

**PLANNING APPLICATION FOR DETERMINATION BY THE LTGDC
REPORT OF THE DIRECTOR OF PLANNING**

UDC CASE NUMBER:	LTGDC-08-120-FUL	DATE MADE VALID:	8.8.08
APPLICATION NUMBER:	PA/08/01669/LBTH	TARGET DATE:	7.11.08

APPLICANT:	Telford Homes
AGENT:	CMA Planning
PROPOSAL:	Clearance of site and erection of part 2-8 storey mixed use buildings to provide new commercial floorspace falling within use classes A1, A2, B1, B8 and/or D1 together with 72 new homes including affordable provision and bicycle parking, refuse/recycling facilities and access together with refurbishment of 60 Portree street.
LOCATION:	60 Portree Street and Lanrick House, Lanrick Road, E14

1.0 SUMMARY

1.1 On 8 August 2008 Telford Homes submitted a full planning application to redevelop the site with a residential-led mixed use scheme. The application has been the subject of extensive pre-application discussions since September 2006 and following the submission of a subsequently withdrawn application on 20 March 2007.

1.2 The application site is located within Poplar Riverside. The River Lea separates the site from Canning Town centre and station interchange. The site is bounded on two sides by Lanrick Road and terraced housing fronting Portree Street. The elevated A13 flanks Lanrick Road before crossing the River Lea.

1.3 The application proposes redevelopment of the site to provide 72 residential units and 174m² of commercial floorspace within use classes A1 (shops), A2 (financial and professional services), B1 (business), B8 (storage and distribution) and/or D1 (non-residential institutions). The pre-application discussions have resulted in the scheme being reduced from 101 units.

1.4 The application proposes buildings ranging in height from 2 to 8 stories. The existing Portree Street terrace is extended and terminated with a 5 storey building that marks the corner with Lanrick Road. A development block ranging from 4 to 8 storeys

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fronts the two arms of Lanrick Road with building height placed alongside the A13 and reduced height adjacent to the existing housing in Portree Street. The existing housing in Portree Street adopts a level one storey below the application site. The building heights referred to will therefore be a storey higher when experienced from the rear elevations and gardens of the existing housing in Portree Street.

1.5 While the Unitary Development Plan designates the site an Industrial Employment Area, the potential for redeveloping the site with a mixed use development is identified by the Mayor of London Lower Lea Valley Opportunity Area Planning Framework and London Borough of Tower Hamlets Interim Planning Guidance. The case for land use change is supported by the site's proximity to existing housing and accessibility to a town centre and public transport links. The marketability of the site for industrial activity is likely to be compromised by its proximity to existing housing.

1.6 The application proposes a housing density and design that is considered appropriate to the site's proximity to Canning Town centre and station interchange, the site context and the type and standard of residential environment achieved.

1.7 The application proposes a height, scale and massing that responds to the local context by forming an appropriate relationship to both the adjacent housing in Portree Street and elevated A13.

1.8 While the application would cause a net reduction in the sunlight and daylight conditions experienced by existing residents, that is not considered to constitute refusal of planning permission given that (1) the majority fails are relate to sunlight and not daylight impact (2) mitigation is proposed to the worst affected rooms, (3) the majority of affected rooms are kitchens and bedrooms and not primary habitable rooms, (4) Building Research Establishment standards are intended to be interpreted flexibly and (5) the application reconciles the policy objectives of maximising site potential and minimising amenity impacts. The demolition of the existing warehouse and office buildings currently located adjacent or close to the site boundary would result in some properties experiencing improved sunlight and daylight conditions.

1.9 The main development footprint is sited behind the recommended 18.0m separation distance between building elevations to minimise the sense of enclosure and loss of privacy/overlooking impacts. Development blocks are sited at an oblique angle to the existing housing to minimise overlooking. While redevelopment of the site with new housing would result in some loss of privacy and overlooking, such loss is not considered so severe to justify a reason for refusal.

1.10 The application proposes 35% affordable housing and a 70:30 split between social rented and intermediate housing and a housing mix that provides an acceptable number of family sized affordable housing units.

1.11 The application raises no objections in terms of the provision of amenity space, transport and accessibility or flood risk.

1.12 The applicant has offered £5,000 per unit towards the Corporation's Planning Obligations Community Benefit Strategy. Residential development in the Lower Lea Valley is expected to contribute £10,000 per unit. The toolkit appraisal submitted in support of the offer has been verified by the Corporation subject to clarification of items relating to the sale of the investment interest generated by ground rents and current market value.

1.13 On balance, the application is recommended for approval subject to referral to the

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Health and Safety Executive, the planning conditions set out at section 12.0 of this report and a Section 106 Agreement securing the Heads of Terms set out in section 11.1 of this report.

2.0 SITE AND PROPOSAL

2.1 Description of Site & Surroundings

2.1.1 The application site is located within Polar Riverside (see Appendix 1). The site measures 0.4 hectares and comprises an irregular parcel of land. The area is characterised by a mix of residential and industrial land uses. The site is currently accessed via Lanrick Road.

2.1.2 The site is bounded by Lanrick Road to the north east and south east and 2 storey terraced houses fronting Portree Street to the north west. Lanrick Road wraps around two site frontages. The elevated A13 flanks Lanrick Road before crossing the River Lea. The land to the north east of Lanrick Road is occupied by industrial and commercial activity also the subject of development interest.

2.1.3 Portree Street is characterised by a combination of 2 storey terraced housing and medium rise post-war housing. The 5 storey Oban House is located opposite the corner of Lanrick Road and Portree Street. The Portree Street terraced housing is approximately a storey height lower than the site. A small area of open space, owned by Transport for London, is located adjacent to the south west corner of the site.

2.1.4 The site currently accommodates a 2 storey warehouse located at the corner of Lanrick Road and Portree Street (Docklands Foods) (422m²), a 2 storey warehouse and ancillary office building (Worldwide House) (596m²) and 4 storey office building (Lanrick House) (594m²) located to the rear of properties in Portree Street providing 1,612m² of floorspace. The applicant advises that the site was last used for a combination of catering food and drink distribution (Docklands Foods), training (Mainport Training) and education (London School of Professional Studies). The site has been vacant since 2006.

2.1.5 The Docklands Foods warehouse, which forms an extension to the Portree Street terraced housing, shares a boundary with 60 Portree Street. Worldwide House is located 2.5m from the rear boundaries of nos. 54-60 Portree Street; Lanrick House is a derelict building located 10.5m from the rear boundaries of nos 40-48 Portree Street.

2.1.6 The site has a Public Transport Accessibility Level (PTAL) of 5 given its proximity to Canning Town London Underground, Dockland Light Railway and Bus interchange. The station is accessed using the footpaths along and a pedestrian crossing across the A13.

2.2 Description of Proposal

2.2.1 The application proposes redevelopment of the site to provide a part 2-8 storey mixed use development to provide 72 residential units and 174m² of commercial floorspace within use classes A1, A2, B1, B8 and/or D1.

2.2.2 The application comprises 2 x studios, 33 x 1 bedroom units, 22 x 2 bedroom units, 14 x 3 bedroom units and 1x 4 bedroom units.

2.2.3 The application does not provide car parking but includes facilities for cycle

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parking.

3.0 MAIN ISSUES

3.1 The main planning issues for consideration in relation to this application are:

- Land Use
- Building Height, Scale, Massing and Appearance
- Sunlight and Daylight, Privacy and Sense of Enclosure
- Noise
- Housing Density
- Affordable Housing
- Housing Mix
- Amenity Space
- Transport, Access and Parking
- Flood Risk
- Energy
- Planning Obligations

4.0 RELEVANT SITE HISTORY

4.1 On 14.1.2008 an application for the erection of a part 3, 4, 5, 6 and 7 storey building to provide commercial floorspace falling within classes A1, A2, B1, D1 and/or D2 together with 96 dwellings, bicycle parking, refuse/re-cycling facilities and access arrangements and refurbishment of 60 Portree Street (ref: PA/07/1034) was withdrawn.

5.0 CONSULTATIONS/NOTIFICATIONS

London Borough of Tower Hamlets (LBTH)

5.1 LBTH recommends that the application is granted planning permission subject to conditions and a S106 Agreement that secures the following:

- 35% affordable housing split between 70% social rented and 30% shared ownership;
- A financial contribution towards health care facilities;
- A financial contribution to mitigate the demand of the additional population on education facilities;
- A contribution of £70,000 for the upgrading and improvement works on the carriageway on Lanrick Road adjacent to the north eastern corner of the site;
- A contribution of £20,000 for the Upgrade and improvement works on the footway on the Northwest corner of Portree Steet between the Oban Street and Blackwall Tradding Estate;
- A contribution of £10,000 for the removal of the existing bollards and construction of a pavement area to facilitate pedestrian movement across Portree Street;
- A contribution towards Employment and Training initiatives;
- A 'car free' agreement;
- Green Travel Plan.

5.2 The following provides a summary of the comments received from internal consultees:

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Housing

5.3 Note that a higher proportion of affordable housing units front the A13 and would prefer to see some of the larger family units relocated. The housing mix could be improved by having one and two bedroom units in all tenures. Note that seven units will be wheelchair accessible to comply with the 10% policy requirement.

Development Design and Conservation

5.4 Acknowledge that the proposal has been revised to address previous concerns relating to design and sunlight and daylight impacts. Raise no objection to the design, layout and external appearance subject to a planning condition requiring the submission of details of external appearance and materials to 1:20 scale elevation drawings and landscaping.

Highways and Transportation

5.5 Note that the application proposes a car free development with no on-site parking and that the site is located within very good access to public transport. In the event that planning permission is granted recommend planning conditions requiring the submission of details of highway works and a S106 Agreement securing £200,000 towards highway improvement works around the site including, upgrade works to Lanrick Road and Portree Street adjacent to the north east corner of the site and the removal of the existing bollards and construction of a pavement area to facilitate a pedestrian crossing at Portree Street and preventing future residents from applying for parking permits within the existing Controlled Parking Zone (CPZ).

Environmental Health

5.6 Raise no objection to the submitted Sunlight and Daylight analysis subject to a S106 Agreement requiring a financial contribution towards mitigation measures to properties 48 and 49 Portree Street.

5.7 Raise no objection to the submitted Noise Assessment subject to conditions requiring the details of glazing specification to the elevation overlooking the A13 to be submitted to and agreed by the Local Planning Authority.

Environment Agency (EA)

5.8 EA raise no objection to the proposed development subject to planning conditions requiring (1) the development to be carried out in accordance with drawing no. 813-0209 dated 9.7.08 and (2) a site investigation and completion of necessary remediation works, (3) the submission of details of surface water drainage and (4) a restriction on piling.

English Heritage

5.9 Raise no objection to the application and do not request the need for further archaeological investigations.

Health and Safety Executive (HSE)

5.10 LBTH has advised that the HSE were not consulted on the application despite the site falling within the HSE consultation zones for the gas holders on Leven Road. The application site falls within the middle zone and the HSE PADHI methodology

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concludes against granting planning permission. In similar circumstances where the Local Planning Authority has resolved to grant planning permission for residential development within the inner and middle consultation zones, the HSE has not requested the Secretary of State to call in the application. It is recommended that should Members resolve to grant planning permission the HSE be given notice of this decision before permission is issued in order to allow them to decide whether or not to call in the application.

Transport for London (Surface Transport)

5.11 TfL supports 'car free' development and the use of a S106 Agreement preventing future residents from applying for parking permits.

5.12 TfL considers that on site disabled parking facility should be provided for the proposed development in accordance with the London Plan Annex 4 parking standards unless an alternative facility is available within 50 metres of the site.

5.13 TfL supports the provision of cycle parking at a ratio of 1 space per dwelling in accordance with TfL Cycle Parking Standards.

5.14 TfL supports the preparation of a Travel Plan provided that it is enforced, monitored and reviewed.

5.15 It is envisaged that construction vehicles will have to access the site via the Transport for London Road Network (TLRN) of A13 East India Dock Road. TfL requests that a Construction Logistics Plan (CLP), as referred to in the London Freight Plan, should be submitted for approved in consultation with TfL.

6.0 APPLICATION PUBLICITY

6.1 Site Notice Expiry: 08/08/2008

6.2 Press Notice Expiry: 08/08/2008

6.3 Neighbour Notification: 18/08/2008

7.0 REPRESENTATIONS

7.1 A total of 201 neighbouring properties were notified and invited to comment. Two letters of objection were received from the residents of 40, 42, 46, 48, 50, 56 and 58 Portree Street (7 signatures) and a local business.

Individual Comment

Response to Comment

1. The BRE daylight and sunlight report includes inaccurate existing room layout and window locations;

See paragraph 9.22

2. The application will result in a loss of daylight and sunlight conditions to nos. 40, 42, 44, 46, 48, 50, 52 and 54 Portree Street;

See paragraphs 9.17 to 9.26

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3. Express concern about the impact of the proposed 08.00 to 18.00 on Monday to Friday and 09.00 to 13.00 Saturday hours of working on residential amenity; The hours of construction will be controlled by planning condition and are the standard working hours for a construction site.
4. The height and scale of the proposed development will result in a loss of privacy and overlooking; See paragraphs 9.17 to 9.26
5. Raise concern about the impact of the development on the demand for parking. Support the principle of preventing future occupiers from being able to apply for parking permits. See paragraph 9.54
6. Object to planting trees against the boundary wall between existing properties and the proposed communal garden. They will further reduce direct and ambient light levels to the back gardens and internal rooms. The details of the landscaping scheme for the internal courtyard will be required to be submitted for consideration and approval by planning condition. Given the need to limit sunlight and daylight and sense of enclosure impacts an appropriate landscaping scheme will be agreed.
7. Raise concern about the impact of replacing the existing boundary wall on garden walls and fences. There are no known proposals to replace the boundary wall. Any proposals to undertake works to the boundary wall would be controlled under the Party Wall Act.
8. The absence of residential and commercial parking for occupiers and visitors will harm existing access arrangements and prevent large articulated vehicles from accessing the Blackwall Trading Estate. See paragraph 9.54. The application will not alter the existing access arrangement to the Blackwall Trading Estate.

8.0 RELEVANT PLANNING POLICY

8.1 Planning Policy Guidance

PPS1 Delivering Sustainable Development
PPS3 Housing
PPG13 Transport
PPS22 Renewable Energy
PPG24 Planning and Noise

8.2 The London Plan (Feb 2008)

2A.1 Sustainability Criteria
3A.1 Increasing London's Supply of housing
3A.3 Maximising the potential of sites
3A.5 Housing choice
3A.7 Large Residential Developments

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3A.8 Definition of affordable housing
3A.9 Affordable Housing targets
3A.10 Negotiating affordable housing in individual private residential and mixed use schemes
3A.11 Affordable housing thresholds
3B.1 Developing London's economy
4B.1 Design principles for a compact City
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.8 Respect and local character and communities
4B.10 Large scale buildings-design and impact
4A.4 Energy Assessment
4A.5 Provision of heating and cooling
4A.7 Renewable energy

8.3 Unitary Development Plan (1998)

DEV1 Design Requirements
DEV2 Environmental Requirements
DEV3 Mixed Use development
DEV4 Planning Obligations
DEV12 Provision of Landscaping in Development
DEV50 Noise
DEV51 Contaminated Land
EMP1 Encouraging New Employment Uses
HSG7 Dwelling Mix
HSG15 Preservation of residential character
HSG16 Amenity Space
T16 Impact of Traffic
T18 Pedestrian Safety and Convenience
T21 Existing Pedestrians Routes
OS9 Child Play Space
U2 Consultation Within Areas at Risk of Flooding
U3 Flood Defences

8.4 Interim Planning Guidance

Core Strategy and Development Control Submission Document (2006)

MP1 Planning Obligations
CP1 Creating Sustainable Communities
CP2 Equal Opportunity
CP3 Sustainable Environment
CP4 Good Design
CP5 Supporting Infrastructure
CP7 Job Creation and Growth
CP11 Sites in Employment Use
CP15 Range of Shops
CP19 New Housing Provision
CP20 Sustainable Residential Density
CP22 Affordable Housing
CP25 Housing Amenity Space
CP27 Community Facilities
CP28 Healthy Living

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CP29 Improving Education and Skills
CP30 Improving the Quality and Quantity of Open Space
CP31 Biodiversity
CP37 Flood Alleviation
CP38 Energy Efficiency and Production of Renewable Energy
CP39 Sustainable Waste Management
CP40 A sustainable transport network
CP41 Integrating Development with Transport
CP42 Streets for People
CP43 Better Public Transport
CP46 Accessible and Inclusive Environments
CP47 Community Safety

DEV1 Amenity
DEV2 Character & Design
DEV3 Accessibility & Inclusive Design
DEV4 Safety & Security
DEV5 Sustainable Design
DEV6 Energy Efficiency & Renewable Energy
DEV7 Sustainable Drainage
DEV10 Disturbance from Noise Pollution
DEV11 Air Pollution and Air Quality
DEV12 Management of Demolition and Construction
DEV13 Landscaping
DEV14 Public Art
DEV15 Waste and Recyclables Storage
DEV16 Walking and Cycling Routes and Facilities
DEV17 Transport Assessments
DEV18 Travel Plans
DEV19 Parking for Motor Vehicles
DEV20 Capacity of Utility Infrastructure
DEV21 Flood Risk Management
DEV22 Contaminated Land
DEV24 Accessible Amenities and Services
DEV25 Social Impact Assessment
DEV27 Tall Buildings
EE2 Redevelopment /Change of Use of Employment Sites
RT4 Retail Development and Sequential Approach
HSG1 Determining Residential Density
HSG2 Housing Mix
HSG3 Affordable Housing
HSG4 Social and Intermediate Housing ratio
HSG7 Housing Amenity Space
HSG9 Accessible and Adaptable Homes
HSG10 Calculating Provision of Affordable Housing
SCF1 Social and Community Facilities

Leaside Area Action Plan

L1 Leaside Spatial Strategy
L29 Employment uses in Poplar Riverside sub area
L30 Residential and retail uses in Poplar Riverside sub area
L32 Design and built form in Poplar Riverside sub area
L33 Site allocations in Poplar Riverside sub area

8.5 Other Relevant Planning Policies & SPG's

- Lower Lea Valley Opportunity Area Planning Framework

9.0 ASSESSMENT OF MAIN ISSUES

Land Use

9.1 The principle of redeveloping the site with a residential-led mixed use development is established by the policies adopted in the London Plan (2008) and Interim Planning Guidance (2006) (IPG). The Mayor of London Lower Lea Valley Opportunity Area Planning Framework (2007) (LLVOAPF) supplements the London Plan and provides the strategic context for land use change. The LLVOAPF is a material consideration that should be afforded considerable weight in the determination of planning applications.

9.2 The site is designated an Industrial Employment Area in the Unitary Development Plan (UDP). The Leaside Area Action Plan (LAAP) post-dates the UDP and has been adopted by LBTH as Interim Planning Guidance. The site is located within the Poplar Riverside sub-area. The LAAP Spatial Strategy and Sub-Area diagrams locate the site within an area identified for residential land use. While there is some uncertainty as to whether the site is or should be within Site Allocation LS19 (Lanrick Road), it identifies residential, employment and open space as preferred uses. The application proposes land uses in accordance with the LBTH IPG.

9.3 The LLVOAPF locates the site in the Poplar Riverside sub-area and within an area designated an "other industrial area". While land use change is promoted in "other industrial areas", it is on the basis that redevelopment results in no net loss of industrial capacity. Industrial capacity is defined by reference to floorspace and yardage. The site currently accommodates 1,612m² of built floorspace and associated yardage, of which only 422m² and associated yardage is considered to have last been in industrial use. The remaining floorspace was use for training and education uses. It is estimated that the previous uses supported 15 jobs. The proximity of the site to existing housing limits its potential for industrial use.

9.4 While the application will provide only 174m² of replacement employment floorspace, the net loss in industrial capacity is not considered to justify a reason for refusal when taking into account the land use and regeneration policy objectives adopted in the LLVOAPF and IPG and the constraints associated with industrial uses operating within close proximity to existing housing.

9.5 The principle of redeveloping the site for residential-led mixed use development is considered acceptable in terms of strategic and local land use policy subject to any site or scheme specific objections.

Building Scale, Massing and Appearance

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.10 requires large scale buildings to be of the highest quality

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and design and in particular to (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.

9.8 UDP Policy DEV1 requires development to (1) take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials, (2) be sensitive to the development capabilities of the site, not result in over development or poor space standards; be visually appropriate to the site and its setting and (3) maintain the continuity of street frontages, and take account of existing building lines, roof lines and street patterns. Policy DEV2 requires development to ensure that adjoining buildings are not adversely affected by loss of privacy, or a material deterioration of their daylighting and sunlighting conditions.

9.9 Policy CP4 of the IPG promotes good design by requiring development to (1) respect its local context, including the character, bulk and scale of the surrounding area and (2) use high quality architecture and landscape design. Policy DEV2 of the IPG provides more detailed policy criteria against which good design is assessed.

9.10 The proposed height, scale and massing is a response to the development constraints of the site created by the presence of the adjacent 2 storey housing and the elevated A13 (see appendix 3). The scheme layout comprises two distinct building elements: a part 2 and part 5 storey element that terminates the existing Portree Street terraced housing and wraps around the corner with Lanrick Road and a part 4, part 7 and part 8 storey building that fronts the two arms of Lanrick Road. The building elements enclose a communal courtyard space. The contrasting elevation design and use of materials across the site is in response to the changing character and environmental conditions.

9.11 The part 2 and part 5 brick built building adopts an appropriate building scale and proportion to terminate the existing terrace and respect the scale and type of existing housing.

9.12 The part 4, part 7 and part 8 storey building adopts a building form and scale that responds adequately to the elevated A13 and the existing terraced housing. A 4 storey brick built block is oriented eastwards along Lanrick Road and responds successfully to the scale of the road and its proximity to the existing terraced housing to the rear.

9.13 The block rises to part 7 and 8 storeys and faces eastwards and southwards. The north-east elevation exhibits a slender profile when viewed from east and west and incorporates a contrasting light-weight rendered and glazed finish. The south-east elevation incorporates a more robust rainscreen cladding system to mitigate the environmental conditions of the elevated A13.

9.14 The taller element reduces to 4 storeys in response to its proximity to the existing terrace housing to the rear. It adopts the same materials to ensure coherency along its Lanrick Road frontage.

9.15 The courtyard level is one storey height lower than the Lanrick Road frontage.

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When viewed from within the courtyard and the rear elevation and gardens of Portree Street the development would therefore appear one storey higher than when viewed from Lanrick Road. To reduce the height and bulk of development the building footprint and top floors are set back and the elevations propose the use of lightweight white render and glazing.

9.16 The proposed development is considered to adopt a height, scale, massing and appearance that responds appropriately to the site constraints and local context and is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policies DEV1 and DEV2 of the Unitary Development Plan and Policies CP4 and DEV1 of the Interim Planning Guidance.

Sunlight and Daylight, Overlooking and Sense of Enclosure

9.17 London Plan policy 4B.9 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. Policies CP4 and DEV2 of the UDP requires development to ensure that adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions and that the amenity of adjacent occupiers is maintained.

9.18 UDP Policy DEV2 seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Paragraph 4.9 requires new developments to be designed to ensure that there is sufficient privacy for residents and recommends that a separation distance of about 18.0m between habitable rooms reduces inter-visibility to a degree acceptable to most people.

9.19 IPG Policy CP4 requires new development to protect amenity, including privacy and access to daylight and sunlight. DEV1 states that development should (1) not result in the loss of privacy to, nor enable the overlooking of, adjoining habitable rooms, (2) minimise the overlooking of private open spaces and (3) not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms, nor create an inappropriate sense of enclosure to surrounding buildings and open space. Paragraph 9.8 refers to the distance of 18m between habitable rooms as reducing inter-visibility to an acceptable degree to prevent overlooking and a loss of privacy. Paragraph 9.14 requires new development to be assessed using BRE "Site Layout Planning for Daylight and Sunlight: a guide to good practice".

9.20 The application has been the subject of extensive pre-application discussions to ensure that the development potential of the site is reconciled with the need to protect the amenity of existing residents.

9.21 The Design and Access Statement compares the impact of the existing warehouse and office buildings and the proposed development on the sense of enclosure experienced by the residents of nos. 38-60 Portree Street. The diagrams, sections and plans (see appendix 4) reveal that the proposed development will adopt a greater scale and bulk than the existing buildings but illustrate that they are set further back from the boundary to minimise overlooking and a sense of enclosure. The 1:500 plan shows that the majority of built form is located beyond 18m from, and adopts an oblique angle to, the rear elevations of the existing houses. While the presence of balconies and roof terraces overlooking the internal courtyard will result in some loss of privacy to the back gardens of Portree Street, direct overlooking is reduced by the angle of view and is not considered to justify a reason for refusal.

9.22 The applicant submitted a revised sunlight and daylight analysis on 13 October

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2008 to correct inaccuracies identified by local objectors. LBTH Environmental Health raises no objection to the analysis subject to mitigation measures proposed by the applicant. The revised sunlight and daylight analysis corrects, where possible, the internal room layouts and window size and locations. The floor plans are characteristic of 2 storey terrace housing with ground floor windows to kitchens and living/dining rooms and first floor windows to bedrooms. The windows to secondary living/dining rooms are set back between symmetrical projecting two storey elements.

9.23 The analysis concludes that a breach in BRE standards will occur in some kitchens and bedrooms and living/dining rooms. The sunlight and daylight results are summarised at appendix 5. Where this breach is considered to be significant, the applicant proposes to increase window openings. This applies to nos. 48, 58 and 60 Portree Street. 60 Portree Street is in the ownership of the applicant and it is recommended that the S106 Agreement require details of a scheme to improve its sunlight and daylight conditions to be submitted to and approved by the Local Planning Authority. 48 and 58 Portree Street are owned by a Housing Association and it is recommended that the S106 Agreement require the applicant to fund the alterations required to achieve BRE compliant sunlight and daylight conditions. The proposed alterations to 58 Portree Street include the replacement of an existing window with full height French doors and introduction of a secondary window to a flank wall. The improvements to 48 Portree Street are to be agreed. The applicant advises that the Housing Association has agreed to the proposed works.

9.24 The majority of impacts constitute a minor breach of BRE standards. While it is acknowledged that the proposed development will have an impact on the existing sunlight and daylight conditions of some residents of Portree Street, this is not considered to justify a refusal. The BRE guidelines make clear that the standards are not mandatory and should be seen as an instrument of planning policy. The affected rooms will experience sunlight and daylight conditions that would not be uncommon in a built up urban environment. The majority of affected rooms – bedrooms and kitchens – are considered by the BRE guidelines to have a lower expectation of sunlight and daylight than primary habitable rooms.

9.25 While the height, scale and massing of the proposed development will have an impact on sunlight and daylight conditions, privacy and sense of enclosure currently enjoyed by existing residents, it is not considered to be of such a scale to justify a reason for refusal.

9.26 The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policy DEV2 of the Unitary Development Plan and Policies CP4 and DEV1 of the Interim Planning Guidance.

Noise

9.27 IPG Policy DEV 10 requires attenuation measures for development sensitive to noise in locations with noise pollution. Development will only be supported where it can be demonstrated that noise levels are in accordance with adopted Noise Exposure Categories (NEC).

9.28 The application is accompanied by a Noise Assessment that identifies the A13 as creating noise levels that impact on the development potential of the site. The Noise Assessment concludes that the south east elevation experiences the highest noise levels. The south east elevation is estimated as experiencing day time noise levels within NEC B and C and night time noise levels with Noise Exposure Category B.

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9.29 PPG 4 recommends that development falling within NEC C should not be granted planning permission but in circumstances where it is considered permission should be granted requires conditions to be imposed to ensure a commensurate level of protection against the noise. The applicant recommends the use of typical thermal double glazing to reduce noise impact to an level acceptable level .While this will prevent natural ventilation without experiencing noise disturbance, it is noted that all residential units overlooking the A13 are dual aspect units.

9.30 LBTH Environmental Health raise no objection to the impact of the A13 on the standard of residential accommodation proposed subject to the use of a planning condition requiring the details of the glazing specification required to mitigate noise impact to be submitted for approval.

9.31 The application is considered to be in accordance with Policy DEV10 of the IPG.

Housing Density

9.32 The application site measures 0.4 hectares. The application proposes redevelopment to 72 units resulting in a density of 180 units or 500 habitable rooms per hectare.

9.33 London Plan Policy 3A.3 seeks to achieve maximum intensity of use compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. IPG Policy HSG1 promotes residential densities of between 450-700 habitable rooms per hectares on site occupying an urban setting and benefiting from a PTAL of 4-6. Policy HSG1 also requires local context, amenity and the provision of open space as determinants of residential density.

9.34 The proposed density of 180 units or 500 habitable rooms per hectare places the site within a density range that assumes the site adopts an urban location with a PTAL (Public Transport Accessibility Level) of between 4 and 6. The site adopts an urban location and benefits from a PTAL of 5 given in proximity to Canning Town district centre and station interchange.

9.35 While a policy argument could be made that, given the site's location, a higher residential density could be supported, the proposed density reflects the need for new development to adopt a building height, scale and massing that respects site potential and minimises impact on the amenity of existing residential occupiers.

9.36 The application is considered to be in accordance with Policy 3A.3 of the London Plan and Policy HSG1 of the Interim Planning Guidance.

Affordable Housing

9.37 London Plan Policy 3A.9 seeks 50% affordable housing based on a split between 70% social rented and 30% intermediate provision. In negotiating affordable housing Policy 3A.9 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.

9.38 IPG Policy CP22 seeks 50% affordable housing in new developments and identifies a minimum requirement of 35% affordable housing based on social rented to intermediate housing ratio of 80:20.

9.39 The application proposes 35% affordable housing based on a social rented to

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intermediation housing ratio of 70:30. It is noted that the surrounding area accommodates a high proportion of housing within the affordable housing sector.

9.40 The applicant has submitted a GLA toolkit in support of the affordable housing offer. The Corporation has verified the appraisal.

9.41 The application is considered to be in accordance with Policy 3A.9 of the London Plan and Policy CP22 of the Interim Planning Guidance.

Housing Mix

9.42 London Plan Policy 3A.5 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 developments.

9.43 UDP Policy HSG7 requires new housing developments to provide a mix of unit sizes including a substantial proportion of family dwellings. This approach is consolidated in IPG CP21 which requires all new housing to contribute to the creation of mixed communities by offering a range of housing choices including a mix of dwelling sizes, family housing and accessible homes.

9.44 The application proposes 2 x studios (3%), 33 x 1 bedroom units (46%), 22 x 2 bedroom units (29%), 14 x 3 bedroom units (21%) and 1x 4 bedroom units (1%).

9.45 IPG Policy HSG2 requires sites to provide social rented housing in accordance with a housing mix that seeks 20% 1 bed, 35% 2 bed, 30% 3 bed, 10% 4 bed and 5% five and six bedroom units. The application proposes 29% x1 bed, 21% x 2 bed, 43% x 3 bed and 7% 4 bed units for social rent. The application exceeds the target for family sized housing within the social rented sector.

9.46 London Plan Policy 3A.4 and IPG Policy HSG9 require all new housing to include at least 10% wheelchair access units or easily adaptable for wheelchair users. The application includes 7 wheelchair accessible units in accordance with this policy requirement.

9.47 The application is considered to be in accordance with Policies 3A.5 of the London Plan, Policy HSG7 of the Unitary Development Plan and Policy CP21 of the Interim Planning Guidance.

Amenity Space

9.48 London Plan Policy 4B.1 requires new development to promote high quality inclusive design. UDP Policy HSG16 requires all new housing developments to provide an adequate provision of amenity space. IPG Policy CP25 requires all new housing to provide high quality, useable amenity space, including private and communal amenity space, for all residents. Policy HSG7 adopts space standards for private and communal amenity space for different dwelling types. The proposed housing mix requires a minimum of 770m² private amenity space and 112m² communal amenity space.

9.49 The application provides amenity space in the form of private balconies and terraces and a communal courtyard. The application provides a total of 1,636m² of private and communal amenity space. With the exception of 3 single aspect units located at the ground floor, every residential unit has access to a private balcony or roof terrace.

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9.50 An area of 118m² children's play space is included at the southern end of the communal courtyard to meet the demand created by the 28 children estimated to live in the development. While this falls short of the London Plan Providing for Children and Young People's Play and Informal Recreation SPG requirement for 10m² per child in circumstances where no existing facilities exist, it is acknowledged that play space exists at Leven Road and Braithwaite Park.

9.51 It is recommended that a planning condition be imposed requiring the landscaping details of the communal courtyard to be submitted for approval.

9.52 The application is considered to be in accordance with Policy 4B.1 of the London Plan, HSG17 of the Unitary Development Plan and Policy HSG7 of the Interim Planning Guidance.

Parking, Transport and Access

9.53 The application proposes removal of the existing vehicular site access/egress points. The residential cores can be accessed around the perimeter of the site and the internal courtyard. Servicing is proposed to take place on Lanrick Road.

9.54 The application does not make provision for residents or visitor car parking given its good accessibility to public transport services. It is recommended that the S106 Agreement prevent future residents from applying for parking permits.

9.55 The application proposes 1 cycle space per unit in accordance with policy requirements. Cycle parking is located at ground floor within accessible, secure and covered facilities.

Energy

9.56 London Plan Policies 4A.3 and 4A.7 require new development to adopt the highest standards of sustainable design and construction and achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation.

9.57 The applicant proposes a range of energy efficiency measures, including a biomass fuelled communal heating system supplemented by a high efficiency condensing gas fired boiler for additional peak load and back up heating.

9.58 It is recommended that a planning condition be imposed to require the details the energy efficient and renewable energy technologies be submitted for approval.

Flood Risk

9.59 The UDP locates the site within a Flood Protection Area. The EA raise no objection to the impact of the development on flood risk.

S106 Agreement

9.60 The S106 Planning Obligations Community Benefit Strategy (POCBS) requires residential development in the Lower Lea Valley to contribute a discounted standard charge of £10,000 per unit within mechanisms to recapture the discount from £22,600 on schemes of more than 100 units. As the application proposes 72 units payment of a deferred charge does not apply.

9.61 The applicant has offered £5,000 per unit towards the discounted standard charge

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and submitted a toolkit appraisal in support of the application. The Corporation has reviewed the toolkit appraisal and concluded that it is robust subject to clarification of the sale of the investment interest generated by ground rents and current market value.

9.62 LBTH has requested financial contributions towards education, health care, highways and employment and training. It is not proposed that individual items are ring fenced within the contribution made towards the POCBS. The developer will be required to carry out works to the public highway adjacent to the site.

9.63 It is recommended that Members give delegated authority to the Director of Planning to conclude negotiations on the level of discounted standard charge to be secured.

10.0 CONCLUSION AND REASONS FOR APPROVAL

10.1 While the Unitary Development Plan designates the site an Industrial Employment Area, the potential for redeveloping the site with a mixed use development is identified by the Mayor of London Lower Lea Valley Opportunity Area Planning Framework and London Borough of Tower Hamlets Interim Planning Guidance. This approach is supported by the site's proximity to existing housing and accessibility to a town centre and public transport links. The marketability of the site for industrial activity is likely to be compromised by its proximity to existing housing.

10.2 The application proposes a housing density and design that is considered appropriate to the site's proximity to Canning Town centre and station interchange, the site context and the standard of residential environment achieved. The application is considered to be in accordance with Policies 3A.3 and 3C.1 of the London Plan.

10.3 The application proposes a height, scale and massing that responds to local context by forming an appropriate relationship to both the existing housing in Portree Street and the elevated A13. The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policies DEV1 and DEV2 of the Unitary Development Plan and Policies CP4 and DEV1 of the Interim Planning Guidance.

10.4 While the application would cause a net reduction in the sunlight and daylight conditions experienced by existing residents, that is not considered to constitute refusal of planning permission given that (1) mitigation is proposed to the worst affected rooms, (2) the majority of affected rooms are kitchens and bedrooms and not primary habitable rooms, (3) Building Research Establishment standards are intended to be interpreted flexibly and (4) the application reconciles the policy objectives of maximising site potential and minimising amenity impacts. The application is considered to be in accordance with Policies 4B.1 and 4B.10 of the London Plan and Policy DEV2 of the Unitary Development Plan and Policies CP4 and DEV1 of the Interim Planning Guidance.

10.5 The main development footprint is sited behind the recommended 18.0m separation distance between building elevations to minimise the sense of enclosure and loss of privacy/overlooking impacts. Development blocks are sited at an oblique angle to the existing housing to minimise overlooking. While redevelopment of the site with new housing would result in some loss of privacy and overlooking, such loss is not considered so severe to justify a reason for refusal. The application is considered to be in accordance with Policy DEV2 of the Unitary Development Plan and Policies CP4 and

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DEV1 of the Interim Planning Guidance.

10.6 The application proposes 35% affordable housing and 70:30 split between social rented and intermediate housing and a housing mix that provides an acceptable number of family sized affordable housing units. The application is considered to be in accordance with Policy 3A.9 of the London Plan and Policy CP22 of the Interim Planning Guidance.

10.7 The application raises no objections in terms the provision of amenity space, transport and accessibility or flood risk.

10.8 The issue of proximity to gas holders and the HSE's PADHI methodology is assuming increased significance across London – see also separate item on this agenda regarding Devon Wharf, Leven Road. The conclusion is that given the distance from the gas holders site and intervening uses and buildings that refusal is not justified. It is recognised that the HSE can still ask for the application to be called in.

10.9 The applicant has offered £5,000 a unit towards the Corporation's Planning Obligations Community Benefit Strategy requirement for development within the Lower Lea Valley to contribute £10,000 a unit. The toolkit appraisal submitted in support of the offer has been verified by the Corporation subject to clarification of items relating to the sale of the investment interest generated by ground rents and current market value.

10.10 On balance, the application is recommended for approval subject to referral to the Health and Safety Executive, the planning conditions set out at section 12.0 of this report and a Section 106 Agreement securing the Heads of Terms set out in section 11.1 of this report.

11.0 RECOMMENDATION

11.1 It is recommended that Members give delegated authority to the Director of Planning to GRANT PLANNING PERMISSION subject to:

- A. the Health and Safety Executive being given notice of the intention to grant planning permission and 21 days being allowed from the date of the notice to give further consideration of this matter and whether they wish to request that the Secretary of State call-in this application for her determination.
- B. the planning conditions set out at section 12.0 of the report;
- C. the completion of a S106 Agreement securing the following Heads of Terms:
 - 1. A financial contribution in accordance with the Corporation's Planning Obligations Community Benefit Strategy;
 - 2. The provision of 35% affordable housing based on a 70:30 split between social rented and intermediate housing;
 - 3. A scheme for mitigating sunlight and daylight impact to nos. 48, 58 and 60 Portree Street.
 - 4. A commitment to a local labour, goods and training scheme;
 - 5. A commitment to prevent future residents from applying for parking permits;
 - 6. A commitment to prepare, implement and monitor a Green Travel Plan;
 - 7. A commitment to enter into a S278 agreement and fund highway works adjacent to the boundary of the site.

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12.0 CONDITIONS AND REASONS

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

2. Save as these conditions provide otherwise or any matter is reserved for the later approval of the Local Planning Authority, all works are to be completed in accordance with drawing numbers 813_0208, 813_0209 (Rev A), 813_0210 (Rev B), 813_0211 (Rev A), 813_0213 (Rev A), 813_0215, 813_0217, 813_0230 (Rev P), 813_0231 (Rev K), 813_0232 (Rev A) prepared by RMA Architects unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of design and external appearance in accordance with Policy 4B.1 of the London Plan (2008), Policies ST5 and DEV1 of the Unitary Development Plan (1998) and Policies DEV1 and DEV2 of the Interim Planning Guidance (2006).

3. No part of the development hereby approved shall commence until a site investigation and remediation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme must provide for the extent of existing contamination and identify the measures to be taken to prevent 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) if the desk top report indicates that a site investigation is required, 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 health and safety risk assessment of the contamination identified;
- (v) proposals for any necessary remedial works to contain, treat or remove any contamination;
- (vi) the identities of the persons certifying any matter and performing any task.

No construction authorised by the planning permission shall commence until a certificate or validation report stating that remediation has been completed in accordance with the approved scheme that has been submitted to and approved in writing by the Local Planning Authority. The certificate must be prepared by a suitably qualified person and submitted to the Local Planning Authority for written approval.

Reason: 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 in accordance with Policy DEV51 of the Unitary Development Plan (1998) and Policy DEV22 of the Interim Planning Guidance (2006).

4. Notwithstanding the requirements of condition 3 above or as a result thereof, the developer shall consult with the Local Planning Authority in the event that any contamination or suspected contamination or unusual or odorous ground conditions are encountered during any ground works on the site prior to continuing with the development. Any contaminated soil arising from the ground works must be classified for the purposes of citing an appropriately licensed landfill facility for disposal of the said material. A copy of the classification certificates and waste transport and disposal

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documentation shall be provided to the Local Planning Authority for their records.

Reason: To ensure that contaminated land is properly treated and made safe before development, to protect public health and to meet the requirements of Policy DEV51 of the Unitary Development Plan (1998) and Policy DEV22 of the Interim Planning Guidance (2006).

5. No part of the development hereby approved shall commence until an Environmental Management Plan has been submitted to and approved by the Local Planning Authority to cover all methods of site preparation and construction of the development, including traffic management (incorporating a Construction Logistics Plan given access to the site is via the Transport for London Road Network), demolition, clearance, site remediation, ground works,, waste management, sourcing of materials, crane and scaffolding height, dust, smoke and odour control, avoidance of fires, wheel washing, noise and vibration and hours of operation etc. The approved Environmental Management Plan shall include details of its implementation and monitoring and shall be in place for the whole period of the works at the site and the development shall only take place in accordance with the approved code.

Reason: To ensure that the development does not harm the amenity of neighbouring occupiers in accordance with Policies DEV50, DEV51, DEV55, DEV56 and T10 of the Unitary Development Plan (1998) and Policies DEV10, DEV12, DEV11 and DEV15 of the Interim Planning Guidance (2006).

6. The development hereby approved shall not be occupied 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. The Site Management Plan shall include details of refuse and recycling storage and collection, servicing and deliveries and management of the public realm, communal amenity space and children's play areas. The development hereby approved shall only be operated in accordance with the approved Site Management Plan.

Reason: In order to protect the amenity of the future occupiers of and visitors to the site 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 in accordance with Policies DEV1 of the Unitary Development Plan (1998) and Policies DEV2, DEV15 and HSG7 of the Interim Planning Guidance (2006).

7. No demolition/construction/building works shall take place outside the hours of 0800 and 1800 on Mondays to Fridays and between 0900 and 1300 on Saturdays unless with the prior written approval of the Local Planning Authority.

Reason: To protect the amenity of surrounding occupiers in accordance with Policy 4A.14 of the London Plan (2004), Policy DEV50 of the Unitary Development Plan (1998) and Policy DEV10 of the Interim Planning Guidance (2006).

8. Impact piling shall only take place during construction with the prior agreement of the Local Planning Authority. Details of proposed impact piling shall be provided in writing to the Local Planning Authority at least seven days before such works are scheduled to take place.

Reason: In the interest of residential amenity, in accordance with Policy 4A.14 of the London Plan (2004), Policy DEV50 of the Unitary Development Plan (1998) and Policy DEV10 of the Interim Planning Guidance (2006).

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9. The development hereby approved shall not commence until a scheme to attenuate noise generated by the A13 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a glazing specification for all windows to ensure a good standard of internal noise can be achieved during the day time and night time in accordance with the guideline levels of BS8233 1999: "Sound insulation and noise reduction for buildings - code of practice" or an equivalent standard. The development shall not be occupied until the approved glazing specification is implemented in accordance with the approved scheme and thereafter retained.

Reason: To protect the amenity of future occupants and/or neighbours in accordance with Policy 4A.14 of the London Plan (2004), Policy DEV50 of the Unitary Development Plan (1998) and Policy DEV10 of the Interim Planning Guidance (2006).

10. The development hereby approved shall not commence until details of all materials to be used on all elevations, including commercial frontages and balconies, have been submitted to and approved in writing by the Local Planning Authority. Details should include colour, texture and type of materials and be provided to 1:20 scale. The approved materials shall be implemented in accordance with the approved details and thereafter permanently maintained to the satisfaction of the Local Planning Authority.

Reason: To ensure a satisfactory standard of design and external appearance in accordance with Policy 4B.1 and 4B.10 of the London Plan, Policies ST5 and DEV1 of the Unitary Development Plan (1998) and Policy DEV2 of the Interim Planning Guidance (2006).

11. The development hereby approved shall not commence until details of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of:

- (i) trees and plants;
- (ii) surface treatment;
- (iii) children's play equipment;
- (iii) internal and site boundary treatment;
- (iv) external lighting;
- (v) a schedule for management and maintenance.

The hard and soft landscaping shall be implemented in accordance and thereafter retained.

The approved soft 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 required as part of the implementation of the condition 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 landscaped areas in open spaces are of a high quality design and appearance that will enhance the amenity value of the development and its surroundings in accordance with Policies DEV1, DEV 12 and DEV13 of the Unitary Development Plan (1998) and Policy DEV2 and HSG7 of the Interim Planning Guidance (2006).

12. The development hereby approved shall not be occupied until details of cycle

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parking facilities, including their means of secure storage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the approved details and shall be retained thereafter and used for no other purpose without the prior approval of the Local Planning Authority.

Reason: In order to promote the use of cycling in accordance with Policies T22-24 of the Unitary Development Plan (1998) and Policy DEV16 of the Interim Planning Guidance (2006).

13. Those uses identified for commercial operation (within the A1, A2, A3, B1 and/or D1 use classes as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)) hereby approved shall be restricted to the following hours of opening, unless otherwise agreed in writing by the Local Planning Authority:

8am to 10pm, Monday to Saturday

10am to 9pm on Sundays or Bank Holidays.

Any outdoor seating areas must be vacated and any tables and chairs must be removed by 9pm Monday – Saturday and by 8pm on Sundays and Bank Holidays.

Reason: To safeguard the amenity of adjacent residents and the area generally in accordance with Policy DEV50 of the Unitary Development Plan (1998) and DEV10 of the Interim Planning Guidance (2006).

14. The development hereby approved shall not commence until details of the means of ventilation for the extraction and dispersal of cooking smells and other fumes, from the non residential uses, including details of the extraction, ventilation and filtration equipment and any other external plant or machinery (including ventilation units and air intake louvres) together with details of its method of construction, appearance and finish have been submitted to and approved by the Local Planning Authority. The development shall not be occupied other than in accordance with the approved details.

Reason: To safeguard the amenity of the occupiers of adjoining properties by preventing noise disturbance and to ensure a satisfactory appearance in accordance with the requirements of Policies DEV2 and DEV50 of the Unitary Development Plan (1998) and Policies DEV1 and DEV2 of the Interim Planning Guidance (2006).

15. All residential units hereby approved shall comply with Lifetime Homes standards in accordance with 'Meeting Part M and Designing Lifetime Homes' (1999) by the Joseph Rowntree Foundation.

Reason: To ensure that accessible housing is provided in accordance with Policy 3A.5 of the London Plan (2008) and Policy HSG9 of the Interim Planning Guidance (2006)

16. No fewer than 10% of the total number of residential units within the development hereby approved shall be constructed to be easily adapted for residents who are wheelchair users.

Reason: To ensure that accessible housing is provided in accordance with Policy 3A.4 of the London Plan and Policy HSG9 of the Interim Planning Guidance.

17. The development hereby approved shall not commence until details of refuse and recycling storage facilities have been submitted and approved by the Local Planning

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Authority. The refuse and recycling facilities shall be implemented in accordance with the approved details and thereafter permanently retained.

Reason: To protect amenity and ensure adequate provision for the waste and recycling storage in accordance with Policy DEV15 of the Interim Planning Guidance (2006).

18. The development hereby approved shall not commence until details of a Traffic Management Plan has been submitted to and approved by the Local Planning Authority. The Traffic Management Plan shall include details of highway improvements and disabled car parking facilities. The highways improvements and disabled car parking shall be implemented in accordance with the approved details and thereafter permanently retained.

Reason: To ensure an appropriate highway design in accordance with Policy DEV2 and DEV19 of the Interim Planning Guidance (2006)

19. The development hereby approved shall not commence until a telecommunications study has been submitted to and approved by the Local Planning Authority.

Reason: To ensure that TV reception to existing residents will not be affected and/or mitigated.

20. The development hereby approved shall be implemented in accordance with the energy efficient and renewable energy technologies proposed in the Sustainability Statement prepared by ESD (June 2008). The energy efficient and renewable energy technologies specified in this document will provide a 20% reduction in carbon dioxide emissions and be implemented prior to the occupation of the development and thereafter permanently retained unless otherwise agreed in writing by the Local Planning Authority.

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 (2004), Policy DEV2 of the Unitary Development Plan (1998) and Policies DEV5 and DEV6 of the Interim Planning Guidance (2006).

INFORMATIVES

1. This permission is subject to a planning obligation agreement made under Section 106 of the Town and Country Planning Act 1990
2. Attention is drawn to the provisions of section 151 of the Highways Act 1980 which requires that all construction vehicles leaving the site must be cleansed as necessary to avoid depositing mud and other material on neighbouring roads.
3. Your attention is drawn to the need to comply with the Control of Pollution Act 1974 and in this respect you are requested to contact the Council's Environmental Health Department, Mulberry Place (AH), PO Box 55739, London E14 1BY.
4. You should consult the Council's Highways Development Service, Mulberry Place (AH), PO Box 55739, London E14 1BY regarding any works affecting the public highway.
5. You are requested to consult the Council's Environmental Health Department,

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Mulberry Place (AH), PO Box 55739, London E14 and the Environment Agency
with regard to Conditions 3 and 4 above (contamination).

CASE OFFICER: Will Steadman

Appendix 1: Site Location

Appendix 2: Proposed Site Layout

Appendix 3: Scheme Computer Generated Images

Appendix 4: Siting and Massing Comparison

Appendix 5: Summary of Sunlight and Daylight Analysis Results