

**Application for Planning Permission**[click here for case file](#)

<b>Reference</b>	PA/19/00396
<b>Site</b>	235 Old Ford Road, London
<b>Ward</b>	Bow West
<b>Proposal</b>	Roof extensions to Blocks A and B to comprise eight new apartments and associated works.
<b>Summary Recommendation</b>	Grant planning permission with conditions.
<b>Applicant</b>	South Coast Estates 6 Ltd.
<b>Architect/agent</b>	DLBP Ltd.
<b>Case Officer</b>	Victoria Olonisaye-Collins
<b>Key dates</b>	Application validated 18/02/2019 Amended plans received 03/06/2019 Reconsultation on 14/06/2019 Public consultation finished on 26/06/2019

**EXECUTIVE SUMMARY**

The report considers an application for a vertical roof extension to two existing four storey blocks (Blocks A and B) of residential dwellings to provide eight new additional units (4 x 1b2p, 1 x 2b3p, 2 x 2b4p and 1 x 3b4p) to fifty-two existing homes on 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 set out that the scheme would provide additional residential accommodation within an imaginative and well considered design that is compatible with the architectural ambition and high design standards achieved with the original development consented in 1993. The quality of new residential accommodation would be consistent with amenity standards set out in the London Plan.

The development would be visible from the surrounding streets and from public views within the Victoria Park Conservation Area where the application site is located as Block B fronts onto Hertford Union Canal. However, given the nature of the proposal, officers consider the design would not detract from the defining line of development along the canal edge.

Officers are of the opinion, the scale and height of the proposed development is not at odds or intrusive in relation to immediately surrounding buildings or the area more

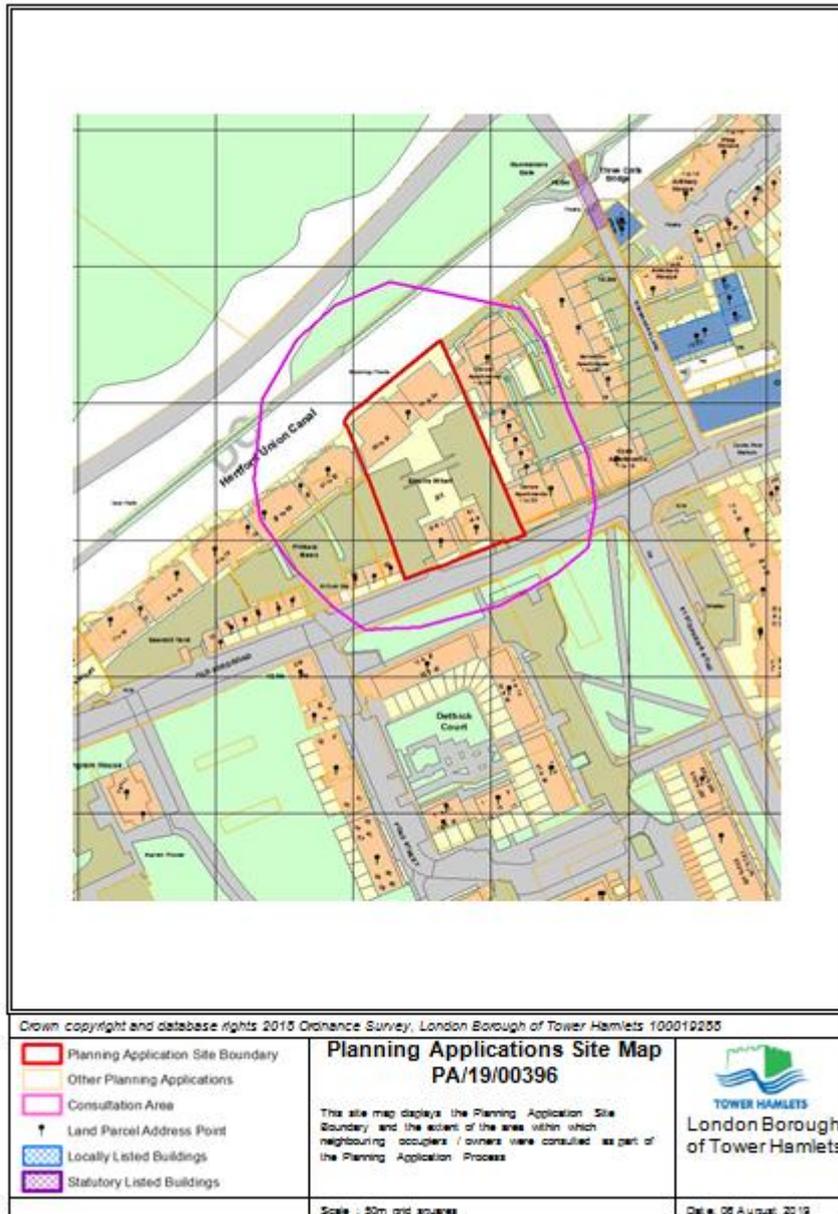
widely, although it is acknowledged by officers that there is a prevailing height of 3 – 4 storeys for Victorian terraced housing within the area, however, the scale and density of development varies across the whole area and the site is not a Victorian terraced house but modern blocks of flats within the Victoria Park Conservation Area.

The proposal would be acceptable with regard to transport, servicing and waste.

A total of 83 objections were received including 2 objections (from local ward councillors), and the objections can be summarised as concerns over: scale, massing and character with surrounding development within the Victoria Park conservation area; design; height, removal of dry riser; open aspect of the Blue ribbon neighbours amenity in terms of light, outlook, parking, waste/recycling and disruption during construction.

Subject to the recommended conditions, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

## SITE PLAN



### 1. SITE AND SURROUNDINGS

- 1.1 The site is bound to the north by the Hertford Union Canal, which is designated within a Site of Importance for Nature Conservation (SINC). The canal also forms part of the Blue Ribbon Network. Beyond the canal to the north is Victoria Park. Victoria Park is a grade II\* listed park and is designated as Metropolitan Open Land; Publicly Accessible Open Land; and a SINC.
- 1.2 The site comprises of two existing four storey pitched roof blocks of residential dwellings, comprising of 52 units in total, with an area of soft/hardstanding between them that is used for parking. Block A is the smaller block situated to the south,

facing the road (Old Ford Road), and Block B is the larger building to the north, facing the canal.

- 1.3 To the east, west and south of the site are a range of residential buildings that have varying heights ranging from 2 – 22. To the south of the site there is also St Stephen's Green, a recreation ground. Within the local area of the site, there is a six storey residential building approximately 60m to the east of the site, as well as some 22 storey tower blocks located approximately 130m to the south west of the site.
- 1.4 The site is located to the northern side of Old Ford Road within the Victoria Park Conservation Area and is located approximately 80m to the west of the Three Colts Bridge, a Grade II\* listed building and a Scheduled Ancient Monument (SAM), but the buildings (Blocks A & B) are not listed.
- 1.5 The site is currently accessed from Old Ford Road through a gated access for both pedestrians and vehicles.

## **2. PROPOSAL**

- 2.1 The application proposes to construct one storey roof extension to Blocks A and B across the length of the existing buildings which would deliver a total of eight new dwellings. Block A would have two units and Block B six units, all units would be dual aspect with individual terraces and associated privacy screens.
- 2.2 The six units within Block B would include 1 x 3b4p (family unit), 1 x 2b3p and 4 x 1b2p while Block A would provide 2 x 2b4p units.

## **3. RELEVANT PLANNING HISTORY**

### **Application site**

- 3.1 BW/92/00091 - Erection of two four storey residential buildings to provide 52 No. flats, comprising 29 No. one bedroom units and 23 No. two bedroom units, and provision of 54 No. car parking spaces together with landscaping. Granted 04/06/1993.

## **4. PUBLICITY AND ENGAGEMENT**

- 4.1 A total of 215 planning notification letters were sent to nearby properties as detailed on the attached site plan on 14/06/2019. A site notice was erected on Old Ford Road on 20/03/2019 and a press notice was advertised on 14/03/2019.
- 4.2 The number of representations received in response to notification and publicity of the application as follows:
  - 83 Total letters of representation
  - 81 letters of objection
  - 2 Members' representations

- 4.3 The concerns raised in objection to the proposals can be summarised as follows:

### **Impact on the Character and appearance of the Victoria Park Conservation Area**

- Height increase; the loss of white windows which are in keeping with the area and introduction of black window frames, rainwater goods.

- Victoria Park Conservation Area Appraisal does not identify site as being suitable for a roof extension.
- Overshadow blue ribbon
- Increased scale, mass and bulk of the property, would disrupt the existing roofline in a prominent canal location and intrusion on the views to and from Victoria Park
- Out of scale and character, would set bad precedence as properties within the Victoria Park conservation area should not be higher than 3 storeys as stated in the guidance – prevailing height of buildings in the area is 3-4 storeys (including ground floor).
- Dominate side view from the Three Colts Bridge towards London with adverse impact on the conservation area and other heritage assets.
- Dark shading of the lintel brickwork above the window is not a feature of the building.
- Design not in-keeping with the conservation area especially with the flat roof proposed - would neither preserve nor enhance local character.

### **Amenity impacts**

- Impact on the amenity of neighbours in terms of light, privacy, noise and pollution – disruptive and dangerous environment to live in and work.
- Noise from initial exploratory drilling following an unauthorised visit to site – danger to the safety of the occupants; protection of existing electrical cables in the loft.
- Vibration, Dust, Odour during construction - Impact on air quality on site and surrounding – harm to residents for between 8, 12 or 24 construction months with no compensation proposed.
- Impact on communal spaces – debris and dust resulting in health risk
- Installation of lift and loss of dry riser, lift details would not accommodate wheelchair users.
- Lack of new landscaping for the new units and details of protection for the existing shrubs and trees not provided.

### **Design and heritage –**

- Modern facades and roof apartments do not fit the wonderful reconstructed Victorian/Edwardian older-style design – would fail to preserve and enhance the area.
- Proposed materials would clash both aesthetically and physically
- Impact on narrow boats.
- Concerns over floor plans
- Fire risk and increased energy cost with the proposed replacement of the dry riser with a lift - Compromise the structural fire protection and safety.
- Unsatisfactory facilities - car parking spaces, cycle and refuse. The proposed cycle parking spaces are inappropriate, impact on accessibility and privacy
- No childplay space, social or affordable housing proposed, proposals only for economic reason.
- Inaccurate drawings and details in terms of window materials
- Impact on wildlife and nature around the canal and park during construction – kill natural habitat of bats.
- Impact on the Blue Ribbon Network and the road network
- Unacceptable increased density; overdevelopment of site

- Similar 5 storeys building in the area had been refused in the past.

### **Housing Growth and impacts on existing facilities**

- Existing housing developments in progress to cater for housing needs in the area – proposals inconsistent with housing growth priorities.
- Accommodation proposed not in accordance with the local development plan in terms of family friendly and affordable housing – inconsistent with housing targets.
- Parking and waste (refuse and recycling - already short of the requirements) from the development.
- Details of energy efficiency, sustainability or durability not provided.
- Concerns over loss of outlook and increased sense of enclosure for current residents.
- Concerns over lack of provision for material storage, site welfare and accommodation during construction works.
- Concerns over water pressure, power, sewage and fire strategy not covered in the application report.

### **Others**

- Comments about the possibility of losing out on rent yield by existing leaseholders renting out their properties, as a result of noise and other disruption – compensation not considered for flats becoming empty during construction.
- Comments regarding access to the loft space from the existing topmost flat.
- Overpopulation/cramming issues resulting from more flats in the complex.
- Unauthorised visit to site.
- Increased insurance cover as a result of the replacement of the existing pitched roof with flat.
- Concerns over no proactive engagement with neighbours concerning the Impact on the value of properties.
- Concerns regarding developer going against tenants' contractual obligations – 5 yearly major external works.
- Comments seeking upgrade to the analogue satellite system to digital; upgrade to the door entry system; existing postal box; existing communal space as part of the project.

## **5. CONSULTATION RESPONSES**

5.1 **LBTH Transportation and Highways** - A car parking permit free agreement should be secured against the newly created units. The proposed 12 cycle stands for the new units should be provided prior to first occupation of the units. The management and maintenance details to be achieved via condition.

5.2 **LBTH Waste Policy and Development** – No objections to the proposed additional bin and recycling waste facilities.

5.3 **LBTH Design and Conservation** - The assessment made by Conservation & Urban Design Team are set out in the main body of the report.

5.4 **LBTH Biodiversity** –

The application site is immediately adjacent to the canal beside Victoria Park, both of which are known to be important for foraging bats. The bat survey

shows that there are no bat roosts, so there is no constraint to the proposed roof extension.

There is potential for disturbance to bats foraging and commuting along the canal from any increase of light spill onto the canal. Lighting, both during construction and operation, should be designed to ensure no increase in light spill onto the canal.

Policy DM11 requires developments to provide net gains in biodiversity and elements of a living building, such as green roofs. The proposals are for both buildings to have flat roofs. These would be suitable for biodiverse green roofs. If there is also a requirement for photovoltaics, “bio-solar” roofs, which combine biodiverse roofs with PVs, can be installed.

Other enhancements which would be appropriate here include bat boxes and nest boxes for swifts, house martins and house sparrows. These can be built into the new-build part of the buildings, or attached to the buildings.

Enhancements to the adjacent canal, such as floating reed beds, would be particularly welcome, and are likely to be supported by the Canal & River Trust.

Biodiversity mitigation and enhancement conditions proposed.

- 5.5 **LBTH Environmental Health – air Quality** – No objections
- 5.6 **LBTH Environmental Health – smell/odour** – Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations.
- 5.7 **Canal & River Trust** - No objections, subject to written consent and Code of Practise for works affecting the Canal & river Trust informatives.
- 5.8 **London Fire Brigade** – No objections, recommends that sprinklers are considered for new developments and major alterations to existing premises.

## **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:

Housing - LP3.3, LP3.4, LP3.5, SP02

(housing supply, housing potential, housing quality and design)

Design LP7.1-7.6, SP09, SP10, DM23, DM24, DM27

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

Amenity - LP7.6, SP03, SP10, DM25  
(privacy, outlook, daylight and sunlight)

Transport and Waste - LP5.17, LP6.9, LP6.10, LP6.13, SP05, DM14, DM22, DM23  
(sustainable transport, highway safety, car and cycle parking, waste, servicing)

Environment - LP3.2, LP5.1, LP5.2, LP5.3, LP5.10, LP5.11, LP5.13, LP5.17, LP7.14, SP11, DM9, DM11, DM13, DM29,  
(biodiversity, energy efficiency, air quality)

- 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)
- Victoria Park Conservation Area Character Appraisal and Management Guidelines (2009), Addendum (2016).
- The weight of the emerging Local Plan 'Tower Hamlets 2031: Managing Growth and Sharing the Benefits' and the Draft New London Plan increases as the documents move closer to adoption; however, the weight given to emerging policies is a matter for the decision maker. Given the stage of the adoption process, the weight is currently limited.

## **7. PLANNING ASSESSMENT**

7.1 The key issues raised by the proposed development are:

- i. Land Use & Density
- ii. Design & Heritage
- iii. Quality of Residential Accommodation
- iv. Neighbouring Amenity
- v. Transport and Servicing
- vi. Equalities and Human Rights

### **Land Use and Density**

7.2 The proposed extension and associated works would be associated with existing residential development (C3 use) and as such there are no direct land use implications arising from the proposal to create eight additional new residential units. Given that delivering new housing is a key priority both locally and nationally and that the proposals would contribute towards the provision of much needed housing, officers consider that the proposals would be acceptable from a land use perspective.

7.3 The proposal would take the residential density of the development site as a whole to 207 units per hectare from the existing 179 units per hectare. It is acknowledged that the proposals would exceed the applicable sustainable residential quality range of 70-170 defined under the London Plan policy 3.4 by 16%, however the existing

development on site exceeded the London plan density matrix for the site which is located within a Public Transport Accessibility Rating of 2 (PTAL). Notwithstanding, the London plan emphasis that density matrix shall not be applied mechanistically to arrive at the optimum potential of a given site. Generally, development should maximise the housing output while avoiding any of the adverse symptoms of overdevelopment.

- 7.4 The NPPF is the key policy document at national level, relevant to the formation of local plans and to the assessment of individual planning applications. Chapter 11 of this document (Making effective use of land) is relevant to this assessment. This encourages authorities to promote an effective use of previously developed or 'brownfield' land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.5 Point E of paragraph 118 states that planning should support the opportunities to use the airspace above existing residential and commercial premises for new homes. The paragraph further states that upward extensions should be allowed where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene.
- 7.6 Paragraph 122 of the NPPF states that planning policies and decisions should support development that makes efficient use of land. Paragraph 123 point C goes further to state local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).
- 7.7 In addition, the Housing SPG recognises that making decisions on housing density requires making a sensitive balance which takes account of a wide range of complex factors – amenity; standard of accommodation; open space; housing mix and character of surrounding area. The SPG highlights the importance of using previously developed brownfield sites for residential development to enable Boroughs to meet the housing targets set out within the London Plan.
- 7.8 All of the above aspects of the development have been assessed elsewhere within this report and found to be acceptable given the site's location, the built form of surrounding development and the extension nature of development. The draft London Plan is in favour of high density development through the upward extension of flats except where the development would give rise to an unacceptable level of harm that outweighs the benefits of additional housing provision.
- 7.9 On balance, taking into account the high standard of the proposed accommodation, the unit mix which include a family sized unit, and the high quality of materials proposed, it is considered that the proposed density appropriately optimises the development potential of the site as supported by policies.

### **Design and Heritage**

- 7.10 Sections 66(1) and 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 state that "*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*" and "*the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*"

- 7.11 The implementation of this legislation has been addressed in recent Court of Appeal and High Court Judgements concerning the proper approach for assessing impacts on listed buildings and conservation areas. The emphasis for decision makers is that in balancing benefits and impacts of a proposal, the preservation or enhancement of heritage assets should be given great weight in the consideration/determination of the application.
- 7.12 The NPPF parts relevant to 'Heritage, Design and Appearance' are Chapter 12 '*Achieving Well-designed Places*' and Chapter 16 '*Conserving and Enhancing the Historic Environment.*'
- 7.13 Chapter 12 explains that the Government attaches great importance to the design of the built environment. It advises that it is important to plan for high quality and inclusive design, including individual and visually attractive buildings, public and private spaces and wider area development schemes. Planning decisions should not seek to impose architectural styles, stifle innovation or originality, but it is proper to promote or reinforce local distinctiveness.
- 7.14 Paragraph 192 of the NPPF states that in developing a positive strategy for the conservation and enjoyment of the historic environment local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
  - the desirability of new development making a positive contribution to local character and distinctiveness; and
  - opportunities to draw on the contribution made by the historic environment made by the historic environment to the character of a place.
- 7.15 Paragraph 189 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 190 provides that local authorities should assess the significance of any assets that may be affected. Paragraph 192 describes what should be taken into account in determining applications.
- 7.16 With respect to this planning application, the relevant designated heritage asset is the Victoria Park Conservation Area. The Conservation Area includes the listed park, the formal axial road pattern to the south west and the Victorian terraces, many of which are listed. Most of the south-eastern park boundary is clearly defined by the Hertford Union Canal and includes a narrow built up strip on the south side of the canal. The northern boundaries of the Conservation Area follow the boundary of the park itself. The southwestern boundary encloses an area of Victorian domestic townscape on the southwestern side of the Regent's Canal, which extends along Approach Road and south of Old Ford Road. The Regent's Canal is bridged by a Victorian cast-iron bridge, which is a Scheduled Ancient Monument.
- 7.17 The application site is located on the southern edge of the conservation area and generally only the buildings that directly front the park area in the conservation area. There are a number of locally listed buildings nearby on Gunmakers Lane ( Albany Works complex) which is approximately 76 metres away from the boundary of site and on Old Ford Road (251 – 291, 402 Lord Morpeth and 460 Eleanor Arms) with a minimum of 57 metres away from site. The buildings fronting the listed buildings on Gunners Lane are 4 storeys buildings, these buildings are in between the site and

the locally listed building, given the height and the separation distances, the listed buildings would not be affected by the proposals. Other listed assets are not within close proximity of site. The subject site is not listed however, forms part of the Conservation Area.

- 7.18 The character of the area is principally defined by Victoria Park. Roads in the area are broad and tree-lined, or fringed with the landscaped front gardens, all reflecting and contributing to the park setting. The 19th century residential terraces have largely retained their traditional joinery details, slate roofs and stock brickwork. A uniform cornice line and surviving historic decoration, typical of the Victorian architectural style, contribute to a coherent and distinctive character in the area. The Regent's Canal and the Hertford Union Canal run through the Victoria Park Conservation Area and many of the historic industrial buildings associated with these waterways make a significant contribution to the townscape. Pockets of post-war development exist where terraces have been lost and redevelopment has occurred.
- 7.19 The proposal is a single storey roof extension to Blocks A and B with associated works. Given the proposed scale and the location of site, the proposals would respect the existing buildings whilst enhancing the overall architectural appearance of the development with no impact on the setting of the conservation area or the heritage assets surrounding the site.

### **Bulk and massing**

- 7.20 The application site lies within the Victoria Park Conservation Area characterised by open space and thus it is necessary to understand how it would impact the Conservation Area. The buildings within the Victoria Park Conservation Area is characterised by a prevailing height of 3-4 storeys for Victorian terraced housing within the area, however the scale and density of development varies across the whole area.
- 7.21 Whilst the Conservation Area Appraisal notes that the majority of the buildings within the conservation area are Victorian terraced houses, the subject building is modern and therefore does not form part of this traditional character. Rather, there has been change in terms of the character of this area with the development of the adjacent site (Gun Wharf) under planning reference PA/09/00326 which was granted in 2009 for the demolition of the existing buildings occupying the site and redevelopment to provide four buildings of between three and four-storeys.
- 7.22 Accordingly, the works proposed to the subject buildings at the application site would need to be considered in the context of the changes to the Conservation Area that have taken place, the most recent of which is the Gun Wharf development on Gunmakers Lane. It is noted that many streets and buildings within the area are oriented towards the park, in order to create local views of the parklands and take advantage of the panoramic views across the open space.
- 7.23 The area surrounding and including the site that fronts on to the Hertford Union Canal creates a sense of definition, that definition being the hard edge that these buildings create. The proposed development would not result in any change to this sense of definition in terms of the scale of the subject building or views along the canal edge from the park. Block B will maintain the hard built edge that fronts onto the canal and therefore retains this sense of definition.
- 7.24 The proposed height would be limited to the height of the existing pitched roof; therefore the proposals would have limited impact on views to and from the Victoria

Park. The Victoria Park Conservation Area Appraisal does not exclude development from taking place on the site; the addendum relates primarily to existing terraces, therefore given that the subject buildings are not terraced buildings, the impact of the proposed roof extension on this Conservation Area would be limited and not considered to present any significant discernible impact to the surrounding urban form. The overall proposed height of the development would be 5 storeys with a setback 5<sup>th</sup> floor. In close proximity of site are buildings in Gun Wharf ranging from 3 to 7<sup>th</sup> floor and to the west are buildings ranging from 2 -22 storeys. Overall, it is considered that the development would sit comfortably within the prevailing pattern of built form in the locality.

- 7.25 The nature of the proposals to the buildings in terms of height and design would ensure that the streetscene and views along the canal and from Victoria Park would not be adversely affected, and the overall scale of the development would be considered modest in terms of the changes to the building.
- 7.26 The development would be subservient with regards to bulk and scale to surrounding area, having regard to the surrounding built context and as such the proposed massing would have no adverse impact upon the visual character or significance of the Victoria Park Conservation Area.

#### Design and materials

- 7.27 The existing buildings are contemporary buildings, with block A readily visible from the Old Ford Road while block B would be visible from Victoria Park and the canal tow path. The proposal has been designed so that it minimises its impact upon the views from the tow path with the extension being inset and wholly contained within the existing roof slope. The proposed development would maintain the views from the site with no numerical increase in height when compared against the maximum ridge height of either of the blocks. The development takes advantage of the existing roof space above the existing buildings in order to create eight new residential apartments, taking the advantage of the existing views. The proposed design is considered to be sensitive in its approach and subservient to host buildings.
- 7.28 The current proposal would raise the front brick wall up to the level of the existing gables at each end of block B, continuing the existing stone capping details around the front of the building. The parapet effect, whilst distinct from the pitch roof character to the west, would enable a more coherent look with the adjoining neighbour (Citrine apartments – Gunmakers Lane) to the east.
- 7.29 The northern façade of Block A is designed with a shadow gap between the roof and wall materials to create a 'reveal' to the façade. The glazing introduced to the corners of the northern elevation further articulates the façade.
- 7.30 The proposals include increasing the gridded curtain walling panels, and removing the existing single pane windows servicing the third floor cores. The proposal would create a more interesting regular fenestration pattern to the façade that would reflect and build upon the general design ethos of the existing development to maintain and provide a unified design approach between existing and proposed.
- 7.31 The proposed screened roof terraces, which benefit from a canopy, are set towards the southern side of Block A and north-western side of Block B of the development making use of the existing views of the development.
- 7.32 The south side elevations of the proposed extensions have incorporated solar shading into the design to ensure the extension follows an environmental strategy

that will decrease the need for mechanical intervention; supporting a more sustainable development.

- 7.33 Whilst there are alterations proposed to the host buildings, they would retain their existing materiality and appearance, whilst the proposed fourth floor extensions would use metal cladding and glazed materials. The proposed materials follow those of the neighbouring buildings.
- 7.34 It is considered that the proposed development is of an architectural style which reinforces its own distinct character whilst promoting the local distinctiveness of the surrounding area. The height, bulk, scale and massing of the development is considered to be appropriate to its local setting, and the design and materials used for buildings are high quality which would help to positively enhance local character. The development would preserve the character and appearance of the Victoria Park Conservation Area pursuant of the Planning (Listed Building and Conservation Areas) Act 1990 and the requirements of Policy DM27 of the adopted Local Plan.
- 7.35 A planning condition requiring all external materials to be approved would be attached to any planning consent, In addition a compliance planning condition would be imposed requiring the whole of the development to be externally complete and finished externally in accordance with the agreed facing materials prior to the occupation of any of the new residential floorspace. This latter condition shall ensure the proposed scheme maintains the architectural integrity of the host buildings and for the proposals to preserve the character of the conservation area. The applicant has set out in writing the proposed compliance condition is appropriate in this instance.

#### **Quality of Residential Accommodation**

- 7.36 The proposal would provide a balance of housing types including family unit (4 x 1b2p, 1 x 2b3p, 2 x 2b4p and 1 x 3b4p), this would be acceptable in accordance with policy.

#### Internal space

- 7.37 The Mayor of London's Housing SPG provides advice on the quality expected from new housing developments with the aim of ensuring they are "fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the changing needs of occupants throughout their lifetime". The document reflects the policies within the London Plan but provides more specific advice on a number of aspects including the design of open space, approaches to dwellings, circulation spaces, internal space standards and layouts, the need for sufficient privacy and dual aspect units.
- 7.38 The proposed eight units would comply with nationally described internal space standards in regards to minimum gross floor areas and floor to ceiling heights (minimum 2.5m height).
- 7.39 All units within the proposed development would be dual aspect, enjoying adequate level of light from the north and southern elevations. In addition, all units would have private amenity space in form of terraces. Given the proposed layout and the location of site, no loss of privacy or outlook to prospective occupiers is envisaged. The proposals would comply with the London Housing SPG, and therefore acceptable.

#### External Space

7.40 Policy DM4 of the Managing Development Document (2013) sets out that a minimum of 5sqm private open space is required to be provided for 1-2 person dwellings with an extra 1sqm needed for each additional occupant. Balconies should have a minimum width/depth of 1.5m. The proposal provides a policy compliant amount of private open space in the form of roof terraces to all units proposed.

### **Neighbouring Amenity**

7.41 The Council's Core Strategy policy SP10 (4) states that the Council will ensure development protects amenity, and promotes well-being (including preventing loss of privacy and access to daylight and sunlight); and uses design and construction techniques to reduce the impact of noise and air pollution. Policy DM25 (1A & 1E) of the Council's Managing Development Document (2013) seeks to ensure that development does not result in an unacceptable increased sense of enclosure or create unacceptable levels of noise, odour or fumes during the construction and life of the development.

7.42 The proposed development would not compromise neighbours' privacy nor result in undue overlooking. It would have no undue effect on outlook and sense of enclosure to neighbouring properties, given the scale, design and location in relation to nearby properties. Similarly, the development would have no impact with respect to moored narrow boats. Block A is set sufficiently far away from the adjacent buildings; therefore, no adverse amenity impact is envisaged.

7.43 The proposed layout with terraces would not harm the amenity of neighbours in terms of noise and general disturbances, given that the development would be designed to meet the building regulations requirements. Applicant also confirmed that a pre-completion sound testing would be carried out; this can be achieved via condition to ensure compliance.

7.44 Although no daylight/sunlight report was submitted with the proposals, however, given the roof location of the proposals and the separations distances in relation to neighbouring properties, no amenity impact on the daylight and sunlight of nearby properties is envisaged.

7.45 The proposed construction works would be required to comply with the Council's Code of Construction Practice and standard construction hours. A degree of disturbance to the neighbours is inevitable as with any construction project, however this would be limited through the use of conditions. Any obstruction of access would require a licence from the Council's highways department. The structural integrity of site would be safeguarded appropriately through the building control process.

7.46 Air quality impacts of the operational development would be negligible, given the scale of development.

### Other

7.47 The buildings have no significant existing biodiversity value, and the bat report submitted conclude that the buildings are not suitable for bats. However, the proposal should install biodiverse green roofs and other biodiversity enhancements in order to improve the biodiversity value on site in accordance with Policy DM11. Suitable conditions proposed for proposals to be policy compliant.

7.48 Applicant confirmed that the existing security of the site would not be compromised. Following discussion with officers, the proposals has been amended to omit the

proposed insertion of lift, retain and make useable the existing dry riser and the proposed painting of the windows and rainwater goods in black.

- 7.49 The scale of the development would not trigger the requirement for new on-site chilpplay space, and the Victoria Park is within a close proximity of site.
- 7.50 Applicant confirmed that all major external works would be funded by the applicant as against residents' assertion.
- 7.51 Other issues raised by locals resident in terms of increase in insurance; devaluation of existing flats; compensation to existing residents; overcrowding are not material consideration under the application.

### **Transport and Servicing**

- 7.52 According to paragraphs 108 and 110 of the NPPF local planning authorities should take account of whether safe and suitable access to the site can be achieved for all people; and whether development creates safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and avoid street clutter.
- 7.53 Policy 6.3 of the London Plan states that development proposals should ensure that impacts on transport capacity and the transport network, at both corridor and local level are fully assessed. Development should not adversely affect safety on the transport network.
- 7.54 Although the site has low public transport accessibility (PTAL 2), it is located approximately 1 mile from the Mile End underground station with a number of bus routes within close proximity of site. In addition, the on street CPZ parking is already saturated, and there is no possibility of onsite parking, therefore the proposed scheme is acceptable as a car-and-permit free agreement development, to prevent future occupants from parking on the existing road network – this would be secured by s106 agreement and condition. As such, the impact on the existing road network is considered to be minimal. This is in accordance with policies SP09 and DM22.

### Cycle Parking

- 7.55 12 cycle parking spaces to be provided at the ground floor level for the eight units proposed. The minimum London Plan and Council policy requirements have been met. Subject to approval, a compliance condition will be attached requiring implementation prior to first occupation. Also the proposed management and maintenance details would be required via condition.

### Waste

- 7.56 LP Policy 5.17 requires all new developments to include suitable waste and recycling storage facilities. Policies SP05 and DM14 seek to implement the waste management hierarchy of reduce, reuse and recycle by ensuring that developments appropriately design and plan for waste storage and recycling facilities as a component element.
- 7.57 Refuse and recycling for the new units would be incorporated with existing arrangements. There are five Eurobins serving the existing apartments, current proposal would provide one additional Eurobin and three recycling bins proposed to cater for the new units proposed, this would be policy compliant.

7.58 Given that the proposal is an extension to existing residential blocks, not a new development; it would not be required to provide storage for bulky items, given the scale of the proposal.

### **Human Rights & Equalities**

7.59 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.

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

### **Conclusion**

7.61 The proposed development would not harm the setting of the Grade II\* listed Three Colts Bridge, the Grade II\* listed Victoria Park and other heritage assets in close vicinity of site, and would continue to enhance and preserve the character and appearance of the wider conservation area, whilst not adversely impacting on the amenity of neighbouring occupiers.

7.62 The proposals would result in the provision of 8 much needed residential units.

## **8. RECOMMENDATION**

8.1 That **conditional planning permission is GRANTED** subject to relevant planning conditions.

### **8.2 Planning Conditions**

#### Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Prior to occupation of the consented scheme the development shall be completed in full with respect to the approved external facing materials.
4. Restrictions on demolition and construction activities:
  - a. All works in accordance with Tower Hamlets Code of Construction Practice;
  - b. Construction Hours;
  - c. Air quality standards for construction machinery;
  - d. Ground-borne vibration limits; and
  - e. Noise pollution limits.

#### Pre-commencement

The inclusion of the following pre-commencement conditions has been agreed in principle with the applicants, subject to detailed wording:

5. Samples and details of all facing materials including construction methodology
6. Section 106 – Car-free agreement
7. Details of biodiverse roofs, lighting and other enhancements
8. Construction Environmental Management Plan and Construction Logistics Plan (in consultation with TfL):

- a. Site manager's contact details and complain procedure;
- b. Dust and dirt control measures
- c. Measures to maintain the site in tidy condition, disposal of waste
- d. Recycling/disposition of waste from demolition and excavation
- e. Safe ingress and egress for construction vehicles;
- f. Numbers and timings of vehicle movements and access routes;
- g. Parking of vehicles for site operatives and visitors;
- h. Travel Plan for construction workers;
- i. Location and size of site offices, welfare and toilet facilities;
- j. Erection and maintenance of security hoardings;
- k. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
- l. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.

### **8.3 Informatives**

1. Permission subject to legal agreement pertaining car free agreement.
2. Development is CIL liable.
3. Canal & River Trust

## APPENDIX 1

### Drawings and supporting documents

- 0100 – Site Location Plan
- 0101 – Existing Site Plan
- 0102 – Proposed Site Plan
- 0120 – Block A Demolition Plans
- 0121 Rev A – Block B Ground & First Floor Demolition Plans
- 0122 Rev A – Block B Second & Third Floor Demolition Plans
- 0123 – Block B Roof Demolition Plans
- 0130 – Block A Demolition Elevations
- 0131 – Block B NW & SE Demolition Elevations
- 0132 – Block B NE & SW Demolition Elevations
- 0200 – Block A Existing & Proposed Ground & First Floor Plans
- 0201 – Block A Existing & Proposed Second & Third Floor Plans
- 0202 Rev A – Block A Existing & Proposed Fourth & Roof Plans
- 0210 Rev A – Block B Existing & Proposed Ground Floor Plan
- 0211 Rev A – Block B Existing & Proposed First Floor Plan
- 0212 Rev A – Block B Existing & Proposed Second Floor Plan
- 0213 Rev A – Block B Existing & Proposed Third Floor Plan
- 0214 Rev A – Block B Existing & Proposed Fourth Plan
- 0215 – Block B Existing and Proposed Roof Plan
- 0300 Rev A – Block A Existing & Proposed North & East Elevation
- 0301 Rev A – Block A Existing & Proposed South & West Elevation
- 0310 Rev A – Block B Existing & Proposed North West Elevation
- 0311 Rev A – Block B Existing & Proposed South East Elevation
- 0312 Rev A – Block B Existing & Proposed SW & NE Elevations
- 0400 – Block A Existing & Proposed Sections
- 0401 – Block B Existing & Proposed Long Sections
- 0402 – Block B Existing & Proposed Short Sections
- 0500 – Bin & Cycle Store Details
- 0700 Rev A – 3D View – Street side
- 0701 Rev A – 3D View – Block B from car park
- 0702 Rev A – 3D View – Canal side
- 0703 Rev A – 3D View – Block A from car park
- 704 – 3D View – Terrace railings
- Design and Access Statement, Empire Wharf Rev B dated February 2019, prepared by AWW Inspired environment.
- DLBLP Letter to LPA dated 03.06.19
- DLBP Planning and Heritage statement, dated February 2019.

## Appendix 2: RELEVANT PLANS

### Figure 1: Block A - Existing North Elevation



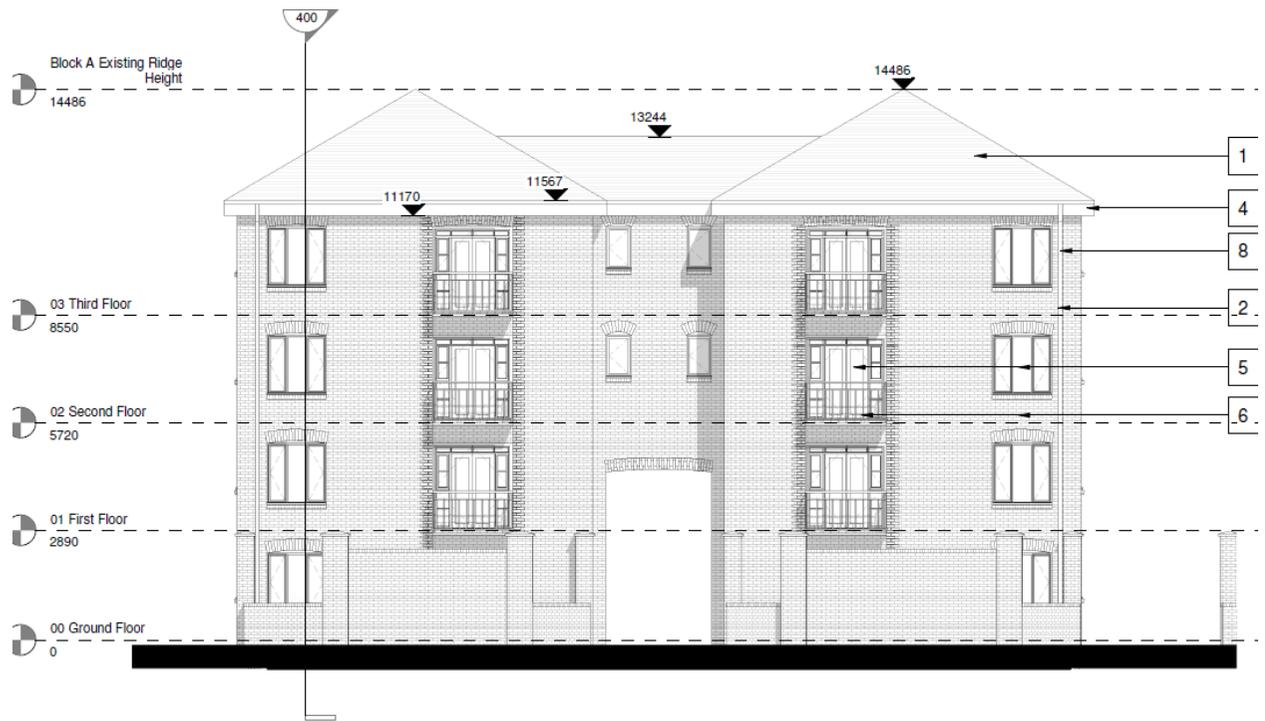
**Block A Existing North Elevation**  
1 : 100

**Figure 2: Block A - Proposed North Elevation**



**Block A Proposed North Elevation**

**Figure 3: Block A – Existing South Elevation**



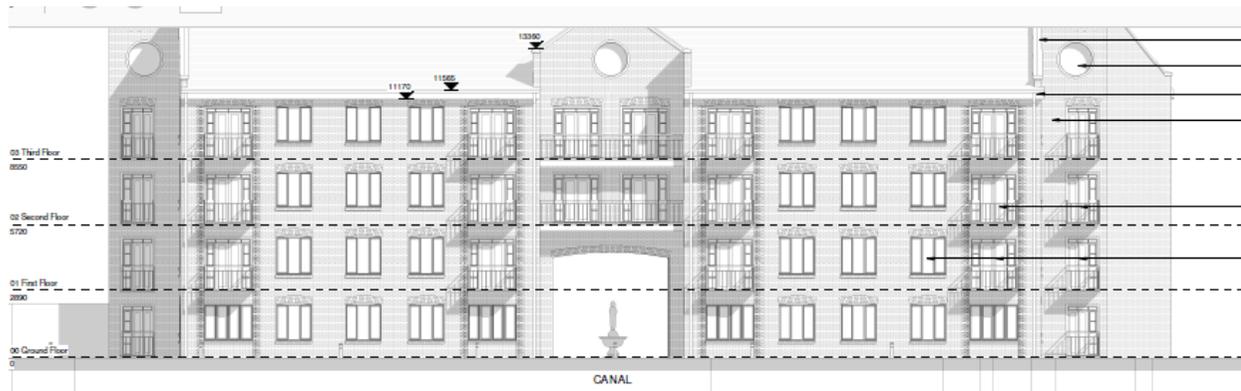
**Block A Existing South Elevation**  
1 : 100

**Figure 4: Block A - Proposed South Elevation**



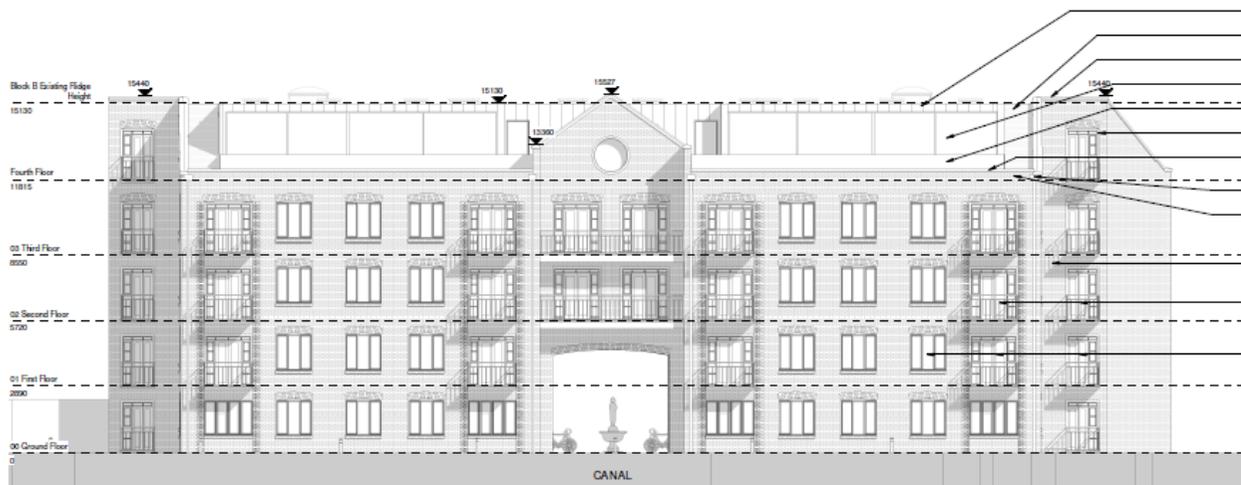
**Block A Proposed South Elevation**  
1 : 100

**Figure 5: Block B- Existing and Proposed North West Elevations**



**ck B Existing North West Elevation**

00



**Figure 6: Block B – Existing and Proposed South East Elevations**



**Block B Existing South East Elevation**  
1 : 100



**Figure 7: 3D View – Block A Street side (Existing and Proposed)**



Photograph from site



Rendered View of Existing



**Figure 8: 3D View – Block A from Car Park (Existing and Proposed)**



Photograph from site



Rendered View of Existing



**Figure 9 – 3D View from Car Park – Block B (Existing and Proposed)**



Photograph from site



Rendered View of Existing



Figure 10 – 3D View from canal side – Block B (Existing and Proposed)



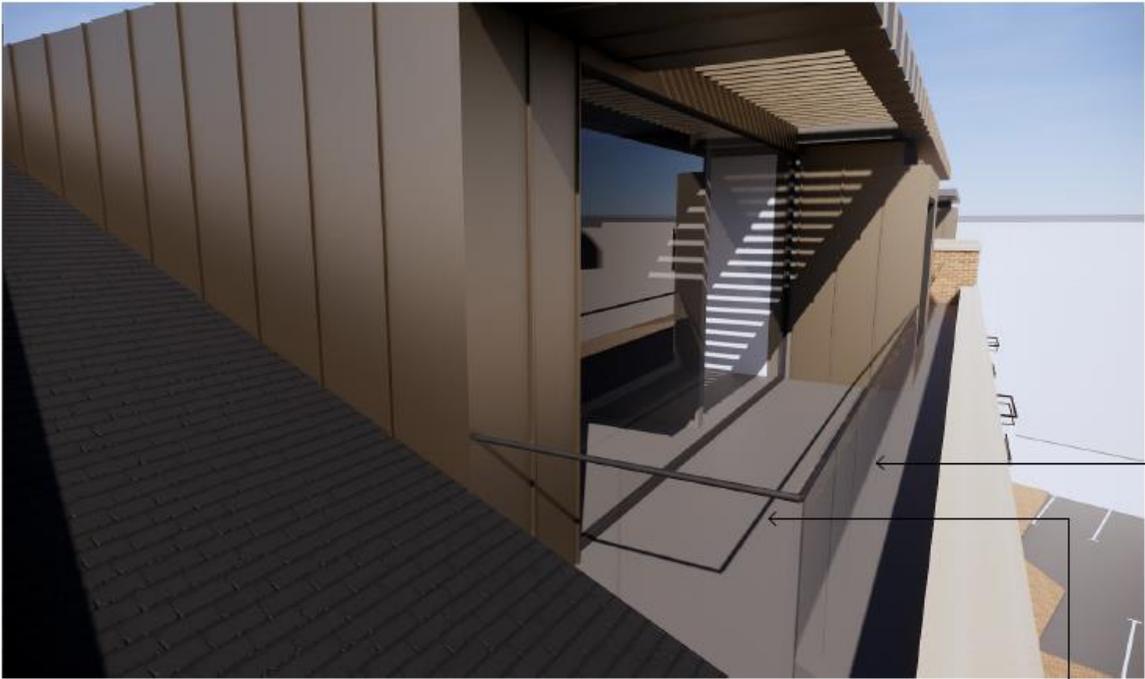
from site



Rendered View of Existing



**Figure 11 – Terrace Railings**

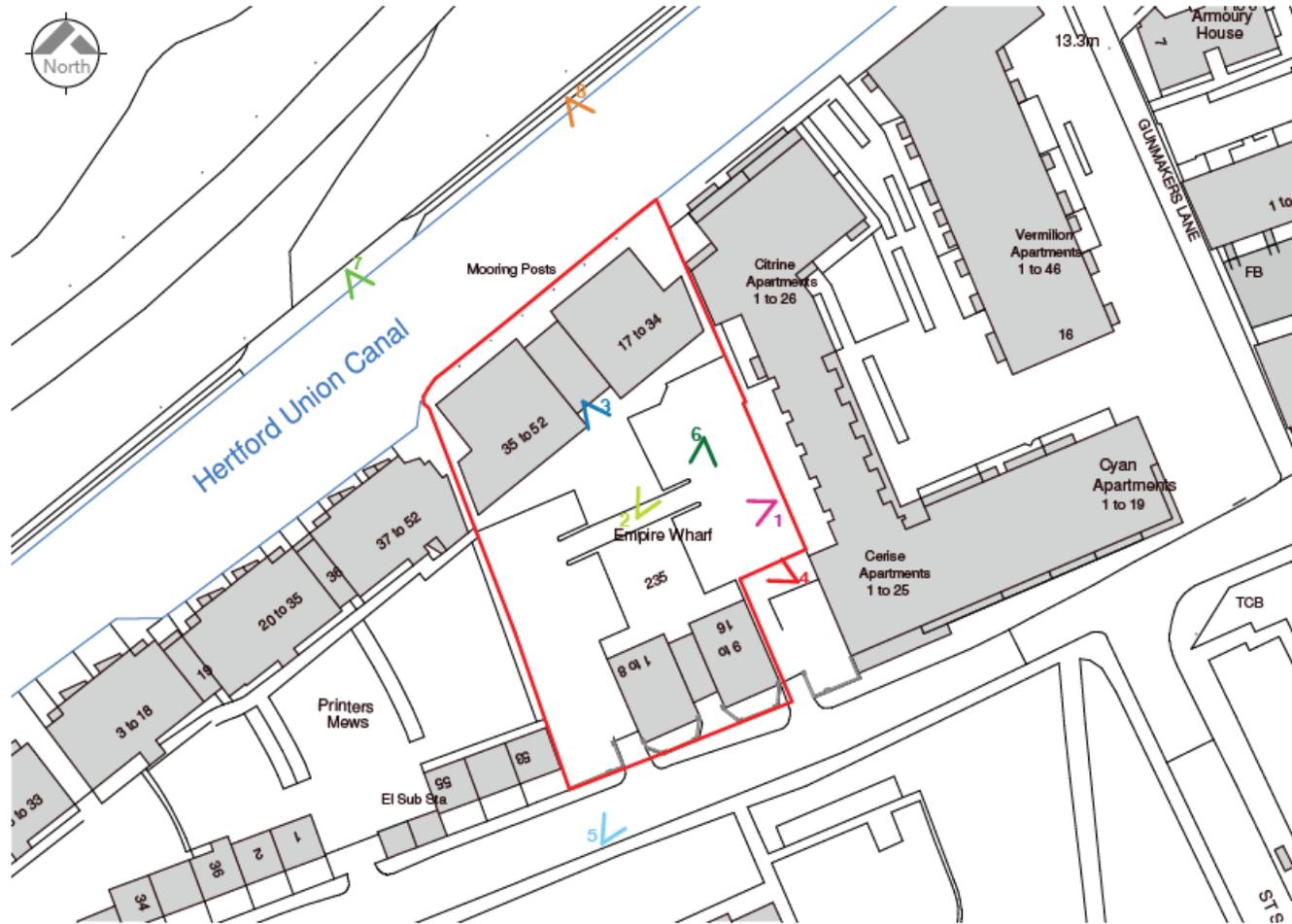


Terrace parapet for drainage channel



Frameless Glass Railings balustrade with metal cap to match window frame

### Appendix 3: PHOTO ORIENTATION MAP



**View 1**



**1. View across site from east side of site**

**View 2**



**2. View of east side of Block B**

**View 3**



**3.** View from north west of site looking at Block A

**View 4**



**4.** View of south facade of Block B

**View 5**



5. View of south facade of Block A (street view)

**View 6**



**6.** View of north facade of Block A

View 7



7. View of west side of Block B from canal tow path

**View 8**



**8.** View of east side of Block B from canal tow path