neighbourhood;	The site is not surrounded by noise sensitive development. The nearest residential development is located beyond the A11/A12.
5. The development will fragment the community and diminish existing social interaction;	The application site is not located within an existing residential area.
6. The development will harm the structural integrity of adjoining homes;	There are no existing residential properties adjoining the site. This is also considered to be a Building Control matter.
7. The development will increase the	This is not considered to be a planning

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| possibility of crime;   | matter.   |
| 8. The development will result in increase traffic problems;                      | LBTH Highways raises no objection to the trip generation impact of the proposed development.  |
| 9. The development offers no substantial benefits to the local community;         | As the application is being recommended for refusal no discussions have been held with the applicant on improvements to the local environment and community facilities to be funded through a S106 Agreement. |
| 10. There are concerns that the building will not be used for the purpose stated. | In the event that planning permission is granted a condition will be imposed requiring the development to be implemented in accordance with the approved drawings and proposed use.                           |

## **8. RELEVANT PLANNING POLICY**

### **8.1 Planning Policy Guidance**

- PPS 1 Delivering Sustainable Development
- PPS 3 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.1 Integrating Transport and Development
- 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
EQ28	High Buildings: Control and Design Considerations
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
UR21	MOZ3
UR23	MOZ3

#### **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 locates the site with the Stratford and Lower Lea Valley area
- 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 6.8 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 49m<sup>2</sup> 1 bed, 66m<sup>2</sup> 2 bed, 85.5m<sup>2</sup> 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 20m<sup>2</sup> of communal/semi-private, including balconies and roof terraces, per dwelling.
- Appendix 3 includes a map of the Industrial/Employment Land Release Strategy and identifies the site in Area MOZ3 which is considered appropriate for between 20%-39% industrial land release

#### **8.4 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 application site is located within the Three Mills Island Major Opportunity Zone 3 (MOZ3) as defined in the UDP. The MOZ comprises Three Mills Island, Sugar House Lane and Hunts Lane and is identified as appropriate for high quality employment-based mixed use development. Policy UR21 states that mixed development will be permitted including B1, A1 and A3 uses that complement the existing film and media studios exploits opportunities for heritage based leisure and recreation uses. The principle of introducing residential development along the A11 is limited to north of the corridor as promoted by Policy UR23.

9.2 The proposed predominantly residential-led mixed use development conflicts with the land use policy promoted in the adopted UDP.

9.3 The draft LBN LDF Core Strategy relaxes this approach by identifying the area as appropriate for a proportion of industrial land release but provides no indication as to the spatial distribution of different land uses within the area. This issue is expected to be addressed in the proposed Stratford and Lower Lea Valley Area Action Plan, of which the Issues and Options stage is not expected until 2008.

9.4 While the draft LDF seeks to establish a proportion of industrial land release the extent to which it relates to the application site will be subject to the preparation of the Area Action Plan. It is considered that the application cannot be supported by the draft LDF.

9.5 The adopted LLV OAPF provides the strategic planning policy context for the Lower Lea Valley and locates the site within the Three Mills Sub Area. The LLV OAPF identifies the Three Mills Island, Sugar House Lane and Hunts Lane area within the 'other industrial area' category. This area is considered appropriate for industry-led mixed use development, including a proportion of housing, on the basis that the area experiences no net loss of industrial capacity. Industrial capacity is primarily defined as the overall industrial space comprising internal floor areas and all functional external areas. This is expected to be provided by a more compact arrangement of facilities, enabling the release of land for other uses and/or using the site in a way that on-site increases employment activity, in a comprehensive manner across all of the sub area.

9.6 While the application will increase the quantum of commercial floorspace currently provided it will result in a loss of the site's industrial capacity. The quantum and form of residential development proposed will result in the loss of external yard areas.

9.7 To ensure a more sustainable and effective the use of land within the area, including the provision of non-industrial uses, the LLV OAPF identifies the need to prepare masterplan to guide land use change in a comprehensive and managed way and in accordance with the strategic policy context. This work will inform the extent of any industrial land release, the potential to provide mixed use development and the type and location of non-industrial uses, and prevent the redevelopment of sites on a piecemeal and inefficient basis. The LTGDC is in the processing of commissioning consultants to undertake this work with the LBN, LDA and GLA.

9.8 The application relies entirely on the LLV OAPF's strategic policy reference to the potential for the sub area to accommodate a proportion of non-industrial uses, including housing, to support redevelopment of the site with a residential-led mixed use scheme. The application fails to demonstrate how development will incur no net loss of industrial capacity or acknowledge the need to prepare a masterplan to determine the optimal type and spatial distribution of land uses within the area. The effectiveness and viability of the commercial floorspace has not been demonstrated given that it is stacked over three floors with basement car parking and no ground level servicing apart from the adjacent highway.

9.9 As the site is constrained by the visual and environmental impacts associated with its proximity to the Bow flyover, it is considered to be more appropriate for industrial uses than high density housing. It is considered that any new housing proposed within the sub area is guided towards locations with better environmental conditions than the application site.

## Design

9.10 The application propose redevelopment of the site provide a part 7, part 16 and part 20 storey building that is formed of two distinct development blocks. Block A is a part 16 and part 20 storey tower block that is located closest to the Bow flyover and fronts the River Lea. Block B is a 7 storey deck access block that is oriented to front the River Lea. Block A incorporates the stacked commercial floorspace. The development blocks adopt significant plot coverage and their form is informed by the shape of the site.

9.11 Block A consists of three elements: the elevation fronting the River Lea will comprise a brick façade, the elevation fronting Stratford High Street will comprise a brown zinc box and the elevation overlooking Hunts Lane will be clad in white concrete. Block B is proposed to be clad in brick, zinc and timber.

9.12 While the proposed siting and massing of the development blocks is considered

broadly acceptable and an inevitable response to the site shape and configuration, the detailed design is considered deficient in its response to the visual and environmental impact of the surrounding road infrastructure and in its provision of amenity space.

9.13 There is limited design or policy justification in support of redeveloping the site with a tall building beyond mitigating the impact of the surrounding road infrastructure by elevating living space. The overall design approach is not considered to meet the design quality required of a tall building or justify the excessive density proposed.

#### Housing Tenure and Mix

9.14 The application proposes 120 units comprising 38x1 (31%) bedroom units, 61x2 bedroom units (50%), 17x3 bedroom units (14%) and 4x4 bedroom units (3%). The application proposes 53% affordable housing with a 60:40 tenure split between social rented and intermediate units.

9.15 The application accords with planning policies designed to maximise the provision of affordable housing and exceeds the London Plan requirement for new housing developments to provide 50% affordable housing and the draft LDF requirement to provide 35% affordable housing.

9.16 The policy requirement to deliver a mix of housing sizes is reinforced in London Plan Policy 3A.4 which requires new development to offer a range of housing sizes and types. The Housing SPG to the London Plan consolidates this policy objective by seeking an overall housing mix of 32% 1 bed units, 38% 2/3 bed units and 30% 4+ bed units in new housing developments.

9.17 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. Paragraph 4.74 refers to the desirability that residential developments in excess of 40 dwellings consist of a mix of family and non-family housing in order to encourage stable and balanced communities. The LBN definition of a family house is one comprising 3 bedrooms or more.

9.18 Paragraph 6.22 of the draft LDF Core Strategy sets out a preferred unit size and tenure mix to be achieved on non-family designated housing sites. The preferred unit mix requires new development to provide 3 bedroom units within both the market (25%) and intermediate sectors (5%) in order to meet an identified need for family sized housing.

9.19 While it is accepted that the site is constrained in its ability to provide traditional family housing types, this does not override the policy requirement to create mixed communities through the delivery of a range of housing sizes. Furthermore, the proposed mix reinforces concerns as to the appropriateness of the proposed development on this site and in isolation.

#### Housing Density

9.20 The application site measures 0.22 hectares. The application proposes redeveloping the site with a 120 units resulting in a housing density of 545 units or 1735 habitable rooms per hectare.

9.21 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. These density ranges provide a guide to density relative to site classification based on

an assessment of its location, setting and public transport accessibility. When assessed against this policy, the proposed density exceeds the highest density range recommended for sites occupying central London locations, located within 10 minutes walking distance of a town centre and enjoying the high levels of public transport accessibility.

9.22 While it is acknowledged that the site is located within an urban setting it is remote from a town centre and having limited accessibility to public transport services and social and community facilities. An assessment of the site's accessibility using the Public Transport Accessibility Level (PTAL) methodology concludes that the site has a PTAL of between 3 and 4 (where 6 is the highest). This site classification would be commensurate with a density up to 275 units and 700 habitable rooms per hectare. It is argued that the proposed housing density does not satisfy the requirements of London Plan Policy 4B.3 and would constitute an overdevelopment of the site that would result in an unsustainable form of development where its location, setting and accessibility are taken into account.

9.23 London Plan Policy 3C.1 seeks to ensure the integration of transport and development to encourage forms of development that reduce the need to travel and ensure people have convenient access to services and facilities they need. An assessment of the site's public transport accessibility and location relative to town centre services and facilities highlights the disparity with the type and density proposed.

9.24 It is clear that more recently adopted development plan documents seek to maximise redevelopment potential by encouraging high density housing development in appropriate locations in response to the need to meet the increased demand for housing. Nevertheless, it is considered that, in its attempt to maximise site potential, the proposal results in an excessively dense and unsustainable form of development that is contrary to policies seeking to promote the integration of transport and development by promoting high density housing in areas well served by public transport, within close proximity of town centre services and facilities and suited to their setting.

9.25 While the applicant has referred to other high density schemes permitted in the local area, these are not considered to be comparable or relevant in this instance.

### Amenity Space

9.26 The application provides communal and private amenity space in the form of a ground floor communal garden, 16<sup>th</sup> storey 'brown roof' and private balconies/terraces. Access to the River Lea is established by viewing decks positioned within an ecology strip. The application documents suggest that the scheme incorporates 2272m<sup>2</sup> of private and communal amenity space. This calculation includes the ecology strip fronting the River Lea and the public realm surrounding the building.

9.27 Policy H17 of the UDP requires an appropriate level of private amenity space as integral to the development and paragraph 4.81 refers to the Residential Planning Guidelines SPG when considering the design of new residential development.

9.28 The guidance contained in the Residential Planning Guidelines SPG states that amenity space is desirable in all developments and it needs to be clearly defined, safe and secure. The SPG recommends that for one bedroom flats 100m<sup>2</sup> of communal garden is required for up to 4 dwellings and 15m<sup>2</sup> for each additional dwelling and for two and three bedroom flats 25m<sup>2</sup> of communal garden per dwelling is required. Private balconies are included within these space requirements. The SPG acknowledges that the quality of private amenity space will depend not only on its size but also on its privacy, shape, level and relationship to the dwelling. The SPG requires the development to provide a total of 2,555m<sup>2</sup> of communal and private amenity space.

9.29 In order to protect residential amenity, Paragraph 6.62 of the draft LDF requires all new residential development to comply with minimum standards in relation to the provision of communal and semi-private amenity space, including balconies and roof terraces. New residential development is required to provide a minimum of 20m<sup>2</sup> of communal and semi private amenity space, including balconies and roof terraces, per dwelling. The draft LDF requires the development to provide a total of 2,400m<sup>2</sup> of communal and private amenity space

9.30 While the application documents suggest that the scheme incorporates 2,272m<sup>2</sup> of amenity space, this is deceptive when taking into account that the calculation includes circulation space around the building and the ecology strip along the river frontage.

9.31 The proposed communal garden is limited to approximately 194m<sup>2</sup> and is located at the western extent of the site adjacent to the Bow flyover and the River Lea. The amenity space is poorly integrated into the development and has limited amenity value in terms of amount and usability to future residents. While the ecology strip offers visual relief and biodiversity improvements it has limited recreational use and should not be included in a calculation of amenity space provided by the development. While residents would appear to be able to access the 16<sup>th</sup> storey 'brown roof' its true amenity value would appear to be undermined by the microclimatic conditions caused by its height, size and orientation.

9.32 The principle of providing flexibly designed and generous private balconies and terraces to every flat is welcomed. While it is recognised that the size and shape of the site constrains the extent to which amenity space can be designed as integral to the development, the application is considered to be deficient in terms of the amount and usability communal amenity space that will undermine the quality of living environment for future residents given the intensity of development proposed. This deficiency is considered to reflect the fact that the proposed development constitutes an overdevelopment of the site and that its redevelopment would benefit from a more comprehensive approach that considered adjacent sites and the wider area.

#### Residential Amenity

9.33 The development potential of the site is constrained by its proximity to surrounding road infrastructure. The submitted Noise Assessment concludes that the site is exposed to significant levels of road traffic noise that will require appropriate mitigation to enable redevelopment for residential occupation. The proposed western elevation will experience the highest noise levels. The proposed balcony design will buffer the noise impact on habitable rooms by providing a sealed façade. This is considered to undermine the use of this amenity space, particularly during summer months, when residents will demand ventilation and the use of outdoor space.

9.34 The visual, noise and air quality impact of this infrastructure is considered to offer a poor quality environment for future residents. While the siting and design of the development blocks seek to reduce the impact of surrounding road infrastructure, its presence will nevertheless subject future residents to a poor outlook and undermine the value of communal and private amenity space.

#### Transport/Highways/Access

9.35 The application proposes 28 car parking spaces located within a basement car park accessed via Stratford High Street. Vehicular access to the site is limited to westbound movements along Stratford High Street given the highway layout associated within the Bow Flyover.

9.36 The provision of 0.23 car parking spaces per unit is not considered to reflect the site's accessibility by alternative modes of transport. While the site is within easy access of a westbound bus stop located on Stratford High Street, the nearest east bound bus stop is located on the north side of High Street. Bromley by Bow station is located over 700m from the site. Pedestrians are forced to access the station via pavements alongside, and subways under, the A12.

9.37 The parking provision is considered to be inadequate and does not accord with current UDP standards or the London Plan. The provision of 30 spaces including car club spaces is only 25% of the 120 proposed units. Consequently, the application would not meet the likely parking requirements of residents.

### Flood Risk

9.38 The site is located with Flood Zone 3 which represents a high risk zone. The Environment Agency has objected to the application on grounds that inadequate information has been provided to demonstrate that risk of pollution to controlled waters create by the development is acceptable. The application is therefore considered contrary to Policy EQ45 of the Unitary Development Plan.

### Energy

9.39 The submitted Sustainable Energy Strategy states that the proposed development will incorporate roof mounted wind turbines and solar panels in an attempt to meet 10% of the development's energy demand by renewable sources. The suitability of this approach will be considered by the Mayor of London.

## **10. CONCLUSION AND REASONS FOR REFUSAL**

10.1 The proposed development is considered contrary to the Unitary Development Plan on grounds that it proposes housing within an area identified for employment based redevelopment.

10.2 The proposed development is considered contrary to the recently adopted Lower Lea Valley Local Development Framework and emerging Local Development Framework that introduce the concept of industry-led redevelopment of the Sugar House Lane/Hunts Lane on the basis that a masterplanning exercise is required to determine the appropriate form and location of development and that redevelopment should not incur any net loss of industrial capacity or proceed on a piecemeal basis. The LTGDC will commission a masterplan to resolve these issues.

10.3 The proposed development adopts an excessive density given the site's accessibility to public transport and local facilities. The site location requires prospective occupiers to experience a harsh environment alongside and under the A12 and across the Bow Flyover to access surrounding public transport services and local facilities.

10.4 The quality of residential environment proposed is undermined by the site's setting adjacent to the A11/A12 Bow Flyover. To mitigate the noise impact generated by surrounding road infrastructure, the proposed development adopts a design that will create a sub standard internal and external environment. The proposed development is deficient in the amount and usability of communal and private amenity provided.

10.5 The proposed housing mix includes a predominance of 1 and 2 bedroom units (81%) and is contrary to policies seeking to create mixed and balanced communities by requiring new housing development to include a range of house types.

10.6 The proposed development provides inadequate information to demonstrate that the risk of soil and groundwater contamination has been established and managed.

## **11. RECOMMENDATION**

11.1 The application is recommended for refusal for (1) the reasons set out below (2) agree to the Director of Planning delegated authority to amend the reasons for refusal following receipt of the Mayor of London Stage 1 report.

### **Reasons for refusal:**

1. The proposed residential-led development results in a net loss of industrial capacity in an area identified for industry-led intensification and redevelopment to be informed by the preparation of a spatial masterplan contrary to Policies UR21 and EMP1 of the Unitary Development Plan, Paragraph 6.34 of the draft Local Development Framework Core Strategy and Paragraphs 2.101-2.108 and 4.147-4.165 of the Mayor of London Lower Lea Valley Opportunity Area Planning Framework.

2. The proposed development represents piecemeal development in an area where comprehensive sustainable development is appropriate as identified in the Lower Lea Valley Opportunity Area Planning Framework and draft Local Development Framework. As such, the proposed development is premature pending the preparation of a masterplan.

3. The proposed development constitutes an overdevelopment of the site and an unsustainable form of development by virtue of its excessive housing density, site setting and inadequate car parking relative to its accessibility to public transport and social and community facilities contrary to Policies 3C.1, 4B.3 and 4B.9 of the London Plan, Policies H13 and H16 of the Unitary Development Plan and Paragraph 6.20 of the Local Development Framework Core Strategy.

4. The proposed development results in an unsatisfactory living environment for future residents by virtue of a deficiency in communal and private amenity space, poor outlook and the noise impact of surrounding road infrastructure contrary to Policies 4A.14, 4B.1 and 4B.9 of the London Plan, Policies EQ48, H17 and OS8 of the Unitary Development Plan and the Residential Planning Guidelines SPG and Paragraph 6.62 of the Local Development Framework Core Strategy.

5. The proposed housing mix results in a concentration of one and two bedroom units and does not contribute to the creation of a mixed and balanced residential community contrary to Policy 3A.4 of the London Plan, the London Plan Housing SPG, Policy H15 Unitary Development Plan and Paragraphs 6.19 and 6.22 of the draft Local Development Framework Core Strategy.

6. The proposed development fails to demonstrate that the risk of soil and groundwater contamination has been adequately addressed and is considered contrary to Policy EQ45 of the Unitary Development Plan.

**CASE OFFICER:** Will Steadman

<b>Appendix 1</b>	Site Plan
<b>Appendix 2</b>	Proposed Ground Floor Plan
<b>Appendix 3</b>	Proposed South and West Elevations