

Committee: Development Committee	Date: 30 th November 2005	Classification: Unrestricted	Report Number: DC031/056	Agenda Item Number: 5.5
Report of: Director of Development and Renewal Case Officer: Noel Serrano		Title: Town Planning Application Location: 5-10 CORBRIDGE CRESCENT, LONDON, E2 Ward: Bethnal Green North		

1. SUMMARY

1.1 Registration Details

Reference No: PA/04/00640

Date Received: 30/04/2004

Last Amended Date: 05/09/2005

Drawing Numbers for Decision

2702/P/100, 101, 102, 103, 104, 105, 106, 107 & 108.

1.2 Application Details

Existing Use:

Vacant (previous printing works has been demolished)

Proposal:

Demolition of existing buildings and the redevelopment of the site to provide a nine storey building comprising Class B1 (business) accommodation on the ground floor, and 72 self-contained flats on the upper floors.

Applicant:

HBC Investments Ltd

Ownership:

Private

Historic Building:

N/A

Conservation Area:

N/A

2. RECOMMENDATION:

2.1 That the Development Committee considers the amendments now being proposed to the proposals for this site, as summarised in Section 4 of this report, and agrees to **GRANT** planning permission for the amendments subject to a Section 106 legal agreement to secure:-

1. Affordable housing in line with Policy HSG3 of the Adopted UDP, and Policy HSG4 of the First Deposit Draft UDP.
2. Car-free agreement
3. Financial contribution of £108,000 for environmental improvement works within the immediate vicinity of the site (to include works to the canal/towpath, repaving/highways works, and any changes deemed necessary to on-street parking restrictions within the vicinity of the site).

2.2 **GRANT** planning permission subject to the following conditions:-

1. Five year time limit
2. Reserved matters:- (i) details (samples) of external materials; (ii) lighting to all external areas; (iii) balconies; (iv) shopfront details (to scale 1:20).

LOCAL GOVERNMENT ACT 2000 (Section 97) LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background paper: **Tick if copy supplied for register**
Application case file, plans and
& UDP

Name and telephone no. of holder
Development Control 020 7364 5338

3. Construction works restricted to between 8.00 am to 18.00 pm on Mondays to Fridays and 8am to 1pm on Saturdays only, and not on Sundays or Public Holidays. Any driven piling shall only occur between 10am and 4pm Mondays to Fridays.
4. Archaeological access to be provided for investigation.
5. Site investigation regarding any possible soil contamination to be carried out and any remedial works to be agreed in writing by the Council.
7. No doors to open over or across the public highway.
8. Details of cycle facilities, which are to be provided before the flats are occupied.
9. Details of scheme of opaque glazing for the rear external staircases to be approved in writing, and shall (i) be fitted before the occupation of any of the flats; (ii) be permanently fixed so that the windows do not open, and (iii) thereafter be permanently retained occupied.
10. Details of sound insulation/noise attenuation measures, including for windows to be submitted.
11. Details of surface water drainage works to be submitted and approved before works are carried out on site.
12. No solid matter shall be stored within 10m of the banks of the canal during construction works.

3. **BACKGROUND**

- 3.1 On **13th December 2004** the Development Committee considered the report that is attached as Appendix A, and resolved to approve the submitted proposals for the site, subject to the planning obligations and conditions set out in paragraphs 2.1 and 2.2 of the attached report.
- 3.2 The progress of the Section 106 legal agreement has been held in abeyance by the applicant, who has been involved in discussions to dispose of the site to Genesis Housing Association. Further to these negotiations, a request was made on behalf of Genesis Housing Association to substitute amendments to the proposed scheme to reflect the mix and type of units which the housing association require. The applicant was advised that because of the extent of the changes being made, the application would have to be reported back to the Development Committee.
- 3.3 This report seeks to inform Members of the Development Committee of the nature of the proposed changes, and to obtain the Members' agreement to substitute the amendments in place of those previously considered by the committee.

4. **PROPOSED AMENDMENTS TO THE APPLICATION SCHEME**

The December 2004 Scheme

- 4.1 The proposals considered by the Development Committee on 13th December 2004, comprised the redevelopment of the site to provide a nine storey building providing five Class B1 (business) units on the ground floor (totalling approximately 703m² floorspace), and 72 no. self-contained flats on the upper floors comprising the following dwelling mix:-
 - * 6 no. studio flats (8%)
 - * 20 no. one bedroom units (28%)
 - * 35 no. two bedroom units (48%)
 - * 11 no. three bedroom units (15%)
- 4.2 The affordable housing contribution, of 22 no. units, comprised a mix of 12 no. one bedroom

units (54.5%), 6 no. two bedroom flats (27.3%), and 4 no. three bedroom flats 18%). This provision represented 30.5% of the total number of units provided, 30% of the habitable rooms and 30% of the residential floorspace. However, prior to the Development Committee's consideration of the application, the applicant agreed to increase the level of provision to 35% of the total number of units.

Proposed amendments

- 4.3 As explained above, amendments are now being proposed to reflect the mix and type of units that Genesis Housing Association require. The changes largely relate to the internal layout of the proposed Class B1/residential accommodation, and for the most part the 'envelope' of the proposed development remains unchanged. For example, the number of internal staircase cores providing access to the upper floors has been reduced, which has resulted in changes to the design and appearance of the rear elevation. The height of the proposed development remains unchanged.
- 4.4 The Class B1 (business) accommodation now provides one single unit, totalling 700m² floor space. Various (minor) changes have been made to the layout of the ground floor in terms of the cycle storage areas, the refuse storage facilities, and there are now two entrance lobbies for the residential accommodation (previously there were four).
- 4.5 The main changes have been in relation to the proposed residential accommodation, which now comprises:-
- * 23 no. one bedroom units (31%)
 - * 30 no. two bedroom units (42%)
 - * 19 no. three bedroom units (26.4%)
- 4.6 The accommodation is also now to be 100% 'affordable' in the form of 'rented' and 'shared-ownership', with 22 no. of the total number of units being 'rented', comprising a mix of 5 no. one bedroom units (23%), 6 no. two bedroom flats (27.3%), and 11 no. three bedroom flats (50%). This level of provision represents 30.6% of the total number of units, 34% of the total number of habitable rooms, and 33.6% of the residential floorspace.
- 4.7 There are no objections to the amended layouts for the flats. Each unit provides an acceptable level and standard of accommodation, taking into account the Council's minimum floorspace guidelines. The revised affordable housing proposals are also considered to be acceptable, bearing in mind that the number of three bedroom units has increased (from 4 no. to 11 no.). The Committee will also note that the proportion being provided as 'rented' accommodation has also increased in comparison to the previous scheme – 17 no. of the units would have been provided as 'rented' affordable accommodation, based on the 80:20 split between that provided as 'rented' (80%) and that provide as 'intermediate/shared-ownership' accommodation (20%).
- 4.8 The revised scheme also retains a number of key features, e.g. each of the flats would have access to an external balcony, the units on the seventh floor have access to an external terrace, and a communal amenity area is being provided on the rear part of the first floor.

Design

- 4.9 The external appearance of the development has been amended, but the design approach is in keeping with that of the previous scheme. The changes being proposed to the elevational treatment are considered acceptable.

SUMMARY

- 5.1 The proposed amendments to the application scheme are largely internal, and as such they would not result in any harm to the amenities of local/adjoining residents. The changes are supported as they would result in the productive and beneficial use of this 'brown-field' site, and retain employment generating uses for the site. There are no planning objections to the proposed amendments.

APPENDIX A

Committee: Development Committee	Date:	Classification: Unrestricted	Report Number:	Agenda Item No: Appendix
Report of: Corporate Director of Development and Renewal		Title: Town Planning Application		
Case Officer: Noel Serrano		Location: 5-10 CORBRIDGE CRESCENT, LONDON, E2		
		Ward: Bethnal Green North		

1. SUMMARY

1.1 Registration Details

Reference No: PA/04/00640

Date Received: 30/04/2004

Last Amended Date: 27/10/2004

Drawing Numbers for Decision

101, 202A, 300B, 301A & 400, 401, 402, 403, 404 & 405.

1.2 Application Details

Existing Use:

Vacant (printing works - Class B2)

Proposal:

Demolition of existing buildings and the redevelopment of the site to provide a nine storey building comprising five Class B1 (business) units on the ground floor, and 72 self-contained flats on the upper floors.

Applicant:

HBC Investments Ltd

Ownership:

Private

Historic Building:

N/A

Conservation Area:

N/A

2. RECOMMENDATION:

2.1 GRANT planning permission subject to a Section 106/278 legal agreement to secure:-

1. Car-free agreement.
2. Repaving/highways works; and any changes deemed necessary to on-street parking restrictions within the vicinity of the site.
3. Environmental works to areas adjoining the site, including to the canal/towpath, in line with an agreed specification of works (and to value of at least £108,000).

2.2 GRANT planning permission subject to the following conditions:-

1. Five year time limit
2. Reserved matters:- (i) details (samples) of external materials; (ii) lighting to all external areas; (iii) balconies; (iv) shopfront details (to scale 1:20).
3. Construction works restricted to between 8.00 am to 18.00 pm on Mondays to Fridays and 8am to 1pm on Saturdays only, and not on Sundays or Public Holidays. Any driven piling shall only occur between 10am and 4pm Mondays to Fridays.
4. Archaeological access to be provided for investigation.
5. Site investigation regarding any possible soil contamination to be carried out and any remedial works to be agreed in writing by the Council.
7. No doors to open over or across the public highway.

8. Details of cycle facilities, which are to be provided before the flats are occupied.
9. Details of scheme of opaque glazing for the rear external staircases to be approved in writing, and shall (i) be fitted before the occupation of any of the flats; (ii) be permanently fixed so that the windows do not open, and (iii) thereafter be permanently retained.e occupied.
10. Details of sound insulation/noise attenuation measures, including for windows to be submitted.
11. Details of surface water drainage works to be submitted and approved before works are carried out on site.
12. No solid matter shall be stored within 10m of the banks of the canal during construction works.

3. BACKGROUND

- 3.1 In **September 2001**, planning permission was granted for the retention of the existing printing works on the ground floor, and the erection of two/three additional storeys to create eight live/work units. This permission was never implemented.
- 3.2 In **December 2002**, planning permission was granted for the demolition of the existing building, and the erection of a new part four, part five storey building providing three Class B1 units and 10 live/work units on the upper floors. This permission has also not been implemented.
- 3.3 In **August 1988**, planning permission was refused for the rehabilitation of mooring space to accommodate two Regents Dumb Lighters converted for use as a restaurant/wine bar/brasserie.
- 3.4 In **September 2004**, an application for the redevelopment of Nos. 5-6 Corbridge Crescent, was approved under delegated authority, to provide a five storey building comprising Class B1 use on the ground floor, and 14no. flats on the upper floors. The approval is subject to a Section 106 legal agreement to secure (i) a car-free agreement, (ii) repaving/highways works, and (iii) a financial contribution of £21,000 towards environmental improvement works along Canal/towpath. The legal agreement has not yet been signed.

Other relevant decisions/applications

- 3.5 In **March 2000**, planning permission was granted for the redevelopment of the former Council depot site in **Marion Square/Ada Place**, to provide a 2no. six storey buildings, and a three storey building, comprising 50 residential units (40 flats and 6 houses) and 300m² of commercial/workspace.

4. PLANNING POLICY FRAMEWORK

- 4.1 The following Unitary Development Plan **policies** are applicable to this application:

- | | | |
|------|----------|--|
| (1) | DEV1 & 2 | General design and environmental requirements. |
| (2) | DEV3 | Mixed use development |
| (3) | DEV4 | Planning obligations. |
| (4) | DEV41-43 | Archaeology |
| (5) | DEV46-48 | New development proposals adjacent to canals |
| (6) | DEV50 | Development and noise. |
| (7) | DEV51 | Contaminated land. |
| (8) | EMP2 | Protection of employment floorspace |
| (9) | HSG1 | Strategic housing target |
| (10) | HSG2 | Location of new housing |
| (11) | HSG3 | Affordable Housing. |

- (12) HSG7 & 8 Dwelling mix/type and dwellings to mobility standards
- (13) HSG9-10 Housing Density
- (14) HSG13 Internal space standards
- (15) HSG15 Residential Amenity
- (16) HSG16 Amenity space.
- (17) T15& T16 New development and traffic impact
- (18) T17 Parking and servicing standards
- (19) Planning Standard No. 5 (parking standards)
- (20) Supplementary Planning Guidance (residential space)

4.2 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

- (1) SP1 Promote job creation
- (2) SP4 Strategic housing target
- (3) SP5 Affordable housing target
- (4) SP10 Reducing the Need to Travel
- (5) SP11 Sustainable Transport and inclusive development & SP12
- (6) SP13 Urban Design
- (7) SP15 Safety in the Community
- (8) EMP1 Promoting economic growth and employment opportunities
- (9) EMP10 Redevelopment of employment sites
- (10) HSG1 Strategic Housing Target
- (11) HSG2 New Housing Developments
- (12) HSG4 Affordable housing target
- (13) HSG5 Affordable housing ratio and mix
- (14) HSG7 Retention of affordable housing
- (15) HSG8 Dwelling mix and type
- (16) HSG9 Housing density
- (17) HSG10 Lifetime homes and wheelchair/mobility housing
- (18) HSG12 Amenity space
- (19) TRN1 Transport and Development
- (20) TRN5 The Road Network
- (21) TRN6 Parking and Servicing
- (22) TRN11 Bicycle Facilities
- (23) UD1 Scale and Density
- (24) UD2 Architectural Quality
- (25) UD5 Safety and Security
- (26) UD11 Landscaping
- (27) ENV1 Amenity
- (28) ENV5 Disturbance during demolition and construction
- (29) ENV6 Sustainable construction materials
- (30) ENV8 Energy efficiency
- (31) ENV9 Development of contaminated land
- (32) ENV11 Waste Disposal and Recycling Facilities
- (33) ENV22 Waterside walkways
- (34) IM1 Planning agreements
- (35) Planning Standard No. 2 – Density Standards
- (36) Planning Standard No. 3 – Lifetime homes and wheelchair/mobility housing
- (37) Planning Standard No. 7 – Parking Standards
- (38) Planning Standard No. 11 – Noise
- (39) Planning Standard No. 12 – Recycling Facilities

4.3 The Corbridge Crescent/Oval area has been identified in Schedule A of the Deposit Draft UDP, as an area requiring the preparation of a development brief for a mix of B1, residential, retail, A3 and social uses.

4.4 The following Community Plan **objectives** are also applicable to this application:

- (1) A better place for living safely – reduction in crime and improved safety.
- (2) A better place for living well – quality affordable housing and access to health care.

- (3) A better place for creating and sharing prosperity – a international centre for business and trade, more jobs for local people, community involvement in planning, and higher living standards.

5. CONSULTATION

5.1 The following comments have been received in relation to the application:-

- (1) **Highways Development:** Any general redevelopment in the Oval area should be conditioned for upgrading the footways and possibly the granite sett carriageway.

Highways Development are of the view that the concerns raised by the owners of No. 3 Corbridge Crescent are not justified; because of the narrowness of Corbridge Crescent obstructions could occur now but they do not, because vehicles causing an obstruction would be towed away by the Police. Furthermore, the proposed development will be subject to a 'car-free' legal agreement, so the *"risk of this sort of parking would be diminished"*.

Highways Development are also opposed to reopening Corbridge Crescent at the junction with Cambridge Heath Road, on safety grounds, as it would increase the likelihood of accidents here, and would create a 'rat run' from Hackney Road.

- (2) **Environmental Health:** Some noise disturbance may be caused by adjoining commercial and light industrial premises in the area, apart from that, traffic noise levels are generally low. Adequate sound insulation must be provided to protect habitable rooms against external noise (details to be approved by Environmental Health); construction and demolition hours of work and noise levels to be agreed with Environmental Health; the development must comply with their statutory requirements and those under the Building Regulations.

A condition should be imposed requiring a site investigation report to identify the extent of any possible contamination on the site, and also to include proposals for any necessary remedial works to contain, treat or remove any contamination; any required/approved measures must be carried out before the site is occupied.

Environmental Health have also confirmed that they are satisfied with the daylight/sunlight assessment methodology employed by the applicant, i.e. the application of the 'average daylight factor' test.

- (3) **Environment Agency:** Have no objections in principle, provided the following planning conditions are imposed (i) during construction works, no solid matter shall be stored within 10m of the banks of the canal; and (ii) a detailed site investigation is carried out to assess the degree of any soil contamination. They also request that an informative is attached advising the applicant of the need to ensure that any waste generated on the site is stored in a safe and secure manner.
- (4) **Urban Design:** No objections to the proposed development, and in particular the overall scale, bearing in mind the height of the gasworks (equivalent to 12 storeys) which forms the backdrop to the development. Suggested various amendments to improve the elevational treatment of the building, and these were passed onto the scheme architect (and have for most part been incorporated into their amendments to the scheme).
- (5) **British Waterways:** Have no objections to the change of use, nor to the height, bulk, massing or design of the proposed scheme. The proposal represents an opportunity to regenerate the area, and enhance the public's appreciation and use of the waterways. They are requesting a financial contribution via Section 106 agreement to secure (i) the preparation of a waterside design strategy for this part of the canal (from Corbridge Crescent to Goldsmith's Row); and (ii) the provision of environmental improvements along the Canal/towpath. They estimate that cost of the above will be around £80,300 (the study will cost between £10-15,000, and the improvement/landscaping works approx. £65,300).

They have also requested that an informative be attached to any planning permission issued, advising the developer that (a) any discharge of surface water into the waterways will require British Waterway's written permission; (ii) any works adjacent to the waterways must comply with their code of construction; and (iii) any closures of the towpath during construction must be agreed with British Waterways.

- (6) **London Borough of Hackney**: Have concerns about the “*excessive height and bulk of the proposed development*”, and feel that the “design would have an adverse impact on the character of the Regent Canal, which is considered an Area of Special Landscape Character in the Hackney Unitary Development Plan 1995”. They also feel that the development is contrary to the London Canals Committee Guidelines.

5.2 Responses from neighbours were as follows:

No. Responses: 3 In Favour: 0 Against: 2 Petition: 0

5.3 Representations have been received from the owner-occupiers of **Nos. 38/40 The Oval**. They feel that the proposal is an over-development of the site, and is unrepresentative of the scale of buildings in the vicinity of the site. The development will also lead to a substantial increase in vehicle movements (from residents' vehicles and deliveries to the proposed commercial units), and will therefore exacerbate existing parking/traffic congestion. They are also concerned that (i) the introduction of residential accommodation could prejudice the continued use of their business, from complaints from future residents; (ii) that access to their yard for deliveries, etc could be hindered by additional parking congestion; (iii) construction/demolition works could cause a nuisance and disrupt their business; and (iv) the development could prejudice the redevelopment potential of their site.

5.4 Representations have been received on behalf of the owner-occupiers of **No. 3 Corbridge Crescent ('Empress Coaches Limited')**. They have no in principle objections to the proposals, but they are concerned that the proposed development does not jeopardise the day-to-day operation of their business. Specifically, their concerns relate to the possible obstruction of Corbridge Crescent by construction or residents' vehicles (bearing in mind that this part of the highway is one-way, and they need to have uninterrupted 24 hour access for coaches returning to their site). They are therefore suggesting (i) that 'double-yellow' lines are introduced along the length of Corbridge Crescent and the Oval; and (ii) the removal of the barrier preventing access from the eastern part of Corbridge Crescent onto Cambridge Heath Road, so that their coaches do not have to pass through The Oval. They are also concerned that the development should not prejudice the redevelopment potential of their site, as they are intending to submit an application for the site – they are seeking to ensure that the building is either set-back or measures are introduced to ensure that there is no direct over-looking of their site.

5.5 Representations have also been received (in relation to both the original scheme, and following amendments to the scheme) on behalf of the owner/occupier(s) of **Nos. 43 & 59 Andrews Road**, stating that whilst a mixed-use scheme is generally acceptable, they object to the submitted proposals for the following reasons:-

- * the application is contrary to housing policy – the environment is unsuitable; insufficient amenity space has been provided, particularly for families; and the proposed affordable housing falls below the London Plan (50%) provision.
- * the development would adversely affect living conditions of nearby residents – the height of the building and the provision of balconies will result in direct over-looking, and would thus have an adverse affect on privacy.
- * the development would adversely affects daylight/sunlight to nearby residents – they also state that the applicant's daylight/sunlight asesment has not been carried out in accordance with the 'Building Research Establishments' (BRE) guidelines, as the assessment fails to assess the daylight distribution within No. 53 Andrews Road.
- * the scheme represents an over intensive use of the site – the proposed density exceeds the Council's UDP maximum, and the guidelines set out in

the London Plan; and the site lies more than 100m from Cambridge Heath railway station.

- * the proposal is contrary to employment policy – the scheme does not provide a reasonable density of employment.
- * there is insufficient provision off-street parking/servicing – a ‘car-free’ scheme will create further parking pressures in the area.
- * the effect on Regents Canal (a site of Nature Conservation Importance) – the development will create a shadow across the canal, and thus have a significant detrimental effect on the ecology of the canal (contrary to Policy DEV26); a full investigation of the ecology of the canal should be undertaken.
- * the design/scale is inappropriate – the height would be incongruous with surrounding buildings, and would also impinge on the streetscape, particularly views through to Canary Wharf and the City of London; the development will also create a barrier to public access to the canal.
- * the development would create a precedent for similar schemes.

5.6 At the time of drafting this report no further responses have been received. Any comments subsequently received will be reported orally to the Development Committee.

6. ANALYSIS

- 6.1 The application site comprises two single storey buildings that adjoin the southside towpath of the Regents Canal, along the southside of Corbridge Crescent by its junction with The Oval (west side). Nos. 5/6 is currently vacant but was until very recently used as a printers, and Nos. 7/10 Corbridge Crescent, is a slightly taller single storey building, that was also previously used as a printers, but is also currently vacant.
- 6.2 Adjoining the application site to the west are the Pritchards Road gas works site, that is still, it seems, partially in use. Adjoining the application site to the south is Nos. 38/40 The Oval, a site that comprises a two storey building (and service yard), that is used as a printers. Opposite the site to the east, is ‘Nos. 4/4A The Cottages’ (Corbridge Crescent), a vacant three storey building that was previously used for industrial/printing purposes.
- 6.3 Directly opposite the site, on the northside of the Regents Canal, within the London Borough of Hackney, are Nos. 47-53 Andrews Road, a group of four storey properties that are used for a mix of commercial and live/work purposes. The wider Corbridge Crescent/Oval area is overwhelmingly commercial in character.

The proposed scheme

- 6.4 The application proposes the demolition of the existing building, and redevelopment of the site to provide a nine storey building comprising five Class B1 (business) units on the ground floor, and 72 self-contained flats on the upper floors (comprising 6no. studio flats, 20no. one bedroom units, 35no. two bedroom, and 11no. three bedroom units). The average size of the Class B1 units would be approximately 140m². Three of the units incorporate the possibility of providing internal loading bays.

Land use considerations

- 6.5 The application would involve a reduction in the amount of commercial floorspace provided on the site, resulting from the need to incorporate the entrance lobbies and staircases/lifts to the upper floors, and the refuse and cycle storage facilities. However, the resultant loss of floorspace is not considered sufficient in this instance to warrant a refusal of the application, as the scheme provides the (resultant) maximum possible use of the ground floor for employment generating purposes. The accommodation being proposed would also be suitable for small and medium size businesses. The Committee will note that the residential accommodation on the upper floors does not involve the loss of existing employment

generating floorspace. The application is therefore considered to be consistent with the objectives underpinning UDP Policy EMP2. In addition, the scheme is in line with Central Government's policy (and that of the London Plan) of encouraging the re-use of under utilised 'brownfield' sites for housing/mixed use purposes.

- 6.6 The service yard to the adjoining property at Nos. 38/40 The Oval, provides a degree of separation between the proposed flats and the adjoining commercial building. The activities within the adjoining property would not therefore prejudice the provision of an acceptable residential environment for the prospective residential occupiers, particularly if sufficient sound insulation is provided. In addition, and for these reasons, I do not feel that the introduction of a residential use would prejudice the continued commercial use of the adjoining sites. The Committee will note that the introduction of residential uses in this locality, has previously been accepted by the Council, albeit as part of live/work accommodation, following the decisions in September 2001 and December 2002 (referred to in paragraphs 3.1 and 3.2). There are therefore no objections to the part use of the site for residential purposes.
- 6.7 No alternative proposals have been submitted to the Council for the future/redevelopment of Nos. 38/40 The Oval, and it would be unreasonable to refuse this application on the basis that the scheme could prejudice proposals that at this stage do not exist. The Development Committee will note that the upper floors of the proposed building have been set-back from the boundary with the adjoining site. A similar arrangement would be sought with any future proposals that are submitted for Nos. 38/40 The Oval. I therefore do not feel that the proposed development would prejudice the redevelopment potential of the adjoining site.
- 6.8 Preliminary proposals have been discussed concerning the possible future redevelopment of the 'Empress Coaches' site (No. 3 Corbridge Crescent), but these discussions have not progressed beyond very preliminary/concept sketches. The current application scheme extends to the back-edge of the existing pavement, but I do not feel that it would result in a prejudicial relationship with the adjoining site, and therefore I do not feel that the development would prejudice the redevelopment potential of the adjoining site.
- 6.9 The proposed residential units each exceed the Council's minimum floorspace guidelines, and the proposed layouts and mix of units is acceptable, given the character of the area. Only seven of the proposed units would have single facing aspects.
- 6.10 Each of the proposed flats would have access to an external balcony, whilst the units on the seventh floor would have an access to an external terrace, and 7no. of the first floor units would have access to an external area, in addition to their external balconies. A communal amenity area is also being proposed on the rear part of the first floor. The level of external amenity space being proposed is acceptable, bearing in mind the constraints of the site, and the fact that the site adjoins Regents Canal.

Affordable Housing

- 6.11 The affordable units would comprise of 12no. one bedroom units, 6no. two bedroom flats and 4no. three bedroom flats, which represents 30.5% of the total number of units provided, 30% of the habitable rooms and 30% of the residential floorspace. The affordable provision has been increased from the original application submission, which was at the time 25% of the units, in line with Policy HSG3 of the Adopted UDP. The proposed levels of provision are considered acceptable given the current transition period from adopted policy of 25% to the emerging draft policy of 35%.

Scale/design

- 6.12 The design approach adopted for the site is acceptable, bearing in mind the amendments that have been made to the elevational treatment of the proposed building, and in view of the variety of building forms/architecture that exists in the locality, none of which are of any special architectural merit.
- 6.13 The proposed nine storey height is considered to be acceptable, given the canal-side setting of the site, and moreover, that the local context is dominated physically and visually by the Pritchards Road gasholders which directly adjoin the west of the site, and whose height/scale

is closer to 12 storeys in height. The proposed height needs to be also considered in the context of the six storey heights of Imperial Wharf and Alexander Wharf, two blocks of flats situated in Darwen Place, which also front onto Regents Canal, and which are less than 100m to the west of the application site.

- 6.14 In support of the application, the applicant has undertaken a daylight/sunlight assessment study. The study has been carried out in accordance with the methodology and advice set out in the 'Building Research Establishment's' (BRE) guidance report, "*Site Layout Planning For Daylight and Sunlight*". In summary, the BRE report sets out numerical guidelines on how to assess the impact of development proposals in terms of daylight and sunlight, by seeking to compare existing daylight and sunlighting conditions, with the degree of change that would occur as a result of a development proposal. The BRE report states that provided the loss of daylight or sunlight is kept above minimum percentage values and changes, then the occupants of adjoining buildings are not likely to notice the change in daylighting or sunlighting conditions.
- 6.15 The methodology employed as part of the assessment is considered to be consistent with the guidelines set out in the BRE, which ultimately seek to ensure that the interior daylighting conditions of an adjoining building will not be so severely affected as to be harmful to the living conditions of the occupiers of the affected properties. The Development Committee will note that Environmental Health have no objections to the approach adopted for the assessment.
- 6.16 The applicant's daylight/sunlight impact study has been carefully considered, and the approach adopted for the assessment is in line with the methodology and guidance set out in the BRE report. The daylight/sunlight assessment demonstrates that there is some impact on the amount of light to some of the occupants of Nos. 47-53 Andrews Road, in particular the ground floor occupier of No. 53 Andrews Road. However, the impact is not so severe as to result in a serious deterioration of the daylight currently enjoyed by adjoining occupiers, bearing in mind the separation distance with the application site, and that the majority of the properties are used for live/work and commercial purposes. The separation distance with the Andrews Road properties (22m-30m) is also sufficient to ensure that the provision of windows and balconies would not have an adverse impact on the privacy of those occupiers.
- 6.17 The proposed development would result in a plot ratio (7:1) that substantially exceeds the (2:1) maximum set out in the Adopted UDP. However, in this instance a high plot ratio is an acceptable consequence of officers' design-led assessment, which has sought in the first instance, to establish an appropriate 'landmark' scale of development for this locality. The UDP plot ratio standard is not an absolute maximum, but rather it provides a general indicator of the intensity of development that may be suitable for a site. The Development Committee will note that Planning Standard No. 1 (Plot Ratio) of the Adopted UDP specifically states that the failure to comply with the standards does "*not constitute grounds for refusal of planning permission*". In the case of the current application, there are no objections to the resultant high plot ratio, bearing in mind the absence of any other significant planning/policy failings, and taking into account the circumstances of the site, and the merits of the proposals, i.e. (i) the canal-side setting of the site; (ii) the site is located within an area of good public transport accessibility; (iii) the residential accommodation complies with the Council's minimum floorspace guidelines; (iv) the proposed mix of flats is acceptable; (v) the development makes provision for an acceptable level of external amenity for each flat; (iv) the height of the development is acceptable; and (vi) a high intensity (mixed-use) development is supported by the guidance in PPG3 and PPG13, and the London Plan.
- 6.18 The Development Committee will note the representations from British Waterways, whose responsibilities include a commitment to protect the natural environment of canals and waterways, and they have not raised any objections concerning the impact of the development on the ecology of the canal. In fact, they have specifically stated that they have no objections to the height, bulk or massing of the scheme. The development is therefore compliant with the applicable criteria set out in Policy DEV47, in that also:-
- * the development does not involve the loss of buildings that are of local architectural or historic interest.
 - * the scheme does not involve the loss of any historically important artifacts or features.

- * the proposed scale and form is considered to be appropriate to the character of the canal-side.
- * the development would not infringe or obstruct any designated local views of importance; and neither would it obstruct or remove any existing means of access to the canalside - indeed the requirement for environmental improvements, as suggested by British Waterways, would allow for the possibility of ensuring better and improved access to the canal.
- * the development would not obstruct or remove any existing means of access to the canalside - indeed the requirement for environmental improvements, as suggested by British Waterways, would allow for the possibility of ensuring better and improved access to the canal.

Parking

- 6.19 A 'car-free' scheme is acceptable in this locality, in view of the site's good links to public transport facilities, such as the nearby bus routes operating along Hackney Road and Cambridge Heath Road/Mare Street, and the proximity of the Cambridge Heath mainline railway station. The scheme provides off-street servicing possibilities for the ground floor units, and therefore, particularly if a car-free legal agreement is secured, the development would not add pressure to on-street (business) parking opportunities in the locality, nor hinder access to the service yard of Nos. 38/40 The Oval. There are no objections on traffic/parking grounds.

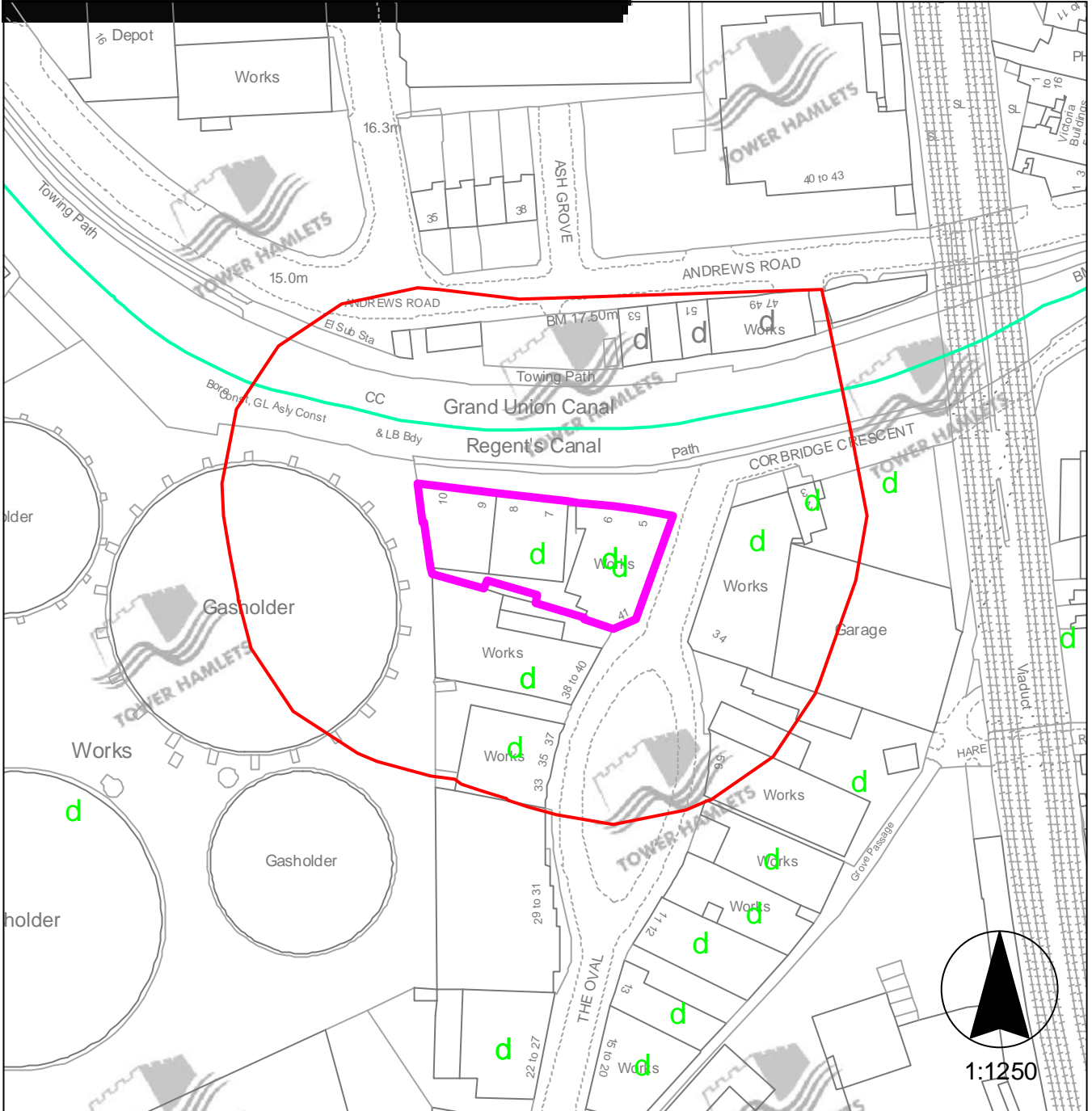
Planning Obligations

- 6.20 The applicants have confirmed that they would have no objections to providing a financial contribution towards environmental improvements along the canal towpath, and within the vicinity of the site. The recommendation for approval is therefore subject to a Section 106 obligation to provide £108,000 (£1,500 per residential unit) towards improvement works, the nature/extent of which would be agreed with British Waterways.

7. SUMMARY

- 7.1 The proposed scheme is supported as it would result in the productive and beneficial use of a previously developed 'brown-field' site, whilst retaining employment generating uses for the site. The proposals would contribute to the regeneration and vitality of the area, whilst significantly improving the visual amenities of the area, without causing serious harm to the amenities of local/adjoining residents. There are no planning objections to the proposals.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568

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