Strategic planning application stage 1 referral


The proposal

Demolition of existing structures and construction of two blocks of 4 and 10 storeys to provide 57 affordable residential units with amenity space, access, cycle and car parking and associated works.

The applicant

The applicant is LB Tower Hamlets, the architect is Henley Halebrown.

Strategic issues

**Affordable housing**: The scheme proposes 100% affordable housing, with all units to be provided as affordable rent which is fully supported (paragraph 20 to 23).

**Playspace**: The provision of playspace within an area of shared surface is unacceptable. The approach to play provision should be required to ensure sufficient, high quality space is provided (paragraph 26 to 27).

**Urban design**: In accordance with the London Plan, the design of this 100% affordable housing scheme must be of the highest quality. In this context, the proposal does raise concerns; GLA officers will work with the applicant and the Council to further improve the architectural approach, and review materials, particularly in relation to the northern elevation (paragraph 28 to 31).

**Climate change and drainage**: The energy strategy must be revised in accordance with London Plan policy regarding communal heating and provision of district heating networks. The applicant should also investigate sustainable drainage measures (paragraph 33 to 35).

**Transport**: A number of outstanding transport matters will need to be addressed including; blue badge parking, walking and cycling measures and travel planning (paragraph 36 to 41).

Recommendation

That Tower Hamlets Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 45 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.
Context

1. On 1 September 2017, the Mayor of London received documents from Tower Hamlets Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor has until 16 October 2017 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2. The application is referable under Categories 1C of the Schedule to the 2008 Order:
   • 1C “Development which comprises or includes the erection of a building (c) more than 30 metres high and is outside the City of London.”

3. Once Tower Hamlets Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4. The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5. The application site is located towards the western boundary of the London Borough of Tower Hamlets, directly to the south of Weavers Fields and south west of Bethnal Green railway station on the southern side of the railway viaduct. The site is accessed from Tent Street to the east which forms the only access and is bound to the north by the railway viaduct and a taxi fitting business, to the south by three to four storey residential development, to the west by small scale industrial uses which front Hemming Street and to the east by an existing playground, sports pitch and six storey residential development. There is an extant planning permission for the redevelopment of 120 Vallance Road and 2-4 Hemming Street immediately to the west of the site (LPA Ref. PP/15/01231 and GLA Ref. D&P/ 3324/01) to provide 144 residential units and commercial at ground floor level as well as the provision of new public realm. Planning permission was granted in October 2014 (LPA Ref. PA/13/01813) for a five storey office and residential development (34 units) at 6-8 Hemming Road.

6. The site is currently occupied by a car recovery and storage business comprising informal parking and a number of porta cabins, piles of rubble which cover large portions of the site and the remnants of a disused railway viaduct that would have historically formed part of the Spitalfields Coal Depot. The viaduct would have originally traversed the entire site; however, the majority of the viaduct has since been demolished in the post-war period to make way for a mix of residential and commercial development to the south, with only a small part now extending into the site.

7. The main part of the site is defined by an existing boundary wall which terminates access between Tent Street and Granary Road which joins the southern boundary of the site. The site boundary also includes an existing playground, sports pitch and car parking spaces to the east of the boundary wall, also within Tower Hamlet’s ownership, which separates the adjacent residential development to the east and the existing car recovery business.

8. The site does not contain any listed buildings and is not within a Conservation Area, nor are there any heritage assets close proximity to the site. However, the site is within the
background setting of the London View Management Framework view from Queens Walk to the Tower of London (25A.1).

9 With regards to public transport connections, the Bethnal Green mainline station is approximately 250 metres from the site; Whitechapel station is approximately 600 metres south of the site and Bethnal Green underground station is approximately 800 metres to the north-east of the site. There are also four bus stops within the 600 metres of the site serving seven routes. The site is afforded a Public Transport Accessibility Level (PTAL) of six(a), on a scale of one to six where six is excellent.

Details of the proposal

10 The proposals involve the redevelopment of the site to provide two parallel residential buildings of ten and four storeys in height. The taller building is located to the northern end of the site adjacent to the railway track with the four storey building to the south. The development provides a total of 57 residential units all of which are for affordable rent. Five blue badge parking spaces are provided to the east of the development site for the residents of the wheelchair units. An area of soft landscaping is proposed to the eastern end of the development site and the rest of the site is proposed to be hard landscaped.

Case history

11 A pre-application meeting was held with the applicant on 10 August 2016 where the following issues were discussed: housing and affordable housing; urban design; inclusive design, sustainable development and transport.

Strategic planning issues and relevant policies and guidance

12 The relevant issues and corresponding policies are as follows:

- **Principle of development**  
  London Plan; City Fringe Opportunity Area Framework

- **Housing and affordable housing**  
  London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG; Affordable Housing and Viability SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG

- **Urban design**  
  London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG, London View Management Framework

- **Inclusive design**  
  London Plan; Accessible London: achieving an inclusive environment SPG

- **Climate change and drainage**  
  London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy

- **Transport**  
  London Plan; the Mayor’s Transport Strategy; Mayoral Community Infrastructure Levy; Crossrail SPG; Mayor’s draft Transport Strategy
For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Tower Hamlet’s Core Strategy (2010); Tower Hamlet’s Managing Development Document (2013); and the 2016 London Plan (Consolidated with Alterations since 2011).

The following are also relevant material considerations:

- City Fringe Opportunity Area Planning Framework (2015); and

Principle of development

The site is within the City Fringe Opportunity Area where residential, non-residential outputs and densities should be maximised in accordance with London Plan Policy 2.13. Annex 1 of the London Plan states that new developments in the City Fringe Opportunity Area have the scope to deliver an indicative capacity of 70,000 new jobs and a minimum of 8,700 new homes. Specifically, the site is located within the largely residential ‘hinterland area’ of the City Fringe Opportunity Area; where the provision of some employment floorspace may be appropriate but proposals are likely to be more residential in nature. Therefore, in this regard the proposed high density residential redevelopment of this site is fully supported.

As set out above, there is an element of employment use existing on the site; however, it is noted that the majority of the site is covered in areas of rubble and low grade vegetation and as a result only a small portion is actively in use. Furthermore, the commercial/light industrial units immediately to the west of the site at 2-4 Hemmings Street is subject to a larger residential-led, mixed-use planning permission including 152 residential units, which, once completed, would significantly alter the surrounding context, resulting in a predominantly residential character.

In light of the above context, whilst it is acknowledged that the proposed redevelopment would result in the loss of the current employment use of the site, the site is not identified by either strategic or local policy for employment use. Furthermore, its redevelopment for residential responds to the principles of the OAPF and the emerging context, and helps meet strategic and local housing need by delivering 57 new affordable homes including a significant proportion of family-sized units. Therefore, in light of the changing character of the site’s immediate environs as well as the current inefficient use of the site, the proposed comprehensive redevelopment of the site for residential use is supported.

The applicant has assessed the potential land use conflict issues between the proposed residential development and the existing light industrial uses within the viaducts to the north and appropriate mitigation has been incorporated into the design of the scheme through the use of acoustic attenuation and physical separation.

Housing

The proposed development would deliver 57 residential units, all of which are for affordable rent with the following mix:
Affordable housing

20 London Plan Policy 3.12 seeks the maximum reasonable amount of affordable housing to be provided. The Mayor’s Affordable Housing and Viability SPG establishes a minimum pan-London threshold level of 35% affordable housing (without grant) with a strategic target of 50%. However, as the site is in public ownership, in accordance with paragraph 2.33 of the Affordable Housing and Viability SPG, such sites are expected to deliver at least 50% affordable housing in order to benefit from the ‘Fast Track Route’. In this regard, the application proposes 100% affordable housing, with all units to be provided as affordable rent. The scheme is fully funded through reserves in the Council’s Right to Buy receipts budget and the housing revenue account.

21 Paragraph 2.40 of the Affordable Housing and Viability SPG sets out the preferred tenure split in order for schemes to benefit from the Fast Track Route. However, in order to incentivise schemes that are largely or entirely affordable, those that propose 75% affordable housing or more as defined by the NPPF may be considered under the Fast Track Route, irrespective of the tenure mix, as long as the tenure and other relevant standards are supported by the LPA (paragraph 2.42), which is the case in this instance. Therefore, the scheme fully accords with the Fast Track Route and a viability assessment and as such, a late stage review are not required.

22 An early stage review must be secured in the s106 which will be triggered if an agreed level of progress on implementation is not made within an agreed timeframe.

23 In terms of rental levels, 50% of the development will be provided Tower Hamlets Living Rents and the remainder at London Affordable Rents (formally Social Target Rents). The units will be split equally between the two rent levels by bedroom size. An indication of the likely rental levels is provided below:

<table>
<thead>
<tr>
<th>2017-18</th>
<th>1 bed £</th>
<th>2 bed £</th>
<th>3 bed £</th>
<th>4 bed £</th>
</tr>
</thead>
<tbody>
<tr>
<td>London Affordable Rent (Social Rent) 2017-18</td>
<td>144.26</td>
<td>152.73</td>
<td>161.22</td>
<td>169.70</td>
</tr>
<tr>
<td>Tower Hamlets Living Rent 2017-18</td>
<td>202.85</td>
<td>223.14</td>
<td>243.42</td>
<td>263.71</td>
</tr>
</tbody>
</table>
Residential density

24 The site has a Public Transport Accessibility Level (PTAL) of 6(a), within an urban setting. The density matrix contained in table 3.2 and Policy 3.4 of the London Plan suggests a density 200-700 habitable rooms per hectare (hr/ha) or 70-260 units per hectare. The proposed scheme has a density of 133 units per hectare and therefore sits comfortably within the London Plan range and given the high level of residential quality and improvements to the public realm, the density is considered acceptable. However, concerns regarding the on-site play provision must be addressed.

Residential quality

25 The applicant has taken full account of the Mayor’s Housing SPG in designing the scheme. All of the units meet the nationally described space standard and all units are provided with private amenity space in the form of balconies or terraces. The development provides less than 8 units per core; none of the proposed units are single aspect and the ceiling heights exceed 2.5 metres. Furthermore, 10% of units are to be provided as wheelchair accessible and the remaining 90% as wheelchair adaptable under Building Regulations M4(3) and M4(2) respectively in accordance with London Plan Policy 3.8, which is welcomed. Overall, the standard of residential accommodation is high and is therefore fully supported.

Children’s play space

26 London Plan Policy 3.6 ‘Children and Young People’s Play and Informal Recreation Facilities’ seeks to ensure that development proposals provide access to inclusive, accessible and safe spaces, offering high-quality play and informal recreation opportunities. The Mayor’s Play and Informal Recreation SPG sets out the GLA’s requirements for the design of playspace within schemes. The associated playspace calculator identifies the requirement for playspace generated from this scheme as being 887.7 sq.m. There is also an existing play area (comprising a playground and ball court) on the site which is associated with the adjacent housing estate which measures 515 sq.m. This playspace is also required to be replaced within the scheme under Policy 3.1B of the London Plan and the Mayor’s Play and Informal Recreation SPG.

<table>
<thead>
<tr>
<th>Playspace requirement</th>
<th>Proposed playspace provision</th>
<th>Shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing playspace re-provision</td>
<td>515</td>
<td>515</td>
</tr>
<tr>
<td>Onsite playspace requirement generated by the development</td>
<td>887.7</td>
<td>440</td>
</tr>
<tr>
<td>Totals</td>
<td>1,402.7 sq.m.</td>
<td>955 sq.m.</td>
</tr>
</tbody>
</table>

27 Based on the design and access statement submitted, the applicant has proposed a total of 1,495 sq.m. of on-site playspace. This is to be provided in the form of a formal play area to the east of the site as well as a playspace between the two proposed buildings. The majority of this space will be hard landscaped and will also operate as a shared surface to be utilised by service vehicles. This shared surface will not offer permanent, safe playspace and therefore cannot be counted towards the overall playspace provision. Furthermore, the area defined as
communal amenity space should not double as playspace either. Therefore, only the 990 sq.m. of the playspace proposed (comprising the 890 sq.m. dedicated playspace to the east of the scheme and the 65 sq.m. to the western edge of the site) can be counted toward the overall playspace requirement. Whilst it is acknowledged that there is an existing adventure playground at Weavers Field within 800m of the site, playspace for over 12s (265 sq.m.) could potentially be met by a contribution in lieu towards off-site provision. Notwithstanding this, the potential for on-site provision of the entire playspace shortfall must be exhausted first and foremost before a payment in lieu can be accepted. As it stands, the playspace proposals are contrary to the London Plan and Mayor’s SPG and are not acceptable. To overcome this, the shortfall should be met in full on site.

**Urban design**

28 The layout knits itself successfully into the existing context, including the partially demolished railway arch to the west. The inclusion of duplex units across the scheme with front doors at ground level is strongly supported, as is the use of deck access at upper levels (to promote community cohesion, passive surveillance onto central amenity area and cross ventilation/dual aspect to all units).

29 The positioning of the taller block to the north will help to buffer the railway line. The scale and building form is also broadly aligned with the existing and emerging context. The development is within the City Hall to Tower Bridge London View Management Framework background assessment area. The applicant has confirmed that the development will rise to a maximum of 43.7 metres AOD which lies well below the threshold plane in this location which is approximately 110 metres AOD. Therefore, this scheme will have no impact on the background setting of this view. As such, the scheme raises no strategic issues with regards to height and massing.

30 As set out in paragraph 3.76 of the London Plan, and the Mayor’s SPG the design of affordable housing must have the same quality embedded within it as with market provision. In this context, the design of the proposal does raise some strategic concern and should be reviewed in discussion with GLA and Council officers. In terms of the architecture, the northern elevation in particular would benefit from further refinement, as it appears austere in views from the park and Mape Street. This can be achieved by introducing depth and articulation through brick detailing and the depth of window reveals. The subdivision of this facade into four portions also provides an opportunity to consider varying brick tones to break up the perception of a large singular block. A review of materials should also therefore be undertaken.

31 Furthermore, the detailing of key elements such as external stairs, balustrading and access decks will need to meet an exemplary standard of design and be fully considered to ensure the highest standard of architecture is delivered. The Council is encouraged to secure these details as part of any planning permission.

**Inclusive design**

32 In line with London Plan Policy 3.8 and Standard 11 of the Mayor’s Housing SPG, 90% of units are to be provided as accessible and adaptable and 10% are provided as wheelchair user dwellings. The north block has two lifts to serve the proposed wheelchair units. Blue badge spaces are provided at grade within easy reach of the residential entrances in accordance with Standard 18. The scheme has been designed in line with London Plan Policy 7.2 and sufficient information has been provided to demonstrate that all public spaces, buildings and facilities will be accessible to all.
Climate change

33 The energy strategy currently has significant shortcomings and does not comply with the London Plan. The issues raised at pre-application stage have yet to be addressed. In order for the development to be deemed policy-compliant, the applicant will need to revisit the energy strategy to either utilise the proposed heat pump to provide space heating; or install a communal gas boiler which would allow for future connection to a district heating network and therefore keep energy costs for residents down.

34 In addition, the ‘be lean’ scenario should be remodelled assuming a communal heating system; details of how much residents will realistically have to pay for hot water during the winter months should be provided. The individual electric heating approach is not accepted, as it is contrary to London Plan Policy 5.2 and 5.5; particularly as the development is in an identified district heating opportunity area. All comments raised will need to be fully addressed by the applicant, well in advance of Stage 2 to enable a full assessment under London Plan policy to be undertaken. A full set of comments have been supplied directly to the Council and the applicant for further consideration.

Drainage

35 The site is located within Flood Zone 1. However, the site and surroundings are at risk of significant surface water flooding. As such, the application of London Plan policy 5.13 will be particularly important; this requires at least 50% attenuation of the site’s (prior to re-development) surface water runoff at peak times, and preferably greenfield runoff rates. The applicant’s preferred strategy is tanked storage of rainfall. The capacity for both roofs to be brown, green and/or blue/green must be explored as well as the use of SUDs, measures such as swales, raingardens, or tree pits, in the proposed soft landscaping areas. Furthermore, any attenuation tanks should also be designed to provide benefit during lower order storm events.

Transport

Car parking

36 The development is proposed to be car-free with exception of 5 Blue Badge spaces. An additional Blue Badge space is required to meet the London Plan Housing SPG recommendation that each wheelchair accessible unit be provided with a dedicated Blue Badge space.

Walking

37 A walking route assessment should be undertaken having regard to TfL’s Pedestrian Environment Review System (PERS) assessment methodology, with appropriate mitigation secured.

38 The provision of new public spaces and pedestrian links through the site is welcome. However, the opportunity to open a pedestrian and cycle link between Tent Street and Granary Road should be investigated further. If, after further investigation, it is concluded that the link cannot be opened up as part of this development, the design should not prevent a link from being opened up in this location in the future; as it would significantly improve the permeability of the site and surroundings.

39 The Council should consider securing Legible London signage in coordination with other local development.
Cycling

40 Local cycle routes should be assessed having regard to TfL’s Cycling Level of Service (CLoS) assessment methodology. In addition, the cycle access points to the site should be clarified. The cycle parking facilities should be designed in accordance with London Cycle Design Standards (LCDS).

Travel planning

41 A full Delivery Servicing Plan should be secured by planning condition, to comply with London Play Policy 6.14. The Construction Traffic Management Plan is acceptable and a full Construction Logistics Plan should be secured by planning condition. The Travel Plan should be secured by s106 agreement.

Local planning authority’s position

42 Tower Hamlets Council planning officers have requested revisions to the submitted scheme and are currently targeting committee in January 2018.

Legal considerations

43 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

44 There are no financial considerations at this stage.

Conclusion

45 London Plan policies on employment, housing, urban design and heritage, inclusive design, climate change and drainage, and transport are relevant to this application. The application does not comply with the London Plan, but the resolution of the below issues could lead to the application becoming compliant with the London Plan:

- **Affordable housing**: The scheme proposes 100% affordable housing, with all units to be provided as affordable rent, which is fully supported.
- **Playspace**: The provision of playspace within an area of shared surface is unacceptable. The approach to play provision should be required to ensure sufficient high quality space is provided.
- **Urban design**: In accordance with the London Plan, the design of this 100% affordable housing scheme must be of the highest quality. In this context, the proposal does raise concerns; GLA officers will work with the applicant and the Council to further improve
the architectural approach, and review materials, particularly in relation to the northern elevation.

- **Climate change and drainage:** The energy strategy must be revised in accordance with London Plan policy regarding communal heating and provision of district heating networks. The applicant should also investigate sustainable drainage measures.

- **Transport:** A number of outstanding transport matters will need to be addressed including; blue badge parking, walking and cycling measures and travel planning.

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