



Application for Planning Permission

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|-------------------------------|---|
| Reference | PA/19/00346 |
| Site | Dave Adams House, 12-12B Norman Grove, London, E3 5EG |
| Ward | Bow West |
| Proposal | Redevelopment to provide a two storey building for children's services (C2 use), 4 town houses of 2-3 storeys, 13 flats in a 4 storey building. landscaping, servicing, cycle and car parking and associated works. |
| Summary Recommendation | Grant personal planning permission with conditions |
| Applicant | London Borough of Tower Hamlets |
| Architect | Henley Halebrown |
| Case Officer | Katie Cooke |
| Key dates | - Application registered as valid on 11.02.19 - Public consultation finished on 21.03.19 |

EXECUTIVE SUMMARY

The report considers an application for a residential led mixed use development generated by the need to provide a new better quality children's home at the site. It is proposed to provide 17 residential units comprising (1, 2, 3 and 4 bedroom homes) around the children's home. These would be in the form of townhouses, duplex flats and lateral flats. The heights of the buildings would range from 2-4 storeys with lower buildings addressing the Medway Conservation Area and a larger 4 storey block to the north of the site.

Officers have considered the particular circumstances of this application against the provisions of the Local Plan and other material considerations as set out in this report, and recommend approval of planning permission.

The report explains that the proposals would be acceptable in terms of height, scale, design and appearance. The scheme would deliver good quality homes in a sustainable location. The proposed flats would all be served by private balconies and the houses would be served by private gardens that meet or exceed minimum London Plan SPG space requirements.

The development would result in the provision of 100% affordable rented housing. This is much needed housing and is strongly supported in the consideration of this application. Whilst both London Plan and local policies seek a mix of housing tenures, all 17 units within this scheme will be for affordable rent in direct response to the very high local need in

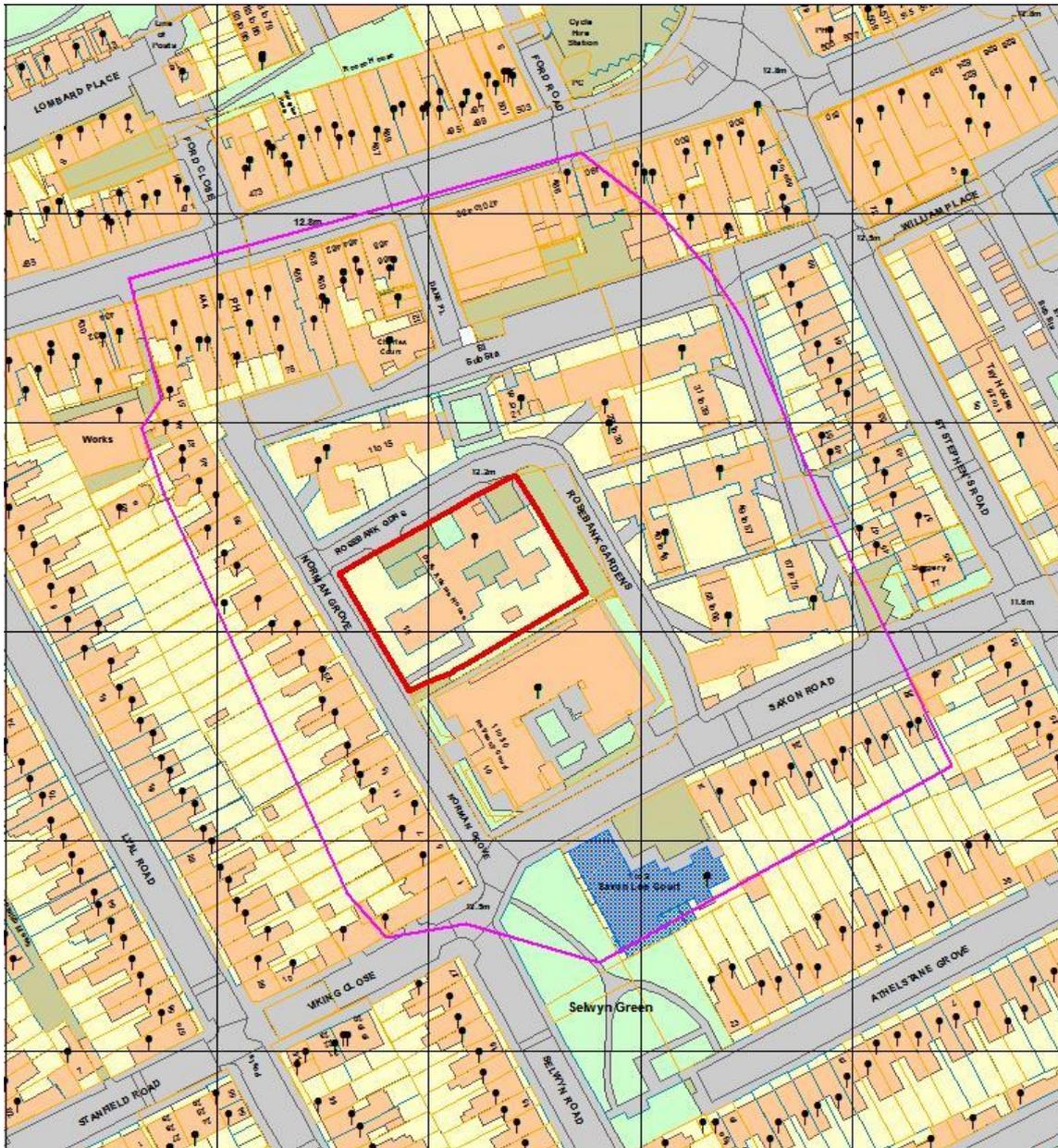
Tower Hamlets and form part of the Council's programme to deliver 1,000 new affordable homes for local people. With the extremely high priority for affordable housing in mind the significant additional provision is welcomed and the fact that a mix of tenures is not provided is considered acceptable in this instance.

The residential quality of the scheme would be high. Five of the units would be of a size suitable for families (30%). All of the proposed affordable units would meet or exceed the floorspace and layout standards. All of the dwellings would meet Part M Building Control regulations and over 10% (2 units) would be provided as wheelchair accessible.

The amenity impact of the development would be acceptable. Officers consider that the design of the development, massing of the site would minimise any adverse amenity implications, in terms of light, privacy, noise and traffic impacts.

The proposal would be acceptable with regard to highway and transportation matters including parking, access and servicing.

The scheme would meet the full obligation of financial contributions. However, given the Council is unable to enter into an s106 agreement with itself, the financial and non-financial contributions are to be secured by the imposition of conditions.



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- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- ↑ Land Parcel Address Point
- Locally Listed Buildings

Planning Applications Site Map PA/19/00346

This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as
Scale : 50m grid squares



London
Borough of
Tower Hamlets
Date: 03 July 2019

1. SITE AND SURROUNDINGS

- 1.1 The application site lies within Bow, just south of Roman Road. The existing building on the site is a 2 storey children's home and the site to the south, 'Regency Court' provides sheltered housing. Both sites have similar scales, institutional character and inactive frontages. Planning permission has been granted (subject to a s106 agreement) for the Regency Court site (PA/18/00065).



Figure 1: Contextual site plan

- 1.2 Immediately to the north and east of the site around Rosebank Gardens is a 3 storey post war housing estate with a shallow gable roof form and grey brick.
- 1.3 The Medway Conservation Area bounds the site on its west side along Norman Grove. The street is characterised by 2 storey Victorian terraced housing, some with mansard roof extensions at its northern and southern ends, tucked behind a strong parapet line. The street exhibits a mixed material pallet of brick, stucco and stone and also shows variation in architectural detailing across the terrace.
- 1.4 The current children's home has an irregular and inefficient layout with some rooms and circulation space very generous in space while most rooms are small and offer low natural daylight.
- 1.5 The building was built in the 1960s/70s as a purpose built 18 bed children's home. As part of the LBTH Transformation Programme, the overall provision of bedspaces were reduced across the Borough in 2015. The site then catered for 4 children with a maximum capacity of 6 with 2 members of staff working in shifts with the surplus space being used for Council office space and meeting rooms. However in December 2018, the centre closed and the services vacated as a result of the changes in practice since Norman Grove was first built .. The building is no longer 'fit for purpose' in relation to providing appropriate residential care for young people.

- 1.6 Temporary planning permission (PA/18/3407) was granted on 8th February 2019 for a change of use from residential institution to sui generis, to allow the property to be used as 18 residential units for homeless households in housing need whilst the necessary permissions are obtained to develop the site into council homes and the delivery of children of services (as per this current planning application).
- 1.7 The existing building offers no positive contribution to both the immediate and wider setting of the conservation area.
- 1.8 In terms of transport accessibility, the site has a PTAL of 1a (low) however the Regency Court site immediately adjacent to the south has a PTAL of 5 (very good). The site 143 metres from bus stops on Roman Road. The nearest Tube station is Mile End and is a 1km walk.



Figure 2: The children's home looking southeast from Norman Grove.

2. PROPOSAL

- 2.1 Full planning permission is sought for the demolition of the existing children's home (which has been under-utilised for some time and is no longer occupied) and the construction of new 17 residential dwellings and a new children's services facility.
- 2.2 There are two distinct elements of the scheme – the building for Children's Services and 17 new dwellings. The former comprises a double-fronted townhouse on Norman Grove and extending the full width of the Site. The 17 dwellings comprise four townhouses on Norman Grove and 13 flats in a separate building along Rosebank Gardens.
- 2.3 The building for Children's Services provides accommodation for up to 6 children/ young adults with 3 on site staff (a reduction of the existing facility which was built to accommodate 18 children). The layout allows flexibility for the child/ staff ratio to alter according to changing needs at the time. Externally it has the appearance of a domestic building, in keeping with the townhouses in the vicinity. The building is two storeys. It is arranged around internal courtyards, providing natural light and outlook for adjoining rooms. There is a large enclosed private garden at the rear, which includes one of the retained mature London plane trees on Rosebank Gardens.

- 2.4 It is intended that all 17 dwellings will provide affordable housing, 9 at Social Rent levels and 8 at the Council's Living Rent levels. Two of the Social Rent units are designed for wheelchair users, meeting the policy requirement of 10%. The wheelchair units will let at Social Rent. The houses provide a mix of terraced townhouses, duplex flats (across two floors) and lateral flats. They range in height from two to four storeys.
- 2.5 The proposed design is considered to be in keeping with the local context. The proposed layout restores the building line along Norman Grove and Rosebank Gardens. The spatial arrangement of perimeter buildings enables all dwellings to be dual aspect. The housing looks on to communal open space in the centre of the site with child play facilities, providing convenient access for all residents and encouraging natural surveillance. Each dwelling also has private amenity space as gardens or balconies.
- 2.6 The proposed buildings are brick with precast concrete parapets and string courses and flat roofs (brown roof with PV panels), reflecting local architecture. Decorative features are proposed along the street elevation set with panels below the windows and a frieze within the parapet.
- 2.7 In line with policy, the development provides bicycle parking for each dwelling and visitor cycle bays and separate provision for the Children's Services building. Car parking is kept to a minimum. Two blue badge bays are proposed on site, along Rosebank Gardens. The proposed development would be car-free bar blue badge holders and those residents that benefit from the Council's permit transfer scheme.
- 2.8 Separate refuse and recycling facilities are provided for each townhouse and in a communal holding bay on Rosebank Gardens for residents in the flats. The building for Children's Services has its own recycling and refuse store.

3. RELEVANT PLANNING HISTORY

- 3.1 **PA/69/000230** - Residential home for 20 children. Planning permission was granted on 22.07.70
- 3.2 **PA/01/01816** - Conversion of existing garage into an activity room ancillary to the children's home including replacement of garage door with high level UPVC windows and matching brickwork. Planning permission was granted on 19.03.02
- 3.3 **PA/18/03407** – Change of use class from residential institution to sui generis, to allow the property to be used as 18 residential units for homeless households in housing need. Temporary planning permission was granted on 08.02.19. This application has been implemented.

Adjacent Regency Court Site:

- 3.4 **PA/18/0065** - Demolition of the existing building and redevelopment to provide 32 residential dwellings (Class C3) with new hard and soft landscaping, ancillary servicing and plant, car and cycle parking, and associated works. Planning permission was granted at committee and is subject to a S106 which is currently being finalised.

4. PUBLICITY AND ENGAGEMENT

Applicants Consultation

- 4.1 As part of the Design and Access statement, the applicant confirmed that they presented the development proposals to neighbours and interested parties at a series of community

consultation events, held near the application site in October and December 2016, June 2017 and September 2018.

4.2 The neighbours were consulted in line with statutory requirements and the Council's own Statement of Community Involvement. Their concerns primarily revolved around:

- Potential impact on view and daylighting to surrounding properties
- Density and neighbouring scheme
- Concerns over design features
- Entrance of the Children's home
- Parking

Statutory Consultees

4.3 A total of 237 letters were sent to occupiers of neighbouring properties, a site notice was displayed outside the application site, and a press advert was published in the East End Life Newspaper.

4.4 A total of 20 letters of representation were received in objection (including objections from the Mile End Old Town Residents Association as well as the Norman Grove and Rosebank Gardens Residents Group).

4.5 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

- Height not sympathetic to the conservation area (*Officer comment: This is addressed in report below*)
- Height should be reduced from 4 to 3 storeys on Rosebank Gardens (*Officer comment: The Council's design officer has reviewed the application and raises no concerns. This is addressed in the design section of the report.*)
- Object to entrance of Children's Services being from Norman Grove (should be kept along Rosebank Gardens) – will increase footfall along Norman Grove and is not sensitive for those entering and leaving the facility. (*Officer comment: this is discussed in the report below*)
- Flat roof – not great design, also could lead to residents being able to access them and have parties/anti-social behaviour/overlooking. (*Officer comment: The Council's design officer has reviewed the application and pre-application discussions have been had with the applicant and raises no concerns. This is addressed in the design section of the report.*)
- Not sensitive design. (*Officer comment: The Council's design officer has reviewed the application and pre-application discussions have been had with the applicant and raises no concerns. This is addressed in the design section of the report.*)
- Why was taller element not selected to be closer to Saxon Road away from Rosebank Gardens? (*Officer comment: This is discussed in the design section of the report*)
- Object to the town houses that are on the corner of Norman Grove and Rosebank Gardens being higher than the rest of the town-houses in that row. (*Officer comment: Discussed in design section of report*).
- The side of the corner house will have one large brick wall, with no green space allocated to the side, and this will not only be extremely unsightly but it also welcomes graffiti and anti-social behaviour as there is no street-light on that

side of the street – design needs rethinking.. (Officer comment: this is discussed in design section of report)

- Request for a meeting between planners, staff of children's centre and metropolitan police (Officer comment: This meeting was not arranged as met police had been consulted as part of the planning process and their comments have been taken on board and the design has been amended where necessary to reflect these comments. In addition, it is the responsibility of the applicant to work with the children's services to understand their requirements and therefore ensure that these are included as part of the planning application.)
- Flat roof – not great design, also could lead to residents being able to access them and have parties/anti-social behaviour/overlooking (Officer comment: The Council's design officer has reviewed the application and raises no concerns. This is addressed in the design section of the report.)
- Object to the town houses that are on the corner of Norman Grove and Rosebank Gardens being higher than the rest of the town-houses in that row. (Officer comment: The Council's design officer has reviewed the application and raises no concerns. This is addressed in the design section of the report.)
- The side of the corner house will have one large brick wall, with no green space allocated to the side, and this will not only be extremely unsightly but it also welcomes graffiti and anti-social behaviour as there is no street-light on that side of the street – design needs rethinking (Officer comment: The applicant has since amended the proposals to animate this part of the wall. The Council's design officer has reviewed the application and raises no concerns. This is addressed in the design section of the report.)

Amenity

- Overlooking (Officer comment: This is addressed in amenity section of the report below)
- Disturbance caused by construction works (Officer comment: This will be controlled via CEMP condition)
- Impact on sunlight and daylight (especially to residents and gardens of Rosebank Gardens) (Officer comment: This is addressed in report below)
- Rosebank Garden resident stated that it appears the mainly private residents in Norman Grove have been considered over the rights of the mostly council residents in Rosebank Gardens. There is an alternative where the tallest buildings could be positioned facing Saxon Road. (Officer comment: The first part of this objection is not planning related, the second part is discussed in the design section of the report)
- Not sufficient parking (Officer comment: Highways officer raised no objection)
- Pollution (Officer comment: The Council's EHOs have reviewed the proposals and raised no concerns and propose conditions where necessary)

Housing

- 10 and 12 Norman Grove should be redeveloped at the same time. (Officer comment: this is not a material consideration)

Other

- Poor public consultation (Officer comment: the applicant is responsible for the consultation outside of the planning practice requirements)

- Loss of trees (*Officer comment: The Council's arboricultural officer raised no concern as a greater number of being provided than those lost*)
- Lack of consideration to residents objections (*Officer comment: the applicant is responsible for the consultation outside of the planning practice requirements. Objections received as part of the application process, have been assessed as part of this officers report*)
- Should be more parking proposals as Norman Grove already problematic (*Officer comment: Highways officer raised no objection and the proposals are policy compliant*)
- Construction and development of Regency Court at the same time (*Officer comment: This will be controlled via CEMP condition*)
- South facing gardens of Rosebank Gardens will be impacted by proposals and property values reduced (*Officer comment: This has been considered as part of the daylight/sunlight section of this report*)
- Making this car-free is naïve as there will be need for vehicles, whether visitors, drop offs (i.e. Amazon, etc.). Norman Grove will become congested /problematic (*Officer comment: Highways officer raised no objection*)
- Children's home should have green space (*Officer comment: Amenity space has been provided and is policy compliant*)
- The proposed entrance is on Norman Grove, this is a narrow street and visitors and deliveries will inevitably block the street. (*Officer comment: The council's highways and design officers have reviewed this application and raise no objection*)
- Additionally as Norman Grove is more public than Rosebank Gardens where the current entrance to the site is. This privacy is important for children at a delicate moment in their lives. (*Officer comment: this is addressed in the report below*)
- The proposed development makes reference to the adjoining site at 10 Norman Grove, yet that application has not yet been decided. (*Officer comment: This application is a material consideration and is currently undergoing legal discussion to negotiate the section 2016 agreement, in accordance with Development Committees decision dated 20th December 2018*)
- Abbott's Carpets development was only permitted 3 floors to Rosebank North/Charles Court, Dane's Place was capped at 3 floors – why should this be allowed at 4 floors. (*Officer comment: Each planning application is assessed on its own merit*)
- Damage to existing trees (*Officer comment: The Council's arboricultural officer raised no concern as a greater number are being provided than those lost. Furthermore an Arboricultural Method Statement and the requirement for an Arboricultural Impact Assessment shall be conditioned to the planning consent, should it be approved*)
- Sewers unable to cope with existing pressures let alone more homes. (*Officer comment: Thames Water raise no objection or reference to this as part of their response*)
- Disturbance to existing residents during construction works (*Officer comment: This will be controlled via CEMP condition*)
- They feel strongly though that our Community Police should now be requested to provide formal independent expert opinion concerning the new location of the Children's Home (*Officer comment: The Met police were consulted as part of the application process*)

5. CONSULTATION RESPONSES

5.1 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.

5.2 The following were consulted regarding the application:

Internal Consultees

Air Quality

5.3 No objection subject to a condition controlling dust of emissions during construction, a construction environmental management plan condition and a condition requiring details of boilers being attached to the planning decision.

Contaminated Land

5.4 No objections. A condition is recommended for a land contamination scheme to be submitted in order to identify the extent of the contamination and the measures to be taken to avoid risk to the public, buildings and environment when the site is developed.

Noise

5.5 No objections subject to a condition being attached.

Highways

5.6 No objections.

5.7 They also requested that a condition be added requiring the applicant to provide a cycle management plan.

5.8 The applicant is required to enter into a s278 agreement with the highway authority and agree schedule of highways works.

Design and Conservation

5.9 No objections (due to pre-application advice history)

Occupational Therapist

5.10 No objections were raised.

Surface Water Run-Off

5.11 A condition requiring the applicant to submit a detailed surface water drainage scheme will be attached prior to works commencing.

Housing Strategy

5.12 The unit tenure and mix falls slightly short of the Council's target however due to the scale of the development and as this development is providing much needed affordable rented housing, on balance the proposal is deemed acceptable.

Waste

5.13 No objections subject to condition.

Energy Efficiency

5.14 No objections subject to condition and financial contribution.

Biodiversity

5.15 No objection subject to a timing of vegetation clearance condition, in addition, to a biodiversity mitigation and enhancement condition being attached to the planning consent.

Arboriculture

- 5.16 No objections, subject to an arboricultural method statement and arboricultural impact assessment condition being attached.

External Consultees

Crime Prevention Officer

- 5.17 No objections. A range of detailed measures were recommended to provide greater security to the development as part of the initial comments. The architects and crime officer since met and discussed these and drawings have been amended to reflect these design comments.

- 5.18 A general condition and informative are recommended relating to the Secure by Design award scheme.

London Fire & Emergency Planning Authority

- 5.19 No response received.

Thames Water Utilities Ltd.

- 5.20 Thames Water would advise that with regard to water network and water treatment infrastructure capacity, they would not have any objection to the above planning application.

- 5.21 A piling method statement will be attached via a planning condition.

- 5.22 Informatives relating to a Groundwater Risk Management Permit, minimum pressure/flow rate and a Thames Water main crossing the site are recommended.

- 5.23 A condition will be attached for archaeological fieldwork, foundation design, and any subsequent mitigation to be added to any forthcoming consent to satisfy GLAAS' requirements.

Greater London Archaeological Advisory Service (GLASS)

- 5.24 No objections subject to a condition being attached for archaeological fieldwork, foundation design, and any subsequent mitigation to be added to any forthcoming consent to satisfy GLAAS' requirements

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

- 6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Core Strategy 2010 (SP)
- Tower Hamlets Managing Development Document 2013 (DM)

- 6.3 The key development plan policies relevant to the proposal are:

Land Use - LP2.9, LP 3.3, DM22, SP02, S07, S08
(residential)

Housing - LP3.3 -3.13, SP02, DM3, DM4, DM5
(affordable housing, unit mix, density, play space, housing quality)

Design - LP7.1-7.8, LP7.18, SP09, SP10, SP12, DM10, DM23, DM24, DM26, DM27

(layout, massing, building heights, materials, public realm, heritage)

Amenity - LP7.6, LP7.15, SP03, SP10, DM25

(privacy, outlook, daylight and sunlight, construction impacts)

Transport - LP6.1, LP6.3, LP6.9, LP6.10, LP6.13, LP6.14, SP05, SP09, DM14, DM20, DM21, DM22

(sustainable transport, highway safety, car and cycle parking, waste, servicing)

Environment - LP3.2, LP5.1 - 5.15, LP5.21, LP7.14, LP7.19, LP7.21, SP03, SP04, SP11, DM9, DM11, DM13, DM29, DM30

(biodiversity, energy efficiency, air quality, drainage, contaminated land)

6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- LP Housing SPG (updated 2017)
- LP Affordable Housing and Viability SPG (2017)
- LP Land for Industry and Transport SPG (2012)
- LP Draft New London Plan (2018)
- LBTH Employment Land Review (2016)
- LBTH Planning Obligations SPD (2016)
- LBTH Draft Local Plan (2019)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Housing
- iii. Design & Heritage
- iv. Neighbour Amenity
- v. Transport
- vi. Environment
- vii. Infrastructure
- viii. Local Finance Considerations
- ix. Equalities and Human Rights

Land Use

7.2 The National Planning Policy Framework (NPPF) sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to

sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles:

- an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure;
- a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and
- an environmental role – protecting and enhancing the natural, built and historic environment.

7.3 These economic, social and environmental goals should be sought jointly and simultaneously.

7.4 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there.

Loss of capacity within the existing children's home

7.5 As noted in Section 1 of this report, temporary planning permission (PA/18/3407) was granted on 8th February 2019 for a change of use from residential institution to sui generis, to allow the property to be used as 18 residential units for homeless households in housing need whilst the necessary permissions are obtained to develop the site into council homes and the delivery of children of services (as per this current planning application).

7.6 However as the above planning permission is only temporary (for a period of 2 years), and the use will revert back to a residential institution (use class C2) after this time, this current planning application will consider the use of the site as use class C2.

7.7 The scheme proposes to replace an existing children's home which was designed to accommodate up to 18 children with support staff, with a children's home providing accommodation for up to 6 children and 3 members of staff in addition to 17 new C3 affordable dwellings (4 townhouses and 13 flats).

7.8 The loss of capacity within the children's home is governed by policy DM5 which states:

1. Existing specialist and supported housing, including sheltered housing and care homes will be protected where it is considered suitable for its use and meets relevant standards for this form of accommodation.
2. The redevelopment of any site which includes specialist and supported housing should re-provide the existing specialist and supported housing and as part of the redevelopment unless it can be demonstrated that there is no longer an identified need for its retention in the current format.

7.9 Paragraph 1 of Policy DM5 of the MDD (2013) states that 'existing specialist housing (...) will be protected where it is considered suitable.' As such, a reduction in space must be justified by evidence which demonstrates there is no longer an identified need in the current format (officer underlining).

7.10 Section 7.1 of the Design and Access Statement refers the Council Transformation Programme from 2015 where the number of Children's Home bed spaces was agreed to be reduced across the Borough and specifically on this site from 18 to 6. It is therefore considered that this Transformation Programme provides the justification needed to meet policy criteria 2, and the assessment of need referred to in the guidance in supporting paragraph 5.3 of the MDD (2013).

7.11 In addition, with reference to paragraph 5.3 of the MDD (2013), Section 7 of the Design and Access Statement also undertakes an assessment of the suitability of the current accommodation, demonstrating a number of shortfalls and the need for redevelopment to bring the facilities up to a higher standard.

Principle of residential use

7.12 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan (MALP 2016) seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. The minimum ten year target for Tower Hamlets, for years 2015-2025 is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is addressed by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.

7.13 The principle of the delivery of new housing is supported by SP02. In particular SP02 supports the delivery of housing including infill development (part 1c).

7.14 Given the above and the residential character of surrounding area around the site, the principle of intensification of housing use is supported in policy terms.

Housing

Affordable Housing

7.15 As mentioned in the Land Use section of this report, delivering new housing, especially affordable housing is a key priority both locally and nationally.

7.16 In line with section 5 of the NPPF, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London's population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy 3.13 states that the maximum reasonable amount of affordable housing should be secured.

7.17 Policy SPO2 seeks a strategic target of 50% affordable housing with a tenure split of 70:30 social rent: intermediate, whilst policy DM3 provides mixed and balanced communities.

7.18 Although the development would be completely affordable rented tenure it is considered that this would not result in an over-concentration of this tenure in this area due to a number of large new developments around the site containing high numbers of private and intermediate tenure dwellings. The number of affordable rented units proposed is relatively minor in comparison ensuring a mixed and balanced community is maintained in the area.

7.19 All of the 17 proposed units would be affordable rented units. This is in direct response to the very high local need in Tower Hamlets and form part of the Council's programme to deliver 1,000 new affordable homes for local people. With the extremely high priority for affordable housing in mind the significant additional provision is welcomed and the fact that a mix of tenures is not provided is considered acceptable in this instance.

7.20 The scheme would use the latest rent levels being split 50/50 between London Affordable Rent and Tower Hamlets Living Rent.

Residential density

- 7.21 Polices LP3.4 and SP02 require development to 'optimise' housing output taking account of public transport accessibility, local context and character and design principles and for proposals which compromise this policy to be resisted. The London Plan provides a 'Sustainable residential quality density matrix' for differing locations based on character and PTAL.
- 7.22 The site has a Public Transport Accessibility Level Rating (PTAL) rating of 1a, demonstrating a 'poor' level of accessibility to public transport. However, the adjacent building to the south of the site, also on Norman Grove, has a rating of 5 which indicates 'very good' accessibility to public transport services (as shown in Figure 3 below), suggesting that the site benefits from better public transport access than the rating indicates..

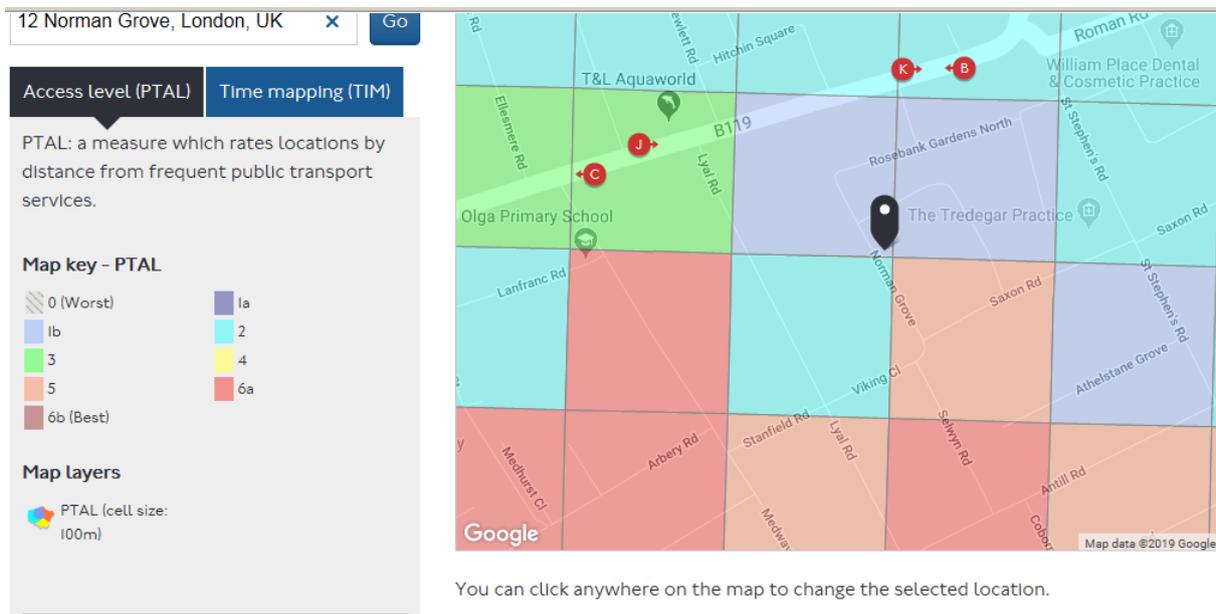


Figure 3: PTAL of the site

- 7.23 The applicant's transport consultant, ttp consulting, has stated that Mile End station and Bow Road station are located 1km to the south/southeast from the centre of the site which is just outside the 960m threshold for access to stations, however this distance is not considered to be problematic for future residents.
- 7.24 In terms of density, the site is considered 'Urban' in character with a PTAL 5 (as acknowledged during early pre-application meetings), therefore in the range of 4-6. For such sites, the matrix provides an indicative density of 200-700 habitable rooms per hectare (hrph).
- 7.25 The proposed density would be 345hrph including the Children's Services or 380 hrph excluding the Children's Services.
- 7.26 Officers consider that the proposals would be acceptable when considered against these considerations,

Dwelling mix

- 7.27 Policies 3.8 of the London Plan, SPO2 of the Core Strategy and DM3 of the Development Management Plan all seek to deliver an acceptable mix of housing and promote housing choice.

7.28 The proposed dwelling mix for the revised scheme is set out in the table below:

| Unit size | Total units | affordable housing | | | | | | market housing | | |
|--------------|-------------|--------------------|-------------|------------------------|--------------|-------------|------------------------|----------------|-------------|------------------------|
| | | Affordable rented | | | intermediate | | | private sale | | |
| | | scheme units | scheme % | Core Strategy target % | scheme units | scheme % | Core Strategy target % | scheme units | scheme % | Core Strategy target % |
| studio | 0 | 0 | 0 | 0% | 0 | 0 | 0% | 0 | 0 | 0% |
| 1 bed | 7 | 7 | 41 | 30% | 0 | 0 | 25% | 0 | 0 | 50.00% |
| 2 bed | 5 | 5 | 29 | 25% | 0 | 0 | 50% | 0 | 0 | 30.00% |
| 3 bed | 3 | 3 | 18 | 30% | 0 | 0 | 25% | 0 | 0 | 20% |
| 4 bed | 2 | 2 | 12 | 15% | 0 | 0 | | 0 | 0 | |
| 5 bed | 0 | 0 | 0 | 0% | 0 | 0 | | 0 | 0 | |
| 6 bed | 0 | 0 | 0 | | 0 | 0 | | 0 | 0 | |
| Total | 17 | 17 | 100% | 100% | 0 | 100% | 100% | 0 | 100% | 100% |

Table 1 – Unit Mix

7.29 The proposed scheme delivers 100% affordable rented housing scheme. The breakdown of the scheme is as follows:- 41% of one bed units against LBTH policy of 30%, 29% of two bed units against LBTH policy target of 25%, 18% of three bed units against LBTH policy target of 30%, 12% of four bed units against LBTH policy target of 15%. There is a slight under provision of family units within this scheme and a slight over provision of one bed units, on balance given this is 100% affordable rented scheme and a majority of the family homes are being delivered in standalone houses, this is deemed acceptable.

7.30 The rent will be delivered through 50/50 split between London Affordable rent and Tower Hamlets Living Rent. The scheme is delivering two wheelchair units one, one bed (unit 7) and one two bed (unit 6) which have street access. The scheme is also delivering two blue badge car parking spaces on street. These two units will be delivered at London Affordable rental levels which is welcomed

Standard of residential accommodation

7.31 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed.

7.32 All of the proposed units would meet or exceed the internal floorspace standards. In line with guidance, the detailed floor plans submitted with the application demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements.

7.33 All units are at least dual aspect.

7.34 There are no north-facing single aspect units in the scheme.

Daylight/Sunlight

7.35 Guidance relating to daylight and sunlight is contained in British Standard 8206 Part 2 and the Building Research Establishment (BRE) handbook ‘Site Layout Planning for Daylight and

Sunlight'. The primary method of assessment of new build accommodation is through calculating the average daylight factor (ADF). BS 8206 Part 2 specifies the target levels of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.

Daylight

- 7.36 As part of the planning application process, the BRE review (which was carried out on behalf of the Council) noted that all the rooms on the first and second floors would receive the minimum amount of daylight for living rooms and bedrooms and that daylight distribution would be reasonable.
- 7.37 Initial concerns were raised regarding the daylight provision to ground and third floors and the methodology used by Waldrams (who were the consultants appointed by the applicant) - specifically that Waldrams had overstated the ADF figures by using high reflectance factors and excluding window frame factors and maintenance factors, BRE also questioned whether the existing large trees had been taken into consideration.
- 7.38 On the initial review, BRE found that 9 windows of the proposed 75 would fall short of BS daylight factor recommendations by varying margins. However the applicant subsequently actioned these comments and made design adjustments (increasing window widths to the affected properties and including skylights) whereby all but one of these would now receive at least the recommended minimum ADF.
- 7.39 Taking on board BRE's comments regarding reflectivity levels, Waldrams ran a test of a lower reflectivity (0.65 compared to the original 0.69) as recommended by BRE on both the original design (pre-design changes as per para 7.40) and with the amended design and the results showed the same number of rooms meeting their target value. Only R11 remained to be below the recommended minimum in terms of ADF.
- 7.40 Notwithstanding this, R11 is proposed to be a TV room in the children's accommodation, and BRE have advised that lower levels of daylight in this room would be reasonable in context as other living rooms would receive the recommended amount.
- 7.41 Waldrams confirmed that their results have included a frame factor to their calculations albeit not the maintenance factor on the basis that the windows shall be cleaned regularly.
- 7.42 Trees were not considered as part of Waldram's original report (as was the case with the Daylight Sunlight assessment which was submitted for the Regency Court application). However, in light of BRE's advice, Waldrams undertook an assessment of units, 7, 10, 15 and 17 with the 3 existing trees (albeit 1 of the 3 plane trees will be removed) which could potentially impact the daylight and sunlight positions of the proposed units. The results demonstrate that these rooms would receive enough daylight with the trees in place.
- 7.43 Overall the above mentioned design changes represent an improvement on the layouts submitted originally.

Sunlight

- 7.44 The sunlighting within the proposed development has been considered as part of Waldrams assessment.
- 7.45 The children's home section on the south side would not have a main living room which received the recommended amount of sunlight. The dining/living room (R13) would receive a modest amount of year round sunlight, 10%, but no winter sunlight. The visitor's room in the south west corner would receive the recommended amount.

- 7.46 Six rooms that have an orientation which should allow sunlight to their windows would not receive the recommended minimum amount of year round sunlight. For the windows on the lower floors, this is due to the presence of balconies, which will give private amenity space in compensation. For the windows on the third floor it was due to the design of the rooms.
- 7.47 However as part of the design improvements through the addition of skylights, the 3 living rooms on the third floor which did not receive enough sunlight, R8, R9 and R10, would now receive sufficient sunlight.
- 7.48 The private amenity areas on the west side of the courtyard and the main amenity area would not receive the recommended amount of sunlight on 21 March. Whilst they would receive more sunlight in the summer months they would be located in quiet spaces with privacy as a result of being in a courtyard setting rather than fronting a public space, and on balance this is considered acceptable

Conclusion

- 7.49 On balance, therefore, the proposed development is considered to achieve appropriate levels of daylight and sunlight.

Wheelchair Accessible Housing and Lifetime Homes Standards

- 7.50 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 7.51 Two wheelchair accessible homes are proposed at street level which amounts to more than 10% of the total units, meeting the policy target.
- 7.52 This is in accordance with the needs of families waiting for fully accessible housing on the Common Housing Register. The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. Two disabled accessible parking space would be provided on site and are in accordance with Part M of building regulations.

Private and communal amenity space

- 7.53 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 7.54 For major residential developments Policy DM4 stipulates 50sqm of communal amenity space for the first 10 units plus 1sqm for every additional unit should be provided. As such, a total of 57sqm of communal amenity space is required for the proposed development in policy terms. The proposals are providing 60sqm communal space which is exceeding the policy requirement.
- 7.55 All of the proposed units would have a private garden, balcony or terrace that is at least 1500mm wide and would meet or exceed the London Plan requirements.
- 7.56 Overall, the quantum of communal amenity and play space is considered acceptable. A condition would be included to secure the details of landscaping and play facilities

Child play space

- 7.57 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated play space within new residential developments. Applying the GLA child yield and the guidance set out in the Mayor of London's SPG 'Shaping

Neighbourhoods: Play and Informal Recreation’ which sets a benchmark of 10sqm of useable child play space per child. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within a short walking distance.

7.58 The proposed scheme, in is anticipated to accommodate 19 children using the GLA child yield calculator. The following table shows a breakdown of the child play space calculations.

| | Proposed GLA Child Yield | Requirement for the proposed 19 children within the scheme. | Proposal |
|------------------------|---------------------------------|--|-----------------|
| 0-4 year olds | 7 | 70sqm | 70sqm |
| 5-11 year olds | 7 | 70sqm | 70sqm |
| 12-18 year olds | 5 | 50sqm | 36sqm |
| Total | 19 | 190sqm | 176sqm |

Table 2– Child play space

7.59 The proposed child play space provision in policy terms requires 190sqm to be provided. However 176sqm is proposed on site with a shortfall of 14sqm.

7.60 Notwithstanding this, the scheme proposes to prioritise play space for the 0-11 year olds on site, with the older children having access to the sport and recreational facilities at nearby Mile End Park and Victoria Park which are approximately 500m and 800m from the site.

Design & Heritage

7.61 Development Plan policies require high-quality designed schemes that reflect local context and character and provide attractive, safe and accessible places that safeguard and where possible enhance the setting of heritage assets.

Form, height and massing

7.62 The proposal seeks to create a part 2/3 storey building along Norman Grove rising to 4 storeys to the rear of the site along Rosebank Gardens.

7.63 The proposal for 2 storey townhouses along Norman Grove provides a sensitive response to the historic terraces in the Medway Conservation Area (opposite the site) along Norman Grove. Although the proposal includes a 3 storey townhouse on the corner of Norman Grove and Rosebank Gardens, it is considered that the increased height from 2-3 storeys responds to the height of the 3 storey buildings at 1-15 Rosebank Gardens in the adjacent block to the north.

7.64 It is also important to note that the Medway Conservation Area is one of a few conservation areas where mansard roof extensions designed in line with Mansard Roof Guidance set out in the Medway Conservation Area Character Appraisal and Management Guidelines are considered acceptable. Whilst the historic terraces along Norman Grove are predominantly 2 storeys, some of them have been extended to incorporate mansard roofs, resulting in their height being comparable to a 3 storey building. It is likely that other buildings along Norman Grove and within the wider conservation area could be extended to include a mansard roof

extension, and their height increased similarly. Taking this into account, the proposal for a 3 storey building at the corner of Rosebank Gardens can be supported.

- 7.65 The proposed 4 storey flats will be located along Rosebank Gardens to the north and eastern section of the site. These buildings are set back from the Medway Conservation Area and the 2-3 storey historic terraces along Norman Grove. Although existing buildings along Rosebank Gardens have a consistent building height of 3 storeys, the proposed increase in height is modest and in this instance considered acceptable.
- 7.66 Previous design comments noted the modest height of the proposed buildings nevertheless daylight sunlight issues arising from the previous iteration of the scheme meant that concern about the height was raised as an issue by the design officer that would need to be addressed. The design has been modified since the pre-application meetings to address this concern and with this in mind, any objection to the height is withdrawn by officers.
- 7.67 In short, Officers consider that the proposed scheme delivers scale and massing which optimises the development potential whilst complementing the existing urban context.



Figure 4: View of the site from Norman Grove (with proposed Regency Court shown).

Elevational treatment/materials

- 7.68 In terms of materials, a simple pallet is proposed which appears to be acceptable, however this is caveated with the need for samples of all external materials to be submitted to the Council for consideration. A condition shall be attached to planning permission should it be granted.

Children's Services Building

- 7.69 The Children's Services Building has been designed to sit comfortably within the terraced houses. The lack of significant differentiation between this building and its residential neighbours ensures the building does not have an institutional appearance. This approach helps it to sit comfortably within the townscape without drawing attention to itself.
- 7.70 It is proposed that the entrance is relocated along Norman Grove. In terms of design and townscape, this positive approach ensures the building does not turn its back on the street and is an important part of achieving a building that appears as a continuation and a cohesive part of the townhouses. This approach is welcomed and supported.

South eastern entrance area

- 7.71 This design of this particular area has been amended to address safety and security concerns raised by officers and Metropolitan Police. Changes include defensible space with planting at ground floor, and a new glazed and secure entrance at ground floor to the residential units above. These changes are welcomed and supported.



Figure 5: Entrance from Norman Grove

Flank wall of the house at the corner of Norman Grove and Rosebank Gardens

- 7.72 During the application process, a design meeting was had with the officers, architects and applicant. During this meeting, discussions were had about the blank elevation and ways to add more visual interest. The proposal has since been amended showing the string course extended around the top of the ground floor.

Amenity Spaces

- 7.73 As part of the application submission, a basic level of conceptual detail has been provided with the application, however, further details are required in terms of the landscaping and design of the amenity areas (communal and Children's Centre). As such, a landscaping condition would be attached to the consent.

Design related objection responses

- 7.74 One objection related to Norman Grove as the preferred entrance for the children's home.
- 7.75 The Children's Home requires a deep plan to provide the necessary accommodation over two floors and arranged around open courtyards within the site. This provides important amenity for occupants and helps with natural surveillance, allowing visibility through the spaces. The layout needs to offer appropriate levels of privacy for the children whilst allowing staff to manage activity within the building. Children living here are considered to be vulnerable.
- 7.76 The preference of some objectors has been to provide a standalone building for Children's Services. Based on the fact that it is simpler to manage, enhances privacy and security.
- 7.77 As there is greater scope for building height along Rosebank Gardens, away from the Medway Conservation Area, it is efficient for the Children's Services building to have its entrance on Norman Grove. It continues the terrace of self-contained townhouses- as noted on page 20/21 in the Children's Services section.
- 7.78 This building is designed to have a domestic appearance, as a double-fronted two storey dwelling i.e. similar status to a conventional dwelling. In addition, providing this two storey building across the southern side of the site reduces potential for overshadowing of the central courtyard garden.
- 7.79 Another objection related to the fact that the height should be reduced from 4 to 3 storeys on Rosebank Gardens. It is evident that here is variety in building heights in the surrounding area, and it is reasonable to expect that some properties will be extended.
- 7.80 The proposed development is a mix of 2, 3 and 4 storey buildings. The built footprint of the 4 storey element is smaller than the 2 and 3 storey element. The supporting documents demonstrate that 4 storeys can be accommodated on this part of the site without causing harm in local views or having an adverse impact on residential amenity.
- 7.81 The proposed massing has been carefully analysed and assessed in terms of potential impact on local amenity. It balances relevant planning considerations. Allowing 4 storeys enables the site to be developed efficiently and deliver more affordable housing.
- 7.82 A comment was made in relation to why the taller element wasn't selected to be closer to Saxon Road away from Rosebank Gardens. The applicant confirmed that reinstating the building line along the street using a perimeter block with front doors and front gardens has been a key element of the spatial strategy. It reinstates streetscape and the rhythm that is characteristic of the Medway Conservation Area.
- 7.83 It has also been important to retain as far as practicable the significant trees on the site. The scheme is designed around two London Planes on Rosebank Gardens close to the boundary with Regency Court. The layout has been arranged to avoid these trees and their root zones. This prevents the buildings on Rosebank Gardens being positioned any closer towards Saxon Road.

- 7.84 The taller element lies on the bend in Rosebank Gardens. Existing housing opposite lies at an angle to the street increasing separation from the site. This relationship helps to reduce potential overlooking. Positioning the four storey building in this location optimises the site potential without compromising residential amenity.

Secure by Design

- 7.85 As part of the planning application process, the applicant carried out their own consultation with the Metropolitan Police to ensure a secure scheme is brought forward.
- 7.86 Topics such as defensible spaces and planting, heights of walls, access control, lighting and cycle storage were discussed and all issues were resolved together. As a result of this open dialogue between the design team and officers, the Met Police have no issues with the proposals and requested that a condition be attached should planning permission be granted.
- 7.87 Full details of secure by design will be secured by condition and the proposal will be required to meet Gold certification. The proposed development has been designed with prominent well defined entrances and will have passive surveillance. These will contribute to a safe and secure environment.

Neighbour Amenity

- 7.88 Development Plan policies seek to protect neighbour amenity safeguarding privacy, not creating or allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.
- 7.89 In line with the principles of the NPPF, the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

Overlooking and privacy

- 7.90 Policy DM25 of the Managing Development Document requires new developments to be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The policy specifies that in most instances, a distance of approximately 18 metres between windows of habitable rooms would reduce inter-visibility to a degree acceptable to most people. Within an urban setting, it is accepted that overlooking distances will sometimes be less than the target 18 metres reflecting the existing urban grain and constrained nature of urban sites such as this.
- 7.91 Separation distances are shown in the following plan.

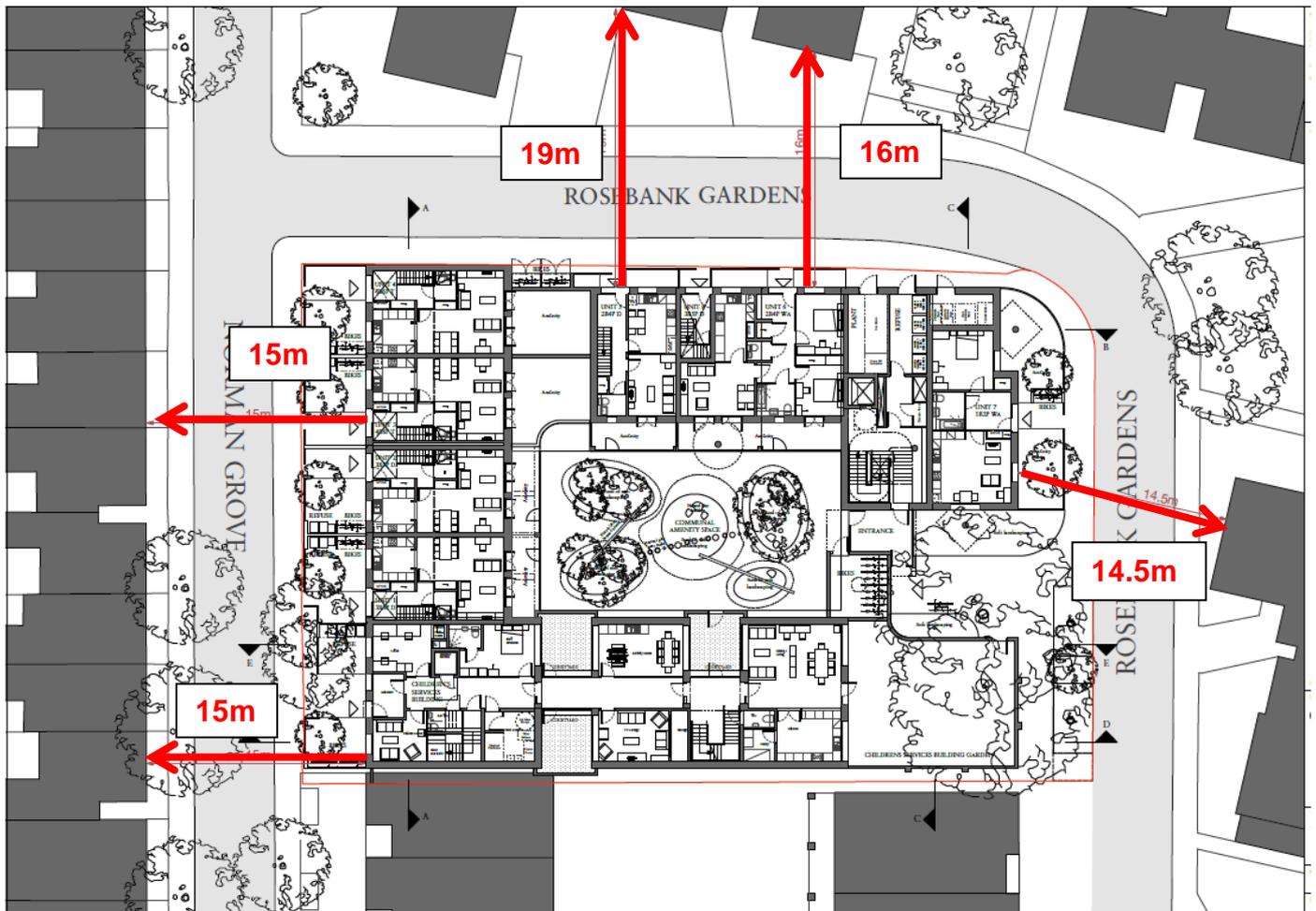


Figure 6 - Ground floor plan showing separation distances.

- 7.92 The site is bound by Norman Grove and Rosebank Gardens which acts as a buffer type space between the proposed units and existing units. The proposed town houses and Children's Centre are approximately 15m from the existing units on Norman Grove, however there are 2 existing trees and there will be a further 5 trees planted along this stretch providing some privacy/screening.
- 7.93 Regarding the relationship between the proposed units and those of Rosebank Gardens, the windows between the existing and proposed units are at oblique angles and therefore officers are satisfied that there would not be any direct overlooking. Furthermore the presence of the road and the garden spaces of the existing developments, reduce the impacts.
- 7.94 A window was inserted on the first floor children's bedroom as a response to pre-app advice from the design officer to provide a break in the blank elevation on to the central courtyard. It was agreed the window would be small, to avoid overlooking and preserve privacy. It is positioned inboard of the external face and includes an opaque balustrade.
- 7.95 On balance, Officers are satisfied the proposal would not give rise to any unduly detrimental impacts on privacy to neighbouring properties.

Outlook and sense of enclosure

- 7.96 The proposed massing is not considered to result in an overbearing appearance or sense of enclosure within the context of the site.

Daylight, Sunlight and Overshadowing

- 7.97 Policy DM25 of the Managing Development Document states that developments should not result in unacceptable material deterioration of daylighting and sunlighting conditions of surrounding development.

- 7.98 Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 80% times its former value.

- 7.99 A number of local residents have objected to the proposals on the grounds of loss of daylight and/or sunlight. There is no industry-standard categorisation for impacts that exceed BRE guidelines. However, for both VSC and ASPH, the Council consistently uses the following categories:

- Negligible: reduction less than 20% or retained VSC over 27%
- Minor adverse: reduction of 20% - 29.9%
- Moderate adverse: reduction of 30% - 39.9%
- Major adverse: reduction greater than 40%

- 7.100 The following properties have been analysed for loss of daylight and sunlight:

- Numbers 5 to 41 Norman Grove (odd numbers)
- 1-15 Rosebank Gardens
- 16-30 Rosebank Gardens
- 40-48 Rosebank Gardens (Waldrams have clarified that a typo was made in their report and these properties had been incorrectly referred to as 35-54)
- 58-66 Rosebank Gardens (Waldrams have clarified that a typo was made in their report and these properties had been incorrectly referred to as 55-69)
- Existing building at 10 Norman Grove
- Consented scheme for 10 Norman Grove

- 7.101 These are the most likely properties to be affected.

- 7.102 BRE confirmed that the following properties would be fully within the BRE guidelines for loss of daylight, and sunlight where relevant, and are not examined further in this review:

- Norman Grove – 5, 7, 9, 11, 13, 15, 19, 21, 23, 27, 29, 31, 33, 35, 37, 39, 41
- Block at Rosebank Gardens referred to as 58-66.

- 7.103 17 and 25 Norman Grove and blocks 1-15, 16-30 and 40-48 Rosebank Gardens, as well as the Regency Court scheme are discussed further below.

- 7.104 Figure 7 below has been taken from BREs report and shows the location of the neighbouring Rosebank Garden flats which are discussed below, with the numbering considered to be correct. It also shows 17+25 Norman Grove.



Figure 7

17+25 Norman Grove

7.105 BRE queried the accuracy of the calculated working planes of these two properties when comparing the results with the layouts from the estate agents listings. Waldrams since updated the calculations with correct data and the updated results show that Ground /R1 of no.17 is compliant with BRE guidelines for daylight distribution. Ground/R1 of no. 25 experiences a 29% reduction in daylight distribution due to its closer proximity to the taller element of the proposed development. However, given that the rooms is dual aspect, therefore enabling the rooms to receive light from another direction, the impact on daylight distribution is likely to be limited, as confirmed by BRE.

Blocks 1-15

7.106 1-15 Rosebank Gardens is the block immediately to the north of the proposed development and the one in Rosebank Gardens most affected by the proposed development.

7.107 The W3 series (windows in the recessed section) have been discounted, as they appear to light common areas which would not be covered by the BRE guidelines. Windows W6 and W8 on the ground floor have also been discounted for daylight as they are secondary windows for the conservatory. The main window, which would be covered by the BRE guidelines, would be W7. The conservatory roof has not been analysed, but would be less affected than the main vertical window.

7.108 5 windows on the ground floor (W1,2,4,5+7) and one on the first floor (w1) would have a loss of daylight outside the guidelines, marked by a star in figure 8 below. The affected windows are all on the right hand side of the block, and the worst results are furthest to the right.

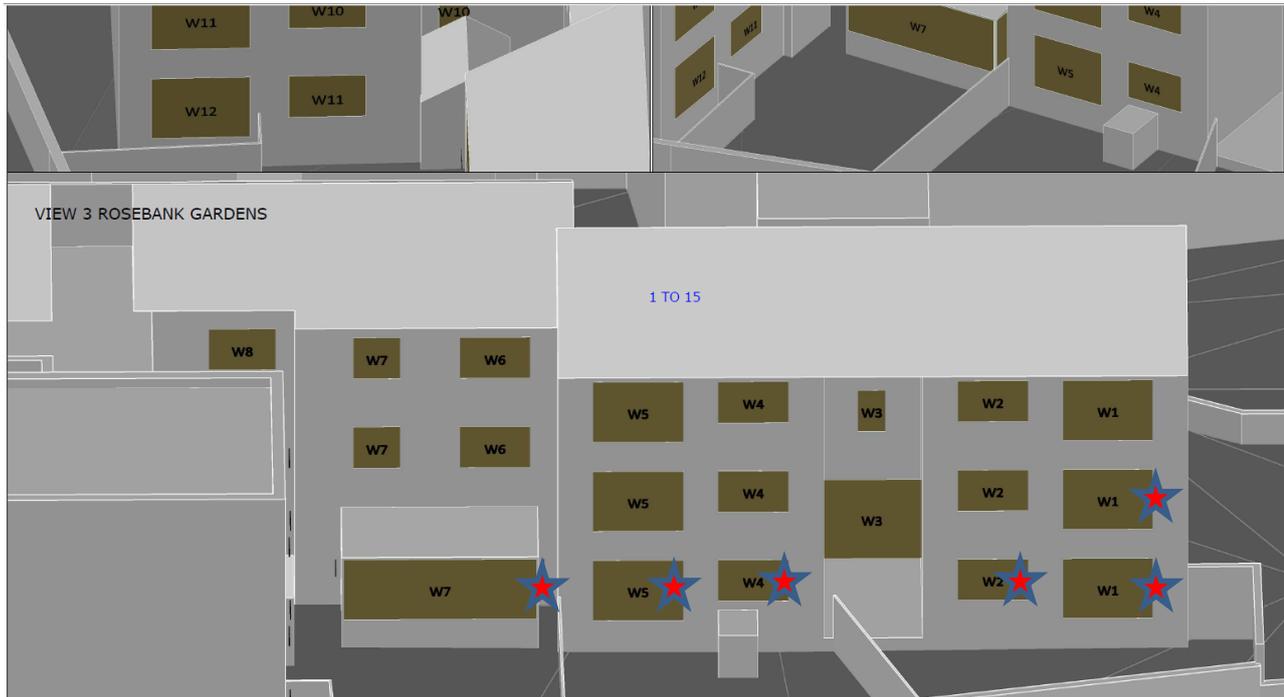


Figure 8: Blocks 1-15 Rosebank Gardens

7.109 On the ground floor, two of these impacts would be moderate adverse and three would be minor. On the first floor, the loss would be minor adverse, but only marginally as it would retain a level of VSC only just below 27%. The other levels of VSC with the development in place would be between 21.65% and 25.30%. There are already windows with around this level of VSC elsewhere in Rosebank Gardens.

7.110 Changes to daylight distribution would also be outside the BRE guidelines for the two rooms on the far right on the ground and first floors. On each floor, one room, a living room, would be moderate adverse and one, a bedroom, would be minor adverse. Daylight distribution is less important in bedrooms than it is in living rooms.

7.111 Loss of sunlight is also relevant for the living rooms and the conservatory. On each floor, the known living rooms would retain the recommended amount of sunlight with the development in place.

Blocks 16-30

7.112 This block is less affected than 1-15 Rosebank Gardens

7.113 One living room window on the ground floor, W12, would have a loss of daylight which is only marginally outside the BRE guidelines. It would retain a VSC which would be slightly below 27%, and 0.77 times what it currently receives. This would be a minor adverse loss. Daylight distribution and loss of sunlight would be within the guidelines.

Blocks 40-48

7.114 One window would have a loss of daylight which would be outside the BRE guidelines, ground floor window W8. This is likely to be a window in the side elevation of 40-48 Rosebank Gardens. BRE suggest that from site observations this is a bedroom use. This window would

have a minor adverse impact, retaining a VSC of 25.58% and 0.75 times what it currently receives. Changes to daylight distribution would be negligible.

Regency Court

- 7.115 Assessments on the proposed scheme and existing 10 Norman Grove were undertaken however, for the purpose of this report, the impacts on the consented development have been discussed as it is considered to be the most likely scenario.
- 7.116 Seven windows would have a loss of daylight outside the BRE guidelines, six on the ground floor (W1, 2, 7, 8, 14,15) and one on the first (W1). The six rooms lit by the windows comprise one LKD, one living room and three bedrooms on the ground floor, and one bedroom on the first floor. Losses of sunlight would be within the guidelines for the two living rooms which face within 90° of due south.
- 7.117 Waldrans also provided ADF data for the consented development for consideration.
- 7.118 As part of their assessment, BRE provided a table as set out below (table 3) showing the ADF outcomes for Regency Court:

| Room | Use | Outcome |
|------------|-------------|---|
| Ground R1 | LKD | Would continue to be well daylit with the new levels of obstruction. However, the results are likely to be inaccurate due to exclusion of the kitchen area. |
| Ground R5 | Bedroom | Already just below the recommended minimum ADF of 1% for bedrooms, and would get slightly worse |
| Ground R6 | Bedroom | Just received the recommended minimum ADF for bedrooms, would fall slightly below it |
| Ground R12 | Living room | Comfortably received the recommended minimum ADF for living rooms of 1.5%, would fall well below it |
| Ground R13 | Bedroom | Already just below the recommended minimum ADF for bedrooms, would fall well below it |
| First R1 | Bedroom | Would continue to be well daylit with the new levels of obstruction |

Table 3

- 7.119 Based on the above table as presented, the adverse impact on two rooms (R1 ground and 1st floor) would be limited as they would continue to receive the recommended minimum level of daylight. Another two would already be relatively poorly lit and would become slightly more so. The other two would have a large difference in their ADF before and after; one would fall well below the recommended minimum for the first time, and another would go from being relatively poorly lit to very poorly lit.
- 7.120 Loss of daylight would therefore continue to be outside the BRE guidelines for four rooms at Regency Court.
- 7.121 BRE have noted that the windows which would have a loss of daylight outside the guidelines and whose rooms would also have ADFs below the recommended minimum all face into a courtyard. This means that they will have areas of substantial obstruction opposite or next to them. They will also have substantial overhangs above them which make them dependent upon light from the lower part of the sky. They consequently have extremely low existing levels of VSC and a small absolute loss represents a substantial proportional loss of daylight.

- 7.122 As advised by BRE, Waldrams re ran the VSC analysis with the overhanging balconies removed. The updated results with balconies removed (from the consented scheme) make it clear that the design of the consented development is a significant contributor to the large losses of light to some of the rooms.
- 7.123 Originally, 7 windows had a loss of light, with the balconies removed; only 3 of those rooms would be marginally outside the BRE guidelines.
- 7.124 In summary, without the overhangs, the impact would be classified as being largely minor adverse.

Sunlight

- 7.125 Loss of sunlight to the gardens at 1-15 Rosebank Gardens to the north would be within the BRE guidelines in all cases. There is also an amenity area to the right of that between the two blocks of flats which has not been analysed, but given the results to the areas which were analysed, BRE can infer that loss of sunlight to this area would also be within the guidelines.
- 7.126 There would be a negligible change to sunlight at Regency Court. This would be expected given that Regency Court lies to the south of the development.

Overshadowing

- 7.127 The overshadowing impact on existing properties would be limited and within the guidelines in all cases.

Conclusion:

- 7.128 The Mayor of London's Housing SPG makes clear that standards should be applied flexibly, providing that proposals still achieve satisfactory levels of residential amenity and avoid unacceptable harm. The proposals would have minor and localised impacts on daylight and sunlight enjoyed by the occupiers of a number of nearby homes and users of the amenity spaces, when assessed against the BRE guidelines. However, Officers consider that these impacts would be acceptable when weighed against the benefits that the scheme would deliver and that residents and users would be left with an acceptable level of daylight and sunlight and that their overall level residential amenity would be acceptable.

Noise and Vibration

- 7.129 Policy 7.15 of the London Plan (2015), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 7.130 The acoustic noise report indicates that the levels measured during the survey suggests that any amenity space included in the new development would need no acoustic treatment to meet the noise levels suggested by BS 8233. The Council's noise officer is satisfied with this.
- 7.131 However, the officer has advised that when the size and nature of the proposed plant has been identified, a condition should be imposed requiring the applicant to commission a noise impact assessment to ensure that the measures required to minimise its noise impact can be mitigated to ensure compliance with the LBTH noise criterion for new plant. As such, a condition will be attached.

Construction Impacts

7.132 Demolition and construction activities are likely to cause some additional noise and disturbance, additional traffic generation and dust. In accordance with relevant Development Plan policies, a number of conditions are recommended to minimise these impacts. These would control working hours and require the approval and implementation of Construction Environmental Management Plan

Transport

7.133 Development Plan policies promote sustainable modes of travel and limit car parking to essential user needs. They also seek to secure safe and appropriate servicing.

Cycle Parking

7.134 The applicant has proposed a total of 32 resident, 2 visitor and 4 Children's services cycle parking spaces. The locations of these different spaces are shown in Figure 9.

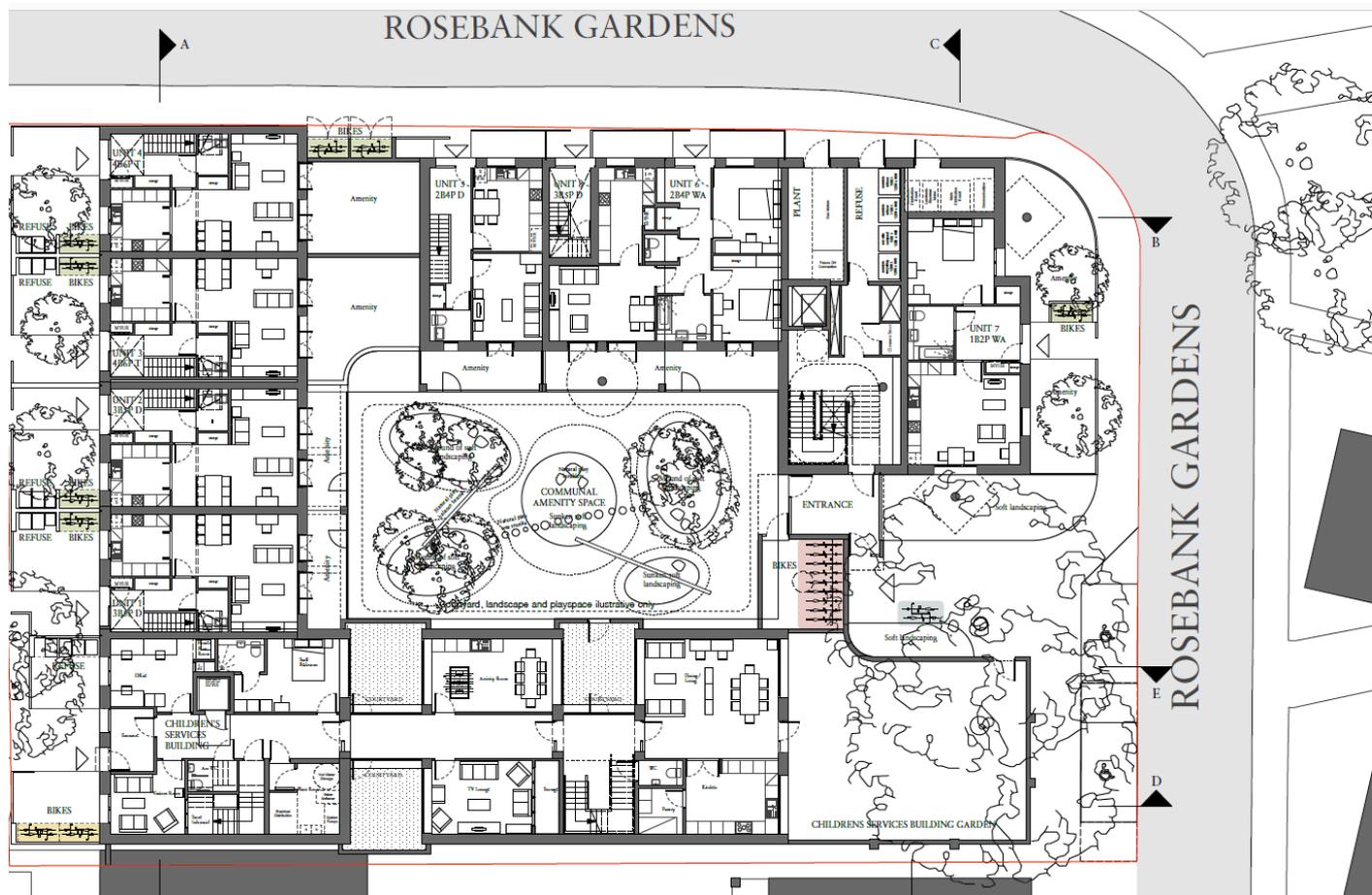


Figure 9

7.135 This is in line with the Draft London Plan (2018) Standards and the details of the proposed cycle stands will be secured by condition.

Car Parking and trip generation

7.136 Policy DM22 sets out the Council's parking standards in new developments.

- 7.137 Notwithstanding this, owing to the good transport links the development would be subject to a 'car free' planning condition restricting future occupiers of the new development from obtaining residential on-street car parking permits, with the exception of disabled occupants or beneficiaries of the Council's permit transfer scheme.
- 7.138 Two accessible car parking spaces along Rosebank Gardens will be provided for each wheelchair accessible flats (Flats 6 and 7).
- 7.139 One space within the Rosebank Gardens Estate (at the Norman Grove junction) will be allocated to the Children Services building for emergency use.
- 7.140 The applicant has confirmed that these spaces are on Council owned private estate land and within the control of the applicant. They are Estate bays used under licence with a 7 day notice period. Figure 10 below shows the existing layout. Red bays are void spaces. Bays 51-48 can be reconfigured to provide the emergency vehicle parking bay together with resident bays without any loss in the bays currently in use by residents. Details of this will be conditioned.



Figure 10 : Existing layout of estate bays on Rosebank Gardens.

- 7.141 In terms of the provision of parking for staff to the Children's Services, there should be fewer trips as the 6 staff spaces will not be replaced and staff will be required to use public transport, walk or cycle in the future.
- 7.142 The Transport Statement submitted as part of the application demonstrates that in the area, the Census indicates that 30% of residents drive to work. There would be relatively low levels of car driver movements associated with the proposed development. The report further states

that a maximum of 12 two-way car trip are expected throughout the entire day which would have no material impact on the operation of the local highway network and would be comparable to that generated by the existing site. This number of trips is reflective of trips likely to be generated by the scheme with regard to the permit transfer scheme which may apply to 5 units generating demand for 5 parking spaces. The mode share within the Census for journeys to work has no bearing on whether a car is owned or not.

7.143 The proposed Children's Services Building will not have any impact on the local highway network with the facilities broadly replacing the existing facilities and therefore, there will be no expected additional trips to the area.

7.144 A S278 will also be required for areas affected by any areas affected by removal of dropped kerbs. This will be secured through condition 11 as a scheme of highways improvement works.

Servicing and Refuse Storage

7.145 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new development, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards. The proposed capacity of the waste storage has been calculated is in accordance with current waste policy.

7.146 Waste collection would be from the dedicated waste store at ground floor from Rosebank Gardens, Norman Grove and also from the street at ground floor from the front garden. Vehicles would stop on the street as existing.

7.147 This is considered to be acceptable. Full details will be secured by condition.

Energy & Environmental Sustainability

7.148 At a national level, the NPPF sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure.

7.149 The climate change policies as set out in Chapter 5 of the London Plan MALP (2016), Policies SP11 and DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.

7.150 The London Plan sets out the Mayor's energy hierarchy which is to:

- Use Less Energy (Be Lean)
- Supply Energy Efficiently (Be Clean)
- Use Renewable Energy (Be Green)

7.151 The Managing Development Document Policy DM29 requires major residential developments to achieve zero carbon (with at least 45% reduction achieved through on-site measures). The remaining regulated carbon emissions (to 100%) are to be offset through a cash in lieu contribution.

7.152 The applicant submitted an Energy and Sustainability Statement (Max Fordham – Revision C – January 2019) which sets out the applicant has sought to meet CO2 emission reduction policy requirements through energy efficiency measures and passive design, use of efficient services and integration of a PV array (175m²). The submitted document sets out a summary of the CO2 emissions from the development and includes the SAP and SBEM output sheets.

- 7.153 The report notes that the following CO2 emissions:
- Residential Baseline – 23 tonnes CO2 per annum
 - Residential Proposed Scheme – 12.6 tonnes CO2 per annum
 - Non-resi baseline – 15.8 tonnes CO2 per annum
 - Non-resi BER – 8.6 tonnes CO2 per annum /yr
- 7.154 The proposals are for a 45% reduction on-site for the residential elements with a carbon offsetting contribution of £22,680 to offset the remaining 12.6 tonnes CO2. The proposals are for a 45.6 % reduction in CO2 on-site for the non- residential element which is compliant with policy requirements. The proposals for on-site CO2 emission reduction should be secured via Condition with a post construction verification report submitted to the council to demonstrate delivery of the anticipated CO2 savings. Carbon Offsetting In order for the scheme to be supported by the sustainable development officer, it is recommended that the shortfall in CO2 emission reduction is met through a carbon offsetting payment.
- 7.155 The Planning Obligations SPD includes the mechanism for any shortfall in CO2 to be met through a cash in lieu contribution for sustainability projects. The submitted energy assessment identifies the shortfall to meeting zero carbon for the residential elements is 12.62 tonnes CO2. The current identified cost for a tonne of CO2 is £1,800 per tonne of CO2. Therefore for the proposed scheme the energy strategy identifies a carbon offsetting contribution of £22,680 would be made.
- 7.156 The current proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver CO2 emission reductions.
- 7.157 The sustainability officer has recommended that the proposals are secured through appropriate Conditions to deliver:
- Delivery of anticipated 45% reduction in onsite CO2 emissions
 - S106 contribution of £22,680
 - Submission of as built calculations (SAP / SBEM) to demonstrate the 45% reduction in CO2 emissions have been delivered on-site
 - Delivery of renewable energy technologies including 175m2 photovoltaic array
- Biodiversity
- 7.158 Policy DM11 of the Managing Development Document seeks to inter-alia ensure existing elements of biodiversity value are protected or replaced within the development and additional habitat provision made to increase biodiversity value.
- 7.159 The application site includes landscaped grounds with grassland, scattered trees and shrubs. While there are no habitats or other features of particular biodiversity value, the grounds provide some habitat for common birds, mammals and invertebrates.
- 7.160 The existing buildings and trees have negligible potential to support bat roosts. However, the shrubs and trees are likely to support common nesting birds. The Council's Biodiversity officer has advised that clearance of shrubs and trees should be undertaken outside the nesting season, or a survey for nesting birds conducted before clearance. This shall be conditioned.
- 7.161 The proposals include biodiverse roofs over all the roof area of the new buildings. These contribute to a target in the Local Biodiversity Action Plan (LBAP).
- 7.162 Two bat boxes are proposed, as recommended in the Ecology Report. These will contribute to another LBAP target. The biodiversity mitigation and enhancements will be secured by a condition

Trees

- 7.163 Trees are categorised following the guidance of BS5837:2012, and are therefore objectively assigned a quality category to identify their likely value within any future development of the site. Category A trees being of high value and Category U trees being at risk of collapse.
- 7.164 The Council's arboricultural officer has requested an arboricultural impact assessment should be undertaken detailing the trees to be retained and those to be removed. He also requested that an arboricultural method statement is undertaken. These shall both be conditioned.
- 7.165 The arboricultural officer has advised that a minimum net gain of 2:1. For any trees removed, 2 will be sought. The applicant has confirmed that the scheme propose 17 new trees and removal of 8 trees.
- 7.166 The proposal seeks to retain 4 trees on site and remove 8 of the existing trees. A further 8 new trees will be provided on Norman Grove and 9 new trees within the courtyard area, as set out in the Landscape Statement. This provision of 17 new trees will mitigate loss of existing trees and would be a net gain of 2:1 which exceeds the minimum sought. The new trees will be selected to suit their environment and growing conditions and to enhance opportunities for biodiversity, in accordance with policy DM11. Further landscaping and biodiversity details shall be covered by a planning condition.
- 7.167 Officers are satisfied that the proposed replacement trees and trees works are acceptable.

Site of Archaeological Importance

- 7.168 The site is located within an area of archaeological importance. A condition requiring a scheme of investigation is undertaken as well as details of foundations as part of the development works has been recommended as part of this application.
- 7.169 This is considered to be acceptable.

Land Contamination

- 7.170 The site has been identified as having potential historic contamination. In accordance with the Environmental Health Contaminated Land Officer's comments, a condition will be attached which will ensure the developer carries out a site investigation to investigate and identify potential contamination.

Flood Risk & Drainage

- 7.171 An environmental officer has confirmed that a detailed surface water drainage scheme will need to be submitted to the local planning authority prior to works commencing. As such, a condition shall be attached.
- 7.172 Thames Water raise no objections to the proposals.

Infrastructure Impact

- 7.173 In terms of Tower Hamlets CIL and London CIL liability there would be no payment due because all of the units would be affordable rented and therefore qualify for CIL relief.
- 7.174 Alongside CIL, Development Plan policies seek financial contributions to be secured by way of planning obligations to offset the likely impacts of the proposed development on local services and infrastructure. The scheme would meet the full obligation of financial contributions. However, given the Council is unable to enter into an s106 agreement with itself, the financial and non-financial contributions are to be secured by the imposition of conditions.

Local Finance Considerations

7.175 Assuming that the Council delivers its annual housing target of 3,931 units, the Council would be liable for a New Homes Bonus payment of approximately £24m over 4 years. Due to the introduction of a new threshold approach by the Government it is not possible to provide an exact amount of New Homes Bonus the proposed development would deliver; officers estimate that the proposal could deliver up to £135,049 over 4 years.

Human Rights & Equalities

7.176 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable. The proposal seeks to rationalise the number of bed spaces of the Children's Home from 18 to 6 in line with the Council Transformation Programme. Moreover the new accommodation for the 6 children will be modernised and improved facilities.

7.177 In addition, all of the residential units would comply with Part M 4(2) and 10% would comply with Part M 4(3) and be wheelchair accessible and adaptable. These design standards offer significant improvements in accessibility and would benefit future residents or visitors with disabilities or mobility difficulties, and other groups such as parents with children.

7.178 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

8.1 That subject to any direction by the Mayor of London, **planning permission is GRANTED** subject to the conditions:

Compliance' Conditions –

1. Compliance with plans
2. 3 year time limit for implementation
3. Development is personal to, and shall be implemented by, LBTH
4. Compliance with energy and sustainability strategies
5. Noise insulation standards for residential units and noise limits for plant
6. Provision and retention of wheelchair accessible parking spaces
7. Inclusive access standards for residential units, provision of lifts
8. Wheelchair adaptable and wheelchair accessible dwellings
9. Timing of vegetation clearance

Pre-commencement –

10. Scheme for the provision of financial contributions (see financial contributions section below)
11. Strategy for using local employment and local procurement (see non-financial contributions section below)
12. Contamination
13. Air quality and air quality neutral assessment
14. Details of boiler emissions

15. Construction Environmental Management Plan including working hours restrictions and other measures to protect amenity and minimise noise & air pollution
16. Details of noise and vibration mitigation measures
17. Noise impact assessment in relation to plant
18. Details of surface water drainage & SUDs
19. Piling method statement
20. Details of biodiversity measures and enhancements
21. Scheme for the Provision of Affordable Housing
22. Car Permit Free (bar Blue Badge Holders and Permit Transfer Scheme)
23. Cycle Management Plan
24. Details of emergency vehicle bay for Children's Services building
25. Scheme of Highways Improvement (see non-financial contributions section below)
26. Residential Management Plan
27. Details of all Secure by Design measures
28. Samples of all facing materials
29. Arboricultural Method Statement
30. Arboricultural Impact Assessment
31. Details of landscaping including soft & hard landscaping, details of tree planting, street furniture & play equipment, gates & fences, lighting, boundary treatment wayfinding, visitor cycle parking, security measures and inclusive access provisions
32. Archaeological Investigation works

Pre-superstructure -

33. Details of waste storage facilities
34. Details of wheelchair accessible units

Prior to occupation –

35. Delivery & Servicing Plan, Waste Management Plan
36. Post Construction Verification Report

Securing contributions as follows:

Condition 10

Financial contributions:

- a) A contribution of **£12,072** towards construction phase employment training;
- b) A contribution of **£22,680** towards Carbon Off-Setting.

Total £34,752

Condition 11

Non-financial contributions:

- a) Affordable housing 100% by habitable room (17 units)
- b) Access to employment
 - 1 construction phase apprenticeship
 - 20% of local procurement of goods and services during construction
 - 20% of local labour during construction

- Engagement between the contractor and the Tower Hamlets Employment and Enterprise Team in order to maximise the use of local labour and services; and
 - Monitoring provisions.
- c) Scheme of highway improvement works
- d) Car and permit free
- e) Any other contributions considered necessary by the Corporate Director of Place

Informatives

1. CIL liable
2. Thames Water informatives
3. Secure by Design
4. Building Control

Drawings

- Existing plans: 91605-P-001, 91605-P-002, 91605-P-100, 91605-P-101, 91605-P-102
- Proposed plans: 91605-P-110C, 91605-P-111-A, 91605-P-112-A, 91605-P-113-B, 91605-P-114-B , 91605-P-320, 91605-P-321, 91605-P-322
- Existing elevations: 91605-P-200, 91605-P-201,
- Proposed, sections and elevations 91605-P-210-C, 91605-P-211-A, 91605-P-212-A, 91605-P-213-B, 91605-P-310-NR, 91605-P-311, 91605-P-312

Documents and reports:

- Design and Access Statement by Henley Hale-Brown
- Landscape Statement by Vogt Landscape (within the DAS)
- Heritage Statement by Heritage Information including Conservation Area Appraisal
- Archaeological Desk Based Assessment by Heritage Information
- Townscape Visual Impact Assessment by Heritage Information
- Daylight and Sunlight Report by Waldrams
- Preliminary Ecological Appraisal including Biodiversity Statement and Site Walkover update by PJC Consultancy.
- Arboricultural Survey by PJC Consultancy
- Energy and Sustainability Assessment by Max Fordham
- Acoustic Survey Report by Max Fordham
- Transport Statement by TTP Consulting
- Statement of Community Involvement by Henley Hale-Brown (within the DAS)
- Planning Statement by Treanor Consulting

Appendix 2: Selection of plans and images



View from Norman Grove



View from Selwyn Road/Norman Grove



View from Rosebank Gardens with proposed Regency Court scheme in foreground



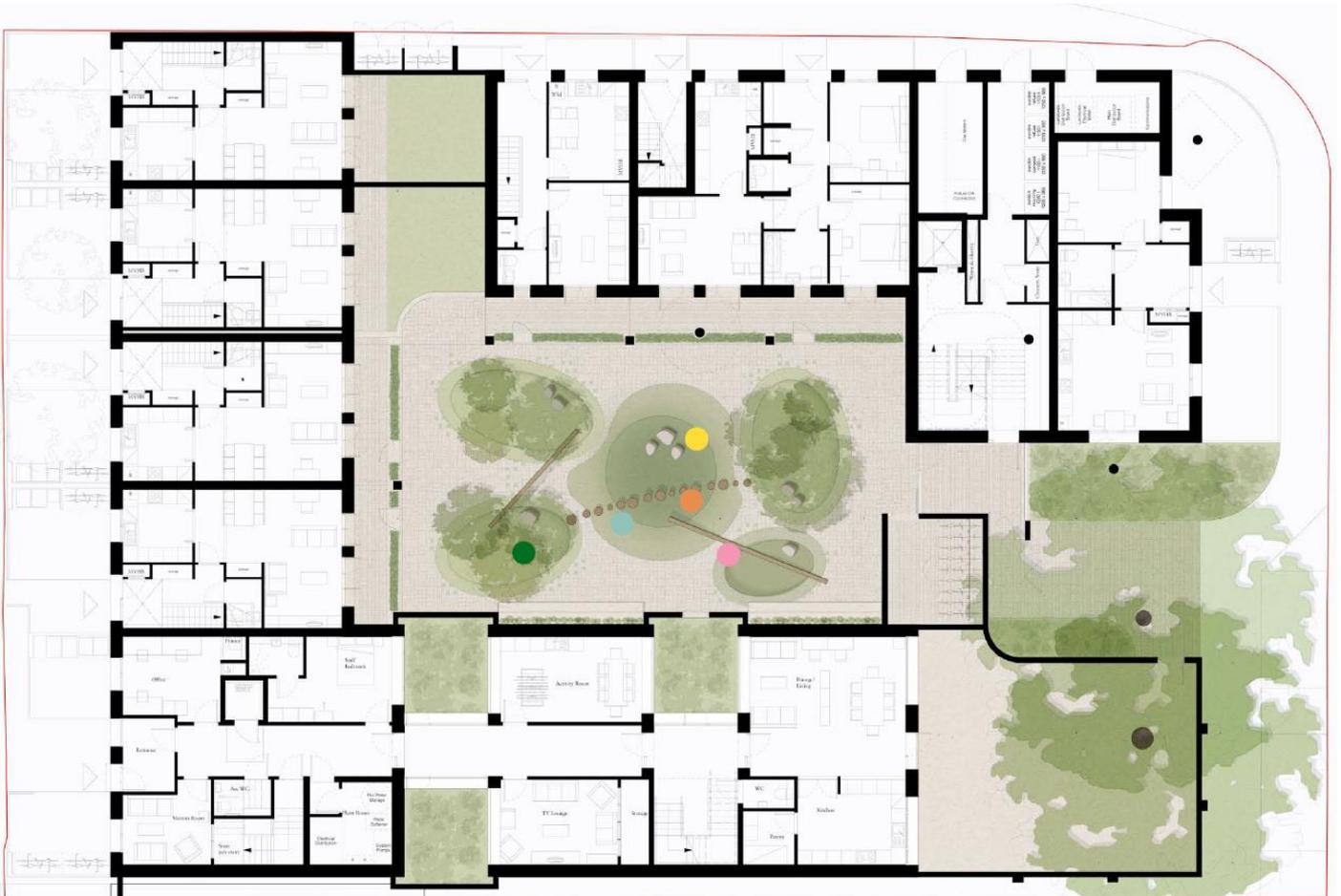
View from Rosebank Gardens/Saxon Road with proposed Regency Court scheme in foreground



View from bend on Rosebank Gardens from Norman Grove



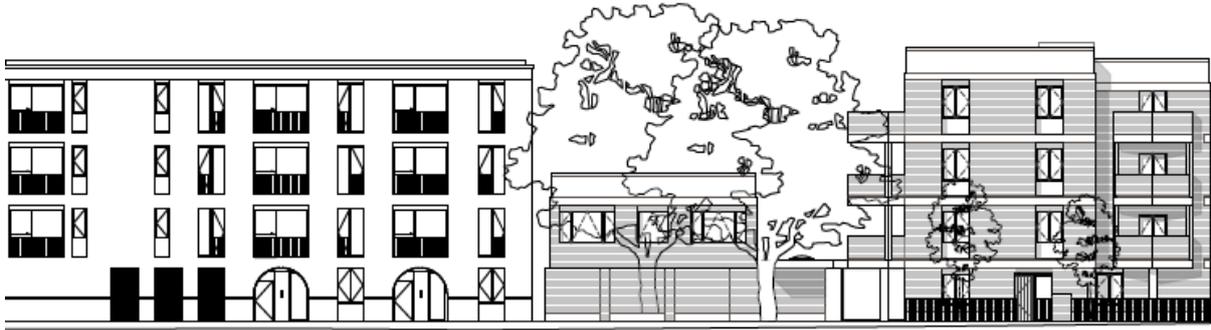
View from Roman Road



Indicative landscaping plan

| Amenity Schedule | | | | | |
|------------------|-------|------------------------------------|-----------------|--------------------|----------|
| Unit Number | Type | Rear Garden / courtyard amenity m2 | Front Garden m2 | Terrace/Balcony m2 | Total m2 |
| 1 | 3B5P | 11 | 21 | | 32 |
| 2 | 3B5P | 12 | 21 | | 33 |
| 3 | 4B6P | 26 | 21 | 11 | 58 |
| 4 | 4B6P | 24 | 21 | 11 | 58 |
| 5 | 2B4P4 | 11 | | | 11 |
| 6 | 2B4P | 21 | | | 21 |
| 7 | 1B2P | | 43 | | 43 |
| 8 | 3B5P | | | 8 | 8 |
| 9 | 1B2P | | | 5 | 5 |
| 10 | 1B2P | | | 5 | 5 |
| 11 | 2B4P | | | 8 | 8 |
| 12 | 2B4P | | | 8 | 8 |
| 13 | 2B4P | | | 8 | 8 |
| 14 | 1B2P | | | 5 | 5 |
| 15 | 1B2P | | | 5 | 5 |
| 16 | 1B2P | | | 5 | 5 |
| 17 | 1B2P | | | 5 | 5 |

Amenity Schedule



Proposed north –east street elevation



Proposed south-west street elevation



Proposed north-west street elevation

