

Committee: Development Committee	Date: 19 th July 2018	Classification: Unrestricted
Report of: Director of Place		Title: Applications for Planning Permission
Case Officer: Hoa Vong		Ref No: PA/18/00074
		Ward: Limehouse

1.0 APPLICATION DETAILS

Location:	Lamb Court, 69 Narrow Street, London, E14 8EJ
Proposal:	Erection of a 4 storey building comprising 1 x 1b unit and 2 x 2b units above the proposed Reception and Concierge Area on the ground floor.
Drawings and documents:	<p><u>Documents and Reports</u></p> <p>Design and Access statement; Floodrisk assessment; Ecological Assessment; Historic Environment Assessment; Pre-determination investigation report; Tree Survey Report and Arboricultural Impact Assessment; Site Survey plan Existing.</p> <p><u>Plans and Drawings</u></p> <p>1209-10B; 1209-11B; 1209-12C; 1209-13D; 1209-14B; 1209-15B; 1209-16B; 1209.00; 1209.01; 1209.02; 1209.03; 1209.04 (north); 1209.04 (South); 1209.10A; 1209.14B; 1209.15B; 1209.16B; 1209.19; 1209.20; 1209.21; 1209.23 1209.SK.08; 1209.SK.09; Fire Plans Proposed and P-101 P1.</p>
Ownership/applicant:	Secure Reversions Ltd
Historic Building:	No listed buildings on site.
Conservation Area:	Narrow Street Conservation Area

2.0 EXECUTIVE SUMMARY

- 2.1 The Council has considered the particular circumstances of this application against the Council's Development Plan policies contained in the London Borough of Tower Hamlets adopted Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan 2016 and the National Planning Policy Framework.

- 2.2 This report considers an application for the erection of a 4 storey building comprising A Reception and Concierge Area on the ground floor and 1 x 1b unit and 2 x 2b units on floors one to three.
- 2.3 74 letters of objection have been received. As such the application has been referred to the Council's Development Committee.
- 2.4 The objections received regarding impact on the conservation area, design, amenity, access, fire safety and biodiversity have been adequately addressed and are further detailed in this report.
- 2.5 The proposed design of the building is considered to be acceptable in terms of scale, mass, and form. The extension would be subservient to the original terrace and integrate well with the character of the conservation area.
- 2.6 The proposal includes the loss of six existing category B maple trees which are to be replaced as part of the proposal. With the introduction of a native tree, shrub planting and the addition bird and bat boxes, there will be a net gain of biodiversity.
- 2.7 With appropriate separation distances, the proposal would not have an unduly detrimental impact on the amenity of any adjoining occupiers or that of the public realm and is therefore acceptable in amenity terms.
- 2.8 Overall, it is considered that the proposal would be in accordance with the National Planning Policy Framework and would comply with the provisions of the Local Development Plan. Having examined all the material planning considerations it should be approved.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission.

Conditions

- (a) Three year time limit (*Compliance*)
- (b) Development to be carried out in accordance with the approved plans (*Compliance*)
- (c) Full details of the proposed facing materials to be used for the extension (*pre-commencement*)
- (d) 24 Hour ground access for Lamb Court Residents (*Compliance*)
- (e) Obscure glazed side screening to the balconies (*prior to occupation*)
- (f) Construction management plan (*pre-commencement*)
- (g) Car free agreement (*pre-commencement*)
- (h) Full arboricultural and tree protection plan (*pre-commencement*)
- (i) Details of biodiversity enhancements including details of 6 additional trees (*pre-commencement*)
- (j) Archaeology Written scheme of investigation (*pre-commencement*)

Informative

- 3.2 The sprinklers should comply with BS 9251:2014 or BSEN 12845.
- 3.3 The dry risers should comply with latest Approved Building Regulations Document B.

4.0 SITE AND SURROUNDS

- 4.1. The application site is rectangular in shape and measures 9.7m wide and 14.2m deep. It is currently used as an access to Lambs Court and is gated. There are also 6 maple trees on site. The site is accessed by Narrow Street, Shoulder of Mutton Alley and Northey Street. The area currently serves as access within the development that can only be accessed by residents with a fob key and leads to an internal courtyard/access way that is in the centre of the Lamb Court development.



Photograph showing the application site.

- 4.2. On either side of the plot are residential terraces that are three storeys with pitched roofs and front bays at first floor with Juliette balconies. The terraces on either side are slightly different heights. The terrace to the south is lower, as shown in the following photograph.



- 4.3. The site sits within the Narrow Street Conservation Area. The existing buildings as part of Lamb Court were constructed in the 1980s and are considered to preserve the surrounding the surrounding character. This is particularly true when compared to many of the listed buildings along Narrow Street that also front the Thames.



- 4.4. The application site is also within flood zones 2 and 3 and an archaeological priority zone.

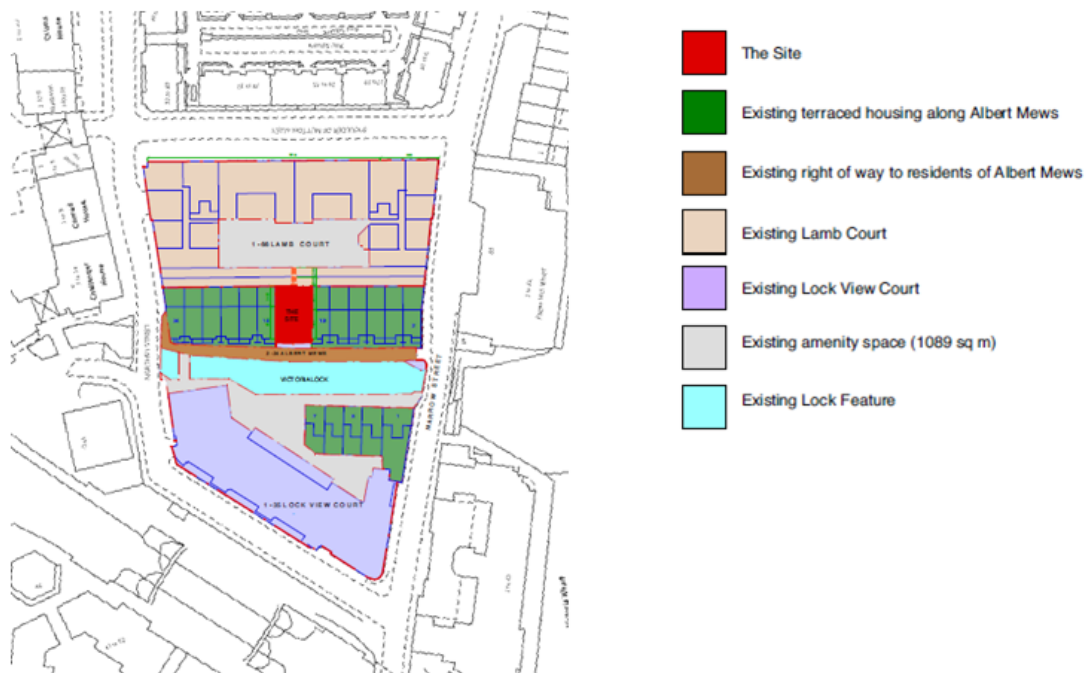


Fig. 1 Site Location Plan

5.0 RELEVANT PLANNING HISTORY

Pre-application

PF/15/002233- Proposal for 3 additional units comprising 1 x 1 bedroom and 2 x 2 bedroom.

- 5.1. The principle development was considered to be acceptable subject to a number of design amendments, which the applicant has complied with.

6.0 POLICY FRAMEWORK

- 6.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

6.2 Government Planning Policy

National Planning Policy Framework 2012
National Planning Practice Guidance

6.3 London Plan 2016

- 2.9 - Inner London
- 3.9 - Mixed and balanced communities
- 6.3 - Assessing effects of development on transport capacity
- 7.1 - Building London’s neighbourhoods and communities
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology

6.4 Core Strategy 2010

- SP02 - Urban living for everyone
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP12 - Delivering placemaking

6.5 Managing Development Document 2013

- DM20 – Supporting a sustainable transport network
- DM23 - Streets and the public realm
- DM24 - Place-sensitive design
- DM25 – Amenity
- DM27 - Heritage and the historic environment

6.6 Supplementary Planning Documents

Narrow Street Conservation Area Character Appraisal (2007)

6.7 Tower Hamlets Community Plan objectives

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

6.8 On Wednesday 28 February 2018, the new Local Plan was submitted to the Secretary of State for the Ministry of Housing, Communities and Local Government to undergo a public examination. This is the final stage in the process of preparing the plan and will involve an independent examination of the plan that tests its content and how it has been prepared.

6.9 As the Local Plan has reached an advanced stage, decision makers can now attach more weight to its policies in the determination of planning applications.

6.10 The draft NPPF and London Plan are also material considerations.

7.0 CONSULTATION RESPONSE

7.1 The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The summary of consultation responses received is provided below.

7.2 The following were consulted regarding the application:

External Consultees

London Fire and Emergency Planning Authority

7.3 Concerns were raised regarding Pump appliance access and water supplies. The proposal should conform with the requirements of part B5 of approved document B.

7.4 These issues have been addressed as detailed in the main section of the report.

Canal and River Trust

7.5 No objections

Environment Agency

7.6 No objections subject to the proposal being carried out in accordance with the measures detailed in the submitted flood risk assessment including evacuation measures, finished floor levels and flood resilience.

Port of London Authority

7.7 No objections

Historic England Archaeology

7.9 No Objections subject to securing a written scheme of investigation by condition.

Internal Consultees

Tree officer

- 7.10 No objections as the 6 maple trees to be removed will be replaced.

Biodiversity

- 7.11 No objections subject to conditions regarding nesting birds and biodiversity enhancements.

Highways

- 7.12 No objections subject to a permit free agreements. All cycle facilities are to be retained and maintained for their permitted use only for the life of the development. Unrestricted access to pedestrians (as currently exists) must be maintained through the proposed concierge unit at all times.

Waste

- 7.13 No objections. Concerns were raised over the trolleying distance however it should be noted that this is an existing relationship and the proposed waste strategy ties in with the existing waste arrangements for Lamb Court.

8.0 LOCAL REPRESENTATION

- 8.1 128 letters were sent to neighbouring properties. A site notice was also displayed outside the application site and the proposal was advertised online.

- 8.2 A meeting was held on the 13th March with three local residents, and council officers. The meeting was held to discuss objections raised by residents regarding design, conservation, fire safety, trees, wildlife, amenity and construction. The consultation was relayed to the applicant and the proposal was amended in order to address these concerns.

- 8.3 As a result of amendments to the proposal neighbour consultation for a period of 14 days was carried out. The following responses have been received in total (original consultation plus through amendments):

No of individual responses:	Objecting:	74
	Supporting:	0
	Comment:	1

No of petitions received: 0

- 8.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

Design and impact on the conservation area

- Roof addition not sympathetic to the conservation area
- Overall design not sympathetic to the conservation area
- Too bulky and tall

Fire Safety and Access

- Proposal blocks a potential fire exit
- Pump appliance access and water supplies for the fire service have not been addressed
- The current site provides a right of way for residents of The Albert Mews

Biodiversity and Trees

- Loss of trees
- Impact on local wildlife
- Loss of open space

Amenity

- Impact on light to windows
- Overlooking
- Noise disturbance
- Dust, noise and pollution during construction

9.0 MATERIAL PLANNING CONSIDERATIONS

9.1 The main application has been assessed against all relevant policies under the following report headings:

1. Land use
2. Design and impact on heritage assets
3. Impact on Neighbouring amenity
4. Highways and Transport
5. Waste
6. Biodiversity
7. Floodrisk
8. Access

Land Use

- 9.2 The provision of housing is a policy objective at a national, London-wide and local level. NPPF Paragraph 50 supports the delivery of a wide choice of high quality homes, widening opportunities for home ownership and creating sustainable, Inclusive and mixed communities. Local Plan Core Strategy Policy SPO2 (2.a) requires new housing development to optimise the use of land. London Plan Policy 3.4 'Optimising Housing Potential' sets out that planning decisions need to take account of local context. Local Plan Strategic Objective 23 promotes a Borough of well designed, sustainable and robust buildings that contribute and enrich the local environment and contribute to the overall quality of life.
- 9.3 The proposal seeks planning permission the construction of a 4 storey building to provide 1 x 1b unit and 2 x 2b units.
- 9.4 Objections have been raised from residents regarding the use of this land as an open space. Whilst there are 6 maple trees on site, this area of land is not designated as any form of open space and is used as pedestrian access to the car park located in Lambs Court. As discussed in the main section of the report any amenity value

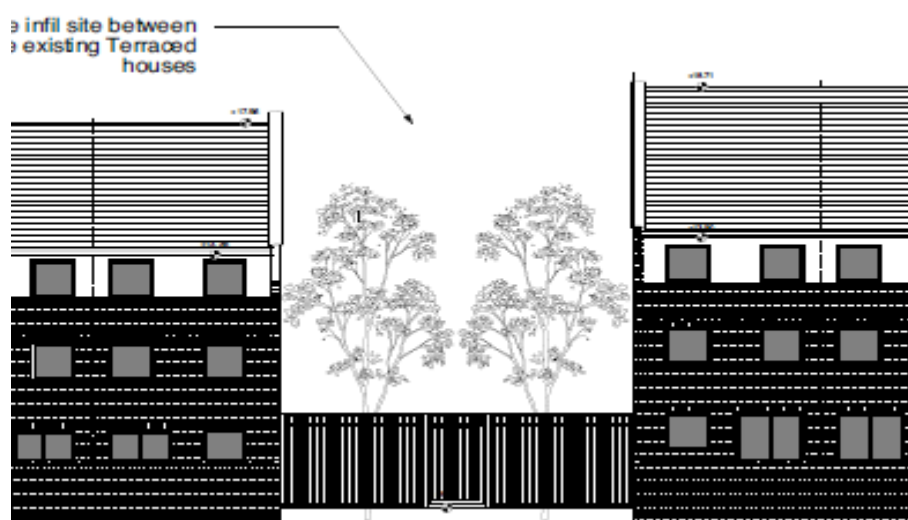
provided by the trees is re-provided, together with other biodiversity enhancements. Access will also remain as existing. The site also has some visual value in creating a gap between the two terraces, however this is limited.

- 9.5 In light of this and the above policies which seek to maximise the provision of housing, it is considered that the principle of the development is acceptable.

Design and impact on heritage assets

- 9.6 The design of the proposed development has been significantly amended by the applicant during the application process, and has been designed in a manner so as not to appear overly dominant nor significantly impact upon the character of the conservation area, whilst also respecting the proportions of the existing terrace.

- 9.7 The following is a plan showing the existing streetscene.



- 9.8 This has been achieved by maintaining a 4 storey height as well as stepping down in roofline with No. 14. In addition to this the building line is maintained and detailing such as the render band at 2nd floor level, matching fenestration and materials are used. The retention of these features ensures that the building mass is sympathetic to the existing character of the conservation area and adjoining terrace.
- 9.9 It is noted that there are a number of features which do not replicate the exact design of the adjoining properties however design policies seek a site specific response which enhance and better reveal the significance of place and heritage assets rather than impose a particular design or style.
- 9.10 In this case, the proposed development has been designed as a “linking block” in recognition of its mid- terrace location and consistency of design of the adjoining terrace. This avoids a pastiche of the existing 1980s terrace and given the existing and proposed use of the site as an entrance to the properties to the rear of Lambs Court, also provides a stronger sense of arrival.
- 9.11 The following photograph shows the existing streetscene elevation.



Fig. 3 Proposed front and rear elevations

- 9.12 As a result, features which do not replicate the original Lambs Court design are considered to be acceptable due to the overall comprehensive design approach, in which the roof extension forms part of a central brick gable and hits the ground floor with a fully glazed entrance. This is in contrast to previous applications for front facing dormer extensions which would have resulted in a piecemeal development of the properties in the area.
- 9.13 The proposed development is visible from limited views and does not obscure any views of significant heritage assets in the area. The impact on the wider conservation area is therefore limited.
- 9.14 Access will remain as existing from Albert Mews. Residents will be given secure 24-hour access which will be secured by condition. Access arrangements are fully detailed in the below sections.
- 9.15 In summary the height and massing of the proposed development is considered to be acceptable. The design approach, given the characteristics of the site and its use is also considered to be appropriate.

Impact on neighbouring amenity

- 9.16 Separation distances between the properties of 12m with Lamb Court and 18m with Lock View Court. Whilst this is not in line with the 18m as recommended in guidance, it should be noted that this is an existing relationship with the properties on Lamb Court and its replication is therefore accepted.
- 9.17 Concerns have been raised regarding overlooking from the balconies on the front. This has been addressed by incorporating screening to the side which will be obscure glazed and secured by condition; this approach can be seen within the vicinity of the site.
- 9.18 As the building does not project past the existing building lines or neighbouring windows, it is not considered that there would be an impact on sunlight/ daylight or overshadowing.
- 9.19 The proposed development is therefore considered to be acceptable with regards to impact on neighbouring amenity.

Standard of accommodation

- 9.20 As shown in the following tables, all units would meet the London Plan internal standards. The amenity space is provided in the form of two separate balconies which is considered to be acceptable.

Dwelling Type	GIA (m ²) Required	GIA Provided
1b/2p	50	52.56
2b/4p	70	70.93

Table showing floorspace requirements

Dwelling Type	Amenity (m ²) Required	Amenity Provided
1b/2p	5	2.84 x 2 = 5.68m ²
2b/4p	7	3.75 x 2 = 7.14m ²

Table showing amenity space requirements

- 9.21 The proposed development is considered acceptable with regards to the standard of accommodation.

Highways and Transport

- 9.22 No objections have been raised by highways officers subject the applicant entering into a permit free agreement.
- 9.23 Five new safe and secure cycle spaces will be provided and located at the rear of the new reception area. A condition will be imposed requiring all cycle facilities to be retained and maintained for the proposed development for the life of the development.

Waste

- 9.24 Communal refuse and recycling storage is already provided for the residents of Lambs Court within the existing large block to the east of the site, as shown on the drawings 1209.10A
- 9.25 The proposal is that any new residential accommodation as a result of the proposed development would be able to use the existing provisions within Lambs Court. Waste officers have reviewed the application and have no objections to the increased provision.
- 9.26 Concerns have been raised regarding the trolleying distance from properties to the stores which are over 30m. This is however an accepted and existing arrangement in Lambs Court. In addition to this, moving the bins stores closer to the development would result in a distance of greater than 10m with regards to collection distance for Council refuse trucks.
- 9.27 Given that the proposal meets the waste requirements in all other regards and the existing arrangement, the location of the waste storage is considered to be acceptable.

Biodiversity

- 9.28 All six Category B trees within the proposed development site will be removed to facilitate the proposed development.
- 9.29 The trees were categorised following the guidance of BS5837:2012, and therefore trees and groups were objectively assigned a quality category to identify their likely value within any future development of the site. There are 4 groups with category A trees being of high value and Category U trees being at risk of collapse.
- 9.30 Trees of moderate value (Cat B) including those that do not qualify as Category A due to impaired condition and/or those that collectively have higher value than they would as individuals.
- 9.31 One tree just beyond the site boundary (T7) will be retained, with suitable protection and impact avoidance measures to be implemented to prevent impact to this tree.
- 9.32 To mitigate the loss of six field maple trees from the site, a total of six new, heavy standard maple trees will be provided on the site post-development. Figure 3 in Appendix 4 of the arboricultural assessment shows the proposed locations for these trees. They will consist of two to the west of the property to retain the view of greenery to properties opposite the canal, two within the grounds of the new building, in the same locations as two of the removed trees, and two adjacent to steps to the east of the building, in line with two rows of other field maples.
- 9.33 It was considered that this would largely mitigate for any loss of amenity and will provide equal ecological value on maturity as the existing trees. Some additional planting will be undertaken on the western side of the building including shrubs and herbaceous plants which will further add to the soft landscaping of the site.
- 9.34 With regards to further biodiversity enhancement, the site is considered to have a low biodiversity values which is accepted.
- 9.35 Despite this the following enhancement measures have been proposed:
- The addition of native tree and shrub planting

- The addition of at least three bat boxes,
- three bird boxes

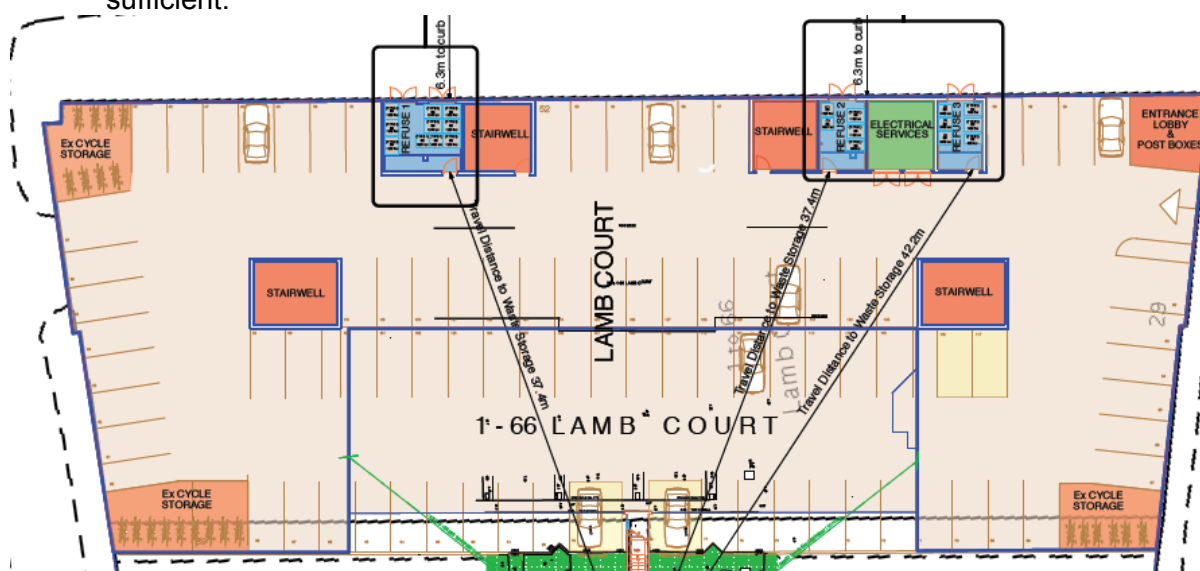
9.36 Tree and biodiversity officers have raised no objections and the above will be secured by condition

9.37 The proposed development is therefore considered to be acceptable in terms of biodiversity.

Floodrisk

9.38 The site is located within Flood Zone 3 and is protected to a very high standard by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year.

9.39 In addition measures set out in the flood risk assessment regarding evacuation measures, finished floor levels and flood resilience measures are considered sufficient.



Plan showing waste location

Access

9.40 Access to and from Lamb Court will continue to be via the existing access along Albert Mews, as well as the other access points into the development as a whole.

9.41 It is proposed that a full time manager will oversee the reception area during normal working hours providing access to Lamb Court residents. Out of normal working hours residents of Lamb Court will be able to access the two fire doors on each side of the reception area with a security access code, which is presently used on site at the moment to access the metal security gate.

9.42 Drawing 1209.SK.10B shows that the distance between the fire and rescue service pumping appliance and any point within the house or flat may be up to 75m (in houses or flats having one floor more than 4.5m above ground level). This has been reviewed by the London Fire department who has no objections however has requested that the location of the dry risers conform to the latest approved Building Regulations Document B.

- 9.43 In addition to this, the applicant has committed to a sprinkler system will be incorporated into the scheme during its construction in accordance with BS 9251:2014 (or BS EN 12845).
- 9.44 A condition will be attached to the application securing 24 hour access to residents of Lambs Court.
- 9.45 In light of this the proposed development is considered to be acceptable with regards to access.

10.0 Human Rights Considerations

- 10.1 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:
- 10.2 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
 - Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
 - Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".
- 10.3 This report has outlined the consultation that has been undertaken on the planning Application and the opportunities for people to make representations to the Council as local planning authority.
- 10.4 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate.
- 10.5 Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

- 10.6 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

11.0 EQUALITIES ACT CONSIDERATIONS

- 11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12.0 CONCLUSION

- 12.1 All other relevant policies and considerations have been taken into account. Planning permission should be approved subject to conditions set out in this report.

Appendix 1 SITE MAP

