

<b>Committee:</b> Development Committee	<b>Date:</b> 16 <sup>th</sup> November 2011	<b>Classification:</b> Unrestricted	<b>Agenda Item No:</b> 7.2
<b>Report</b> Corporate Director of Development and Renewal  <b>Case Officer:</b> Mandip Dhillon		<b>of:</b>	<b>Title:</b> Planning Application for Decision  <b>Ref No:</b> PA/11/01796  <b>Ward(s):</b> Millwall

## 1. APPLICATION DETAILS

**Location:** Land at North-west corner of Chapel House Street and Westferry Road, London, E14

**Existing Use:** Vacant/Brownfield site.

**Proposal:** Erection of three storey building to provide 8 self contained residential units (5 x 1 bed, 2 x 2 bed and 1 x 3 bed) together with cycle parking, private amenity space and improvements to existing public open space.

**Drawing No's:** 041 rev A, 042 rev A and 043 rev A.

Supporting documentation

Planning and Impact Statement dated July 2011  
 Design and Access Statement dated July 2011  
 Building Materials dated July 2011  
 Aboricultural Impact Assessment dated 26 April 2011  
 Sustainability statement ref 48220 issue 2  
 Energy statement ref 48220 issue 2  
 Flood Risk Assessment dated 8 July 2011  
 Flood risk Mapping and Data Management Model Review dated 18 October 2011  
 Report on the Availability of Natural Daylighting and Sunlighting dated May 2011

**Applicant:** East End Homes

**Owner:** East End Homes

**Historic Building:** None.

**Conservation Area:** Not in a Conservation Area

**Other designations:** Application site is within a Flood Protection Area.

## 2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Unitary Development Plan, Interim Guidance, associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:

1. The proposal provides an increase in the supply of housing and has an acceptable density and mix of units. As such, the proposal is in line with policies 3.4 and 3.5 of the London Plan 2011, saved policies HSG7 of the Unitary Development Plan 1998,

policies HSG1 and HSG2 of the Interim Planning Guidance 2007, objective S07 and policy SP02 of the Core Strategy September 2010 and national planning guidance contained in PPS3, which seek to encourage new housing and ensure that new developments offer a range of housing choice.

2. The density of the scheme does not result in any of the significant adverse impacts typically associated with overdevelopment and is therefore acceptable in terms of policy 3.4 of the London Plan 2011, saved policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP02 of the Core Strategy 2010 and policies HSG1, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development is sensitive to the capability of a site and that it does not have an adverse impact on neighbouring amenity.
3. The impact of the development on the amenity of neighbours in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure is acceptable given the urban context of the site and as such accords with saved policies DEV1 and DEV2 of the Council's Unitary Development Plan (1998), policy SP10 of the Core Strategy 2010 and policies DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to ensure development does not have an adverse impact on neighbouring amenity.
4. The building height, scale, bulk, design and relationship of the proposed development are acceptable and accord with policy 3.5 of the London Plan 2011, policies DEV1, DEV2 of the Council's Unitary Development Plan (1998) and policies DEV1, DEV2, DEV3 and DEV4 of the Council's Interim Planning Guidance (2007) and policy SP10 of the Core Strategy 2010, which seek to ensure buildings are of a high quality design within the borough.
5. Transport matters, including parking, access and servicing, are acceptable and accord with policies 6.1, 6.3, 6.9, 6.10 and 6.13 of the London Plan 2011, saved policies T16 and T18 of the Council's Unitary Development Plan (1998), policy SP09 of the Core Strategy 2010 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport options.
6. Sustainability matters, including energy, are acceptable and accord with policies 5.2 and 5.7 to 4A.7 of the London Plan 2011, policy SP11 of the Core Strategy 2010 and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.

### **3. RECOMMENDATION**

- 3.1 That the Committee resolve to **GRANT** planning permission subject to the imposition of conditions and informatives.
- 3.3 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

#### **Conditions:**

##### Conditions

1. Time Limit – 3 years
2. Compliance with plans and documents
3. Car and permit free agreement
4. Submission of contamination report
5. Cycle parking to be provided as shown on drawing no 42 rev A
6. Contaminated land survey

7. External facing materials to be provided in accordance with the details submitted with the application
8. Detail of landscaping and scheme of proposed communal lighting, Landscape Maintenance and Management Plan specifying the use of native species.
9. Construction Management Plan
10. All residential accommodation to be completed to lifetime homes standards plus at least 10% wheelchair accessible
11. Implementation of sustainable design and renewable energy measures
12. Hours of construction (08.00 until 17.00 Monday to Friday; 08.00 until 13:00 Saturday. No work on Sundays or Bank Holidays)
13. Detail of Highway Works to be completed through S278 agreement
14. Tree protection plan to be implemented in accordance with details submitted
15. Provision of a replacement tree
16. Replacement of any new or existing trees which die within 5 years of the proposed works
17. All flank elevation windows the rear elevation facing 413-417 Westferry Road shall be provided as obscure glazed.
18. The finished floor levels of the new dwellings will be set no lower than 2.495m AOD.
19. Any other planning condition(s) considered necessary by the Corporate Director Development & Renewal

### **Informatives**

- 1) Section 278 / S72 required
- 2) Thames Water advice regarding private drainage and water pressure
- 3) Applicant advised to contact LBTH Building Control team.

## **4. PROPOSAL AND LOCATION DETAILS**

### **Proposal**

- 4.1 The application proposes the erection of a three storey residential block which will have its main elevation onto Chapel House Street. The flank elevation of the property will be located on to Westferry Road.
- 4.2 The proposal also includes proposed improvement works to an area of landscaping located to the rear of the site. The area of open space is bound by the rear of the proposed new build development and Transom Square. This area will be re-landscaped and planting is proposed within this space. No boundary fencing is proposed around this open space/landscaped area.
- 4.3 The proposed residential development would provide 8 residential units (use class C3) all of which will be provided with private amenity space. The proposal includes landscaping improvements and cycle parking.

### **Site and Surroundings**

- 4.4 The application site is a rectangular parcel covering an area of (600sq.m) 0.06 hectares. The site is bound by Westferry Road to the south of the site, Chapel House Street to the east of the site and Transom Square to the west of the site. The northern boundary of the site runs along the boundary of existing residential properties located at Chapel House Street and Transom Square.
- 4.5 The existing site comprises two separate areas. The eastern part of the site is an area of hard standing, formerly a site compound and car park. The car park use ceased in 2005 and the land was later used as a site compound to facilitate housing decant programme by the applicants. Following the completion of the decant programme, the site has been locked and

under utilised. The area to the west is an area of existing housing amenity land which comprises 6 mature trees and a footpath which provides pedestrian access to 413-417 Westferry Road.

- 4.6 The site lies within a predominantly residential area, characterised by low rise residential dwelling houses to the north of Westferry Road and slightly higher rise housing to the south of Westferry Road. On the opposite side of the Chapel House Street frontage comprises some commercial land uses along Westferry Road which is an undesignated shopping parade serving the local area.

### **Planning History**

- 4.8 There are a number of old planning permissions dating from the 1980s and 1990s relating to the site, however, the majority are not relevant to this planning application.
- 4.9 413-417 Westferry Road (Former address Chapel House Street)
- 4.10 PA/73/453 – An application was made by the LB Tower Hamlets for the erection of residential development comprising Blocks A, B and C; Granted 23<sup>rd</sup> January 1975.
- 4.11 PA/75/430- Residential development comprising two and three storey houses and three storey flats; Granted 22<sup>nd</sup> October 1975.

## **5. POLICY FRAMEWORK**

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

### **Unitary Development Plan 1998 (as saved September 2007)**

Policies:	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV12	Provision Of Landscaping in Development
	DEV50	Noise
	DEV51	Contaminated Soil
	DEV55	Development and Waste Disposal
	DEV56	Waste Recycling
	HSG7	Dwelling Mix and Type
	HSG13	Internal Space Standards
	HSG15	Development Affecting Residential Amenity
	HSG16	Housing Amenity Space
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network
	T21	Pedestrians Needs in New Development

### **Core Strategy 2010**

Strategic Objectives:	S07	Urban Living for Everyone
	S08	Urban Living for Everyone
	S09	Urban Living for Everyone
	SO10	Creating Healthy and Liveable Neighbourhoods
	SO14	Dealing with waste
	SO19	Making Connected Places
	SO20	Creating Attractive and Safe Streets and Spaces

SO21	Creating Attractive and Safe Streets and Spaces
SO22	Creating Distinct and Durable Places
SO23	Creating Distinct and Durable Places
SO24	Working Towards a Zero Carbon borough
SO25	Delivering Placemaking

Spatial Policies:	SP02	Urban Living for Everyone
	SP03	Creating Healthy and Liveable Neighbourhoods
	SP05	Dealing with waste
	SP08	Making connected Places
	SP09	Creating Attractive and Safe Streets and Spaces
	SP10	Creating Distinct and Durable Places
	SP11	Working Towards a Zero Carbon Borough
	SP12	Delivering Placemaking

### **Interim Planning Guidance for the purposes of Development Control (October 2007)**

Policies:	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV12	Management of Demolition and Construction
	DEV13	Landscaping and Tree Preservation
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV22	Contaminated Land
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing
	HSG5	Estate Regeneration Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Affordable Housing

### **Supplementary Planning Guidance/Documents**

Designing Out Crime Parts 1 and 2

### **Spatial Development Strategy for Greater London (London Plan) 2011**

Policies:	3.3	Increasing Housing Supply
	3.4	Optimising Housing Potential
	3.5	Quality and Design of Housing Developments
	3.8	Housing Choice
	5.2	Minimising Carbon Dioxide Emissions
	5.3	Sustainable Design and Construction
	5.7	Renewable Energy
	5.11	Green Roofs and Development Site Environs
	5.12	Flood Risk
	5.13	Sustainable Drainage

5.14	Water Quality and Wastewater Infrastructure
6.1	Strategic Approach
6.3	Assessing Effects of Development on Transport Capacity
6.9	Cycling
6.10	Walking
6.11	Smoothing Traffic Flow and Tackling Congestion
6.13	Parking
7.2	An Inclusive Environment
7.3	Designing out crime
7.4	Local Character
7.5	Public Realm
7.6	Architecture

### **Government Planning Policy Guidance/Statements**

NPPF	Draft National Planning Policy Framework
PPS1	Delivering Sustainable Development
PPS3	Housing
PPS23	Planning and Pollution Control
PPS25	Development and Flood Risk

**Community Plan** The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity

## **6. CONSULTATION RESPONSE**

6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

### **Environment Agency (Statutory Consultee)**

6.2 The Environment Agency have stated that they have no objection to the development subject to conditions

The finished floor levels of the new dwellings will be set no lower than 2.495m AOD.  
Reason: To minimise the risk of flooding to the new dwellings and their occupants including in the unlikely event of a failure of the Thames Tidal flood defences.

*(Officer Comment: A condition to cover the planning issues raised by the Environment Agency would be placed on any permission.)*

### **LBTH Highways**

6.3 Highways raise no objection to the redevelopment of the car park as it has not been used for over 5 years. Highways has no objection in principle to the development, subject to the following conditions:

- car and permit free agreement
- cycle storage to be provided as shown and retained
- S278 agreement

*(Officer Comment: Conditions to cover the planning issues raised by the Highways would be placed on any permission.)*

Concerns have been raised as there is no disabled parking provided at the application site.

*(Officer Comment: Whilst the development proposes no disabled parking, disabled residents are able to apply for 'blue badges' and designated bays can be restricted for their sole use located directly outside their premises.)*

#### **LBTH Environmental Health- Contaminated Land**

6.4 It is noted that the site has been subjected to former industrial uses which have the potential to contaminate the area. As a result a condition requiring the submission of details has been requested.

*(Officer Comment: Conditions to cover the planning issues raised by the Environment Health would be placed on any permission.)*

#### **LBTH Energy Efficiency Unit**

6.5 Energy efficient boilers and 36sqm of PV Panels are proposed at the site providing a CO2 reduction of 23.67% which accords with adopted energy policies.

With regard to sustainability, the applicants are only able to achieve a code level 3 due to the building design and orientation, and due to the constrained nature of the site and the need to provide non-habitable rooms to the south and west, a higher code level cannot be achieved.

*(Officer comment: On balance, the Code level 3 is considered to be acceptable as it is necessary to reduce the impact of loss privacy upon existing residents.)*

#### **Association of Island Communities**

6.6 No comments received to date

#### **Burrell's Wharf Tenants Association**

6.7 No comments received to date

#### **Westferry Tenants Association**

6.8 No comments received to date

#### **Chapel House Tenants Association**

6.9 No comments received to date

### **7. LOCAL REPRESENTATION**

7.1 A total of 60 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised at the application site.

The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No. of individual responses: 13      Against: 12      In Support: 1

No. of Petitions                      Against: 1 (22 signatures)

## **Objections**

### 7.2      Density and land use

- When was the play area and car park use lost and why.

*(Officer comment: The site was transferred from LB Tower Hamlets to East End Homes in 2006 at which time the use of the land as a car park ceased. It is understood that there this was an area of informal parking as opposed to permit holder parking as there is no planning history for car parking at the site.)*

- Overdevelopment and impact on local infrastructure including transport, schools, doctors etc.

*(Officer comment: The application site is a windfall housing site providing much needed housing within the borough; this is discussed further within the body of the committee report.)*

- Loss of open space/child play area

*(Officer comment: Whilst the area may have historically been an informal child's play space, this appears to have also been a use which is historic and ceased following the transfer of land.)*

- Loss of designated Public Open Space

*(Officer comment: The application site is not designated Public Open Space.)*

- Insufficient family homes

*(Officer comment: The constrained nature of the site has led to this design solution which is discussed within the 'Housing' section of this report below.)*

### 7.3      Design

- Three storeys is out of character with the two storey developments on Chapel house Street
- Materials are unsympathetic to the site and surrounding area
- Design does not reflect the pitched roof designs of the local area.

*(Officer comment: Design is somewhat subjective and is discussed in detail below, however this corner site is surrounded by a variety of properties of different designs.)*

- The proposal sites serves as an important view into the conservation area

*(Officer comment: It is acknowledged that the conservation area lies to the north of the application site, however it is some distance from the site and the characteristics of the conservation area are very different to those of the application site.)*

- Access should be maintained into the rear of 1 Chapel House Street and be well lit. Sufficient passage above ground floor level should be provided for maintenance and repair of brickwork.

*(Officer Comment: Access at ground floor level is maintained providing entrance into the rear of 1 Chapel house Street. The property is built to the boundary at upper floor levels however the maintenance of the roof and access to the property can still be gained via the front and side/rear entrance to the site.)*

### 7.4      Amenity Impacts

- Noise and disruption during construction process

*(Officer comment: the Council is able to impose conditions on the hours of construction at the site and as part of Building Regulations the applicants are required to adhere to the practices of the Considerate Constructors Scheme.)*

- Loss of light to 1 Chapel House Street and neighbours to the rear

*(Officer comment: the rear elevation of the proposed residential development follows the building line of the existing property at 1 Chapel House Street. As a result of this there will be*



no loss of daylight or sunlight to the habitable rooms at 1 Chapel House.)

- Loss of privacy

*(Officer comment: The applicants have sought to design the internal layout to provide non-habitable rooms to the rear of the site where there are likely impacts of loss of privacy. The Council is also able to seek to secure obscure glazed fenestration in this location. A suitably worded condition will be imposed on any planning consent issued.)*

- Noise generated by proposal

*(Officer comment: The proposal is a residential development and therefore is unlikely to raise substantial noise generation over and above the existing residential properties in the area.)*

- Loss of Tree T1

*(Officer Comment: Whilst the independent survey identifies the loss/felling of one tree, a condition will be imposed for the replacement of this tree and the proposal also includes landscaping uplift works to this public space to the west of the site.)*

#### 7.5 Highway Impacts

- Increase in on-street parking

*(Officer comment: The application proposes a car and permit free development which will prevent the exacerbation of cars in the area and will create the use of more sustainable forms of transport.)*

- Safety of pedestrian traffic with increased traffic

*(Officer comment: The application proposes a car and permit free development which will prevent the exacerbation of cars in the area.)*

#### **Support**

7.6

- Positive use of an underused site
- Materials are appropriate to the context of the site and surroundings
- Scale of development is appropriate to the local context
- Welcome landscaping improvements- impose condition requiring replacement of dead plants.

*(Officer comment: A condition for a Landscape Management and Maintenance Plan will be imposed on any planning permission granted.)*

7.7 The following issues were raised in representations that are not considered material to the determination of the application:

7.8

- Proposal has caused anti-social behaviour in Julian Place

*(Officer comment: currently the application brownfield site is locked and under utilised)*

### **8. MATERIAL PLANNING CONSIDERATIONS**

8.1 The application has been fully reconsidered against all relevant policies under the following report headings:

8.2

1. Land-use
2. Housing
3. Design
4. Amenity for future occupiers
5. Amenity of neighbouring occupiers
6. Transport Impacts
7. Other

#### **Land-use**

8.3 The application site has no specific designations in the adopted Unitary Development Plan 1998 or the Interim Planning Guidance 2007. The application proposes a residential development comprising 8 residential units (Use Class C3) on a brownfield site.

#### Redevelopment of under utilised site

8.4 Whilst the application site is undesignated, it would appear that the main issue arising at the site is the loss of this site which was formerly used as an informal car parking provision and a children's play area.

8.5 The application site has no current or historic site designations as public open space. No planning applications have been linked to nor implemented on the site safeguarding it as car parking for any particular development.

8.5 The application site is therefore considered to be a brownfield site which is appropriate for development subject to other planning policies in accordance with PPS3 (Housing) and policy SP02 of the Core Strategy 2010.

#### Principle of a residential use

8.7 With regard to the principle of proposing housing at this brownfield site, the site is located within an area which is already predominately residential and will therefore provide a suitable environment for future residents. The provision of additional housing is a key aim of national, regional and local planning policy and the proposal would accord with policies 3.3, 3.4 of the London Plan 2011 and objective S07 and policy S08 of the Core Strategy 2010 which seek to maximise the supply of housing.

#### **Density of Development**

8.8 National planning guidance in PPS1: Sustainable Development and PPS3: Housing stresses the importance of making the most efficient use of land and maximising the amount of housing. This guidance is echoed in the requirements of London Plan Policy 3.4, which requires development to maximise the potential of sites, and policy 3.5. Objective S07 and policy SP02 of the Core Strategy 2010 and policy HSG1 of Interim Planning Guidance (2007) also seek to maximise residential densities on individual sites subject to acceptable environmental impacts and local context.

8.9 In an urban area with a PTAL of 3, the London Plan states that a density range of 200 – 450 hr/ha is appropriate.

8.10 The site has an area of 0.06 ha (600sq.m). The application proposes to develop part of the site which will create an overall residential density of 333 habitable rooms per hectare. This is within the density ranges of the application site. For information purposes, the density of the development has also been calculated excluding the area of open space which is being re-landscaped. This area of the site located to the east measures 0.03 ha and creates an overall density of 666 habitable room's pre hectare.

8.11 In the simplest of numerical terms, the proposed density of the smaller portion of the site to the east would appear to suggest an overdevelopment of the site. However, the intent of the London Plan and the Council's Interim Planning Guidance is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity.

8.12 However, it should be noted that solely exceeding the recommended range is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that the high density value was symptomatic of an overdevelopment of the site. Policy HSG1 of the Interim Planning Guidance seek to maximise residential densities on individual sites taking into consideration:-

- Local context and character
- Residential amenity
- Site accessibility
- Housing mix and type
- Achieving high quality, well designed homes
- Maximising resource efficiency
- Minimising adverse environmental impacts
- The capacity of social and physical infrastructure and open spaces; and
- To ensure the most efficient use of land within the borough

Some of these specific factors are considered in detail in later sections of the report.

8.13 In the case of this proposal it is considered that

- The proposal is of a particularly high quality that responds to the local context by delivering a positive relationship to Westferry Road and Chapel House Street area.
- The proposal does not result in any of the adverse symptoms of overdevelopment with regard to amenity.
- The proposal provides good quality homes within the borough.
- The proposal makes an efficient use of an under-utilised brownfield site.

8.14 There are numerous examples of developments where the Council has accepted a density above the suggested range, where it has been demonstrated that there are no adverse impacts from a development. In overall terms, Officers are satisfied that the development makes the most efficient use of land. The proposed development has no significant adverse impacts and accords with the aims of London Plan policy 3.4, policies S07 and SP02 of the Core Strategy 2010 and IPG policy HSG1.

## Housing

8.15 The application proposes 8 private/market residential (Class C3) units at the application site. This section of the report considers the acceptability of the housing provision on site in terms of the mix of dwellings sizes and provision of lifetime homes.

### Mix of dwelling sizes

8.16 Saved policy HSG7 of the UDP (1998) requires development to provide a mix of unit sizes and this is reflected in London Plan policy 3.8 also requires development to offer a range of housing choice and Core Strategy policy S08. Policy SP02 of the Core Strategy 2010 and Interim Planning Guidance policy HSG2 specify the particular mix of unit sizes required across different tenures in the Borough.

8.17 Housing Mix in IPG policy HSG2 details the mix of units required in the residential properties. Policy SP02 seeks an overall provision of 30% family housing in new development proposals. These figures and the breakdown of the proposed accommodation are shown in the table below: -

Housing Mix- Proposed Development

Unit Size	No. Units	IPG Target %	Core Strategy Target %	Proposed %
1 Bed	5	75%	70%	87.5%
2 Bed	2			

<b>3 Bed</b>	1	25%	30%	12.5%
<b>Totals</b>	<b>8</b>	<b>100</b>	100	100

8.18 The proposed housing mix provides an excess of one and two bedroom units against the policy target and an under provision of family units. Whilst a more policy compliant scheme could be sought at the site, due to the site constraints of site size and orientation, it is not considered that the development could achieve a more family units. Mitigation to provide a suitable layout to ensure the privacy of adjoining residents has been a restriction at the site, alongside providing private amenity space for each residential unit, which are important features for this development. The proposal is considered acceptable and compliant with policies HSG2 of the IPG 2007 and SP02 of the Core Strategy 2010.

#### Lifetime Homes

8.19 Policy HSG9 of the IPG 2007 requires housing to be designed to 'Lifetime Homes' standards.

8.20 The proposed accessible units are considered to be adaptable and comply with lifetime homes standards and meet the requirements of IPG policy HSG9.

#### **Design**

8.21 Good design is central to the objectives of national, regional and local planning policy. Policy 3.5 of the London Plan provides guidance on the quality and design of housing developments and specifies a number criterion aimed at achieving good design. These criterion are reflected in saved policies DEV1 and DEV2 of the UDP; objectives SO20, SO21, SO22, SO23 and policy SP10 of the Councils Core Strategy 2010 and IPG policies DEV1 and DEV2.

8.22 These policies require new development to be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials. They also require development to be sensitive to the capabilities of the site.

8.23 Policy DEV2 of the IPG, supported by policy SP10 of the Core Strategy 2010 seeks to ensure new development creates buildings and spaces that are of high quality in design and construction, are sustainable, accessible, attractive, safe and well integrated with their surroundings.

8.24 The proposed building would be a corner development located at the junction of Westferry Road and Chapel House Street, however given the set back of properties along Westferry Road, it will also be highly visible from Transom Square. The proposed development will be one which will be afforded a prominent and visible location along Westferry Road as approached from an east and west bound direction.

#### Design, layout, height, bulk and appearance

8.25 The height of the proposed block has been established to match the character of the buildings along Westferry Road and provide an integration between the Chapel House Street properties which are 2 storeys in height, the 3 storey residential properties at 413-417 Westferry Road and the Westferry Road properties located to the south of the site.

8.26 In principle the height of the proposed scheme is considered to be acceptable as it does not exceed the height of surrounding buildings and is considered to positively integrate with the local streetscene.

8.27 To provide an appropriate massing and integration from the proposal to the Chapel House Street terraced units, the junction of the proposed building has been carefully considered and an integrated balcony is provided at this junction. The proposal by virtue of design and materials, as displayed in the image below makes a positive contribution to the Westferry

Road streetscene.

**Image 1- View West along Westferry Road**



- 8.28 The Chapel House Street terrace and surrounding developments comprise of predominantly brick composition. The proposed development would also use traditional brick combined with modern glazed balustrades and powder coated aluminium framed windows which provide a development which is in-keeping with its surroundings.
- 8.29 The proposed building line along the front elevation of the proposal, along Chapel House street has been set back from the rear of the pavement to provide defensible space and create a prominent entrance core for all units into the proposed residential block. The layout and footprint of the new block aligns with the existing Chapel House Street terrace.
- 8.30 The rear elevation is also highly visible when viewed from Westferry Road and the treatment of this façade is considered to have been suitably designed to reflect the local streetscene.

**Image 2- View East along Westferry Road**



- 8.31 A secure boundary line is provided to all residential units to the east of the site creating a clear boundary from the publicly accessible amenity space to the west of the site and the private residential properties to the east.
- 8.32 In overall terms the proposals meets the high design standards required by policy and is considered to provide a positive integration between the existing and proposed environment. The bulk and height of the proposed development are considered to be sensitive to the adjacent built form and respond positively to the street scene. The development therefore accords with the requirements of saved UDP policies DEV1 and DEV2 and policies DEV1, DEV2, and DEV4 of the IPG, which seeks to ensure development proposals are appropriately set within the context of the site and surroundings and do not impact upon neighbouring amenity.

### **Amenity of Existing Residents**

#### Daylight and Sunlight

- 8.33 Saved policy DEV2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that policy DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.34 Policy DEV1 of the IPG states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms. This policy is supported by policy SP10 of the Core Strategy 2010.
- 8.35 Policy 7.6 of the London Plan refers to the design and impact of large scale buildings and includes the requirement that in residential environments particular attention should be paid to privacy, amenity and overshadowing.
- 8.36 The application is accompanied by a Sunlight and Daylight Assessment. The assessment analysed the effect of the proposed development on the daylight and sunlight amenity to the following properties.
- 413-417 Westferry Road
  - 292 Westferry Road
- 8.37 The properties are located to the northwest of the proposed new build development. The assessment was undertaken following the British Research Establishment (BRE) Guidelines. An assessment of Vertical Sky Component (VSC) and Daylight Distribution, and where room sizes were known the Average Daylight Factors (ADF) were also analysed to the windows of neighbouring properties.
- 8.38 Whilst some of the windows fail to meet the VSC guidelines, all windows meet the ADF levels required by the BRE guidelines within the adjoining existing residential properties.
- 8.39 Whilst the proposal would result in a slight reduction of availability of daylight into rooms at 417 Westferry Road, the change is considered to be marginal and the is outweighed by the benefits of the proposal bringing forward much needed housing within the borough to increase housing stocks.

#### **Sunlight**

- 8.40 In assessing the Sunlight impact as a result of the proposed development, again 417 Westferry Road is the only property affected. The assessment shows that every window

would achieve 25% of Annual Probable Sunlight Hours (APSH), with the exception of 1 room, which serves a kitchen. This window does however meet the ADF criteria in Daylight. 2 rooms out of 7 will not meet 5% APSH during the winter months, these rooms serve a kitchen and a dining room and both rooms do meet the ADF criteria in Daylight, however it is nearly impossible to achieve the winter APSH target in urban areas.

- 8.41 Considering the context of the area, and the benefits of the scheme, it is considered that on balance, the minimal impact of sunlight and daylight to the neighbouring properties do not outweigh the benefits of the scheme.

#### Privacy/Overbearing Development

- 8.42 Saved UDP Policy DEV 2 requires that new development should be designed to ensure that there is sufficient privacy for neighbouring residents. The policy states that a distance of 18m between opposing habitable rooms reduces inter-visibility to a degree acceptable to most people. The main issue is whether the proposed development will provide this level of privacy, particularly with regard to residential properties at 413-417 Westferry Road.
- 8.43 A separation distance of 13metres is the maximum which could be achieved as part of the proposals, between the rear of the application site and 413-417 Westferry Road. There are windows serving habitable rooms located in the eastern elevation of the Westferry Road properties which would face onto the rear elevation of the proposed development.
- 8.44 The proposed development has sought to mitigate the impact of the proposed development by re-arranging the floor area to provide non-habitable rooms, including bathrooms and kitchens to the rear of the site, facing the properties at 413-417 Westferry Road. In order to protect future residents from any perceived overlooking and loss of privacy, it is proposed to impose a condition requiring all windows within the rear elevation to be obscure glazed.
- 8.45 There are no windows within the flank elevation of 1 Chapel House Street and directly adjoining the site, the development does not project beyond the rear building line, therefore this relationship is also considered to be acceptable.
- 8.46 There is an adequate separation distance which exceeds the council guidelines of 18metres along the eastern Chapel House Street frontage of the site and the south Westferry Street frontage of the site.
- 8.47 The proposal accords with saved policy DEV2 of the UDP 1998, policy SP10 of the Core Strategy 2010 and policy DEV1 of the IPG 2007 which seek to protect the amenity of existing residents.

#### **Amenity of future occupiers**

##### Standard of Accommodation

- 8.48 London Plan policy 3.5 seeks quality in new housing provision. London Plan policy 3.5 and saved UDP policy HSG13 requires new development to make adequate provision of internal residential space.

##### Floorspace

- 8.49 Policy 3.5 of the London Plan 2011 sets out the floorspace standards for all new developments within London. Policy HSG13 of the Unitary Development Plan 1998 also requires developments to make adequate provision of internal space.
- 8.50 Three of the eight new residential units are slightly below the floorspace standards however they are only 1-3 square metres below the required floorspace standards. On balance it is considered that the proposal provides an adequate standard of accommodation to meet the requirements for future residential occupiers in accordance with policy 3.5 of the London Plan 2011 and saved policy HSG13 of the Unitary Development Plan 1998.

### Residential Amenity Space

- 8.51 Saved UDP policy HSG 16 (Housing Amenity Space) requires that new development should make adequate provision of amenity space. Interim Planning Guidance Policy HSG7 sets minimum space standards for the provision of private in new developments.
- 8.52 In total, the application proposes 135.5 square metres of private amenity space, with each individual unit provided with private amenity space, in the form of balconies for the flats on the upper floors and garden space for the ground level accommodation. When expressed as a cumulative total the level of private amenity space provision is in excess of the policy requirement. The proposal is considered to accord with policy HSG7 of the IPG 2007 and saved policy HSG 16 of the UDP 1998.
- 8.53 The application also proposes to upgrade an area of publicly accessibly open space located to the west of the site.

### Refuse and recycling

- 8.54 Provision is made for refuse and recycling in stores located at ground floor level to serve the residential units. The stores are satisfactory and accord with requirements of saved UDP policy DEV55 and policy SO14 of the Core Strategy 2010, which seeks to ensure development makes adequate provision for the collection and storage of refuse.

### Daylight and Sunlight

- 8.55 The residential accommodation has been provided with larger than average windows to provide as much light in to the new residential units as possible. Each of the properties are also dual aspect which provides high quality accommodation which is seldom found in urban locations. The layout and quality of the proposed accommodation would provide suitable accommodation for future residents.
- 8.56 The submitted study shows that the development will have some minor daylight impact on some rooms. However, given the urban context and as no substantial adverse impact is expected by way of loss of light, the proposals is acceptable in terms of UDP policy DEV2, Core Strategy policy SP10 and IPG policy DEV1.

### Noise / disturbance

- 8.57 Saved Policy DEV50 of the UDP (1998) and policy SP10 of the Core strategy 2010 states that the Council will consider the level of noise from a development as a material consideration. This policy is particularly relevant to construction noise during the development phase. To ensure compliance with this policy conditions would be placed on any permission restricting construction works to standard hours.

### **Transportation**

- 8.58 The site falls in an area with a public transport accessibility level (PTAL) of 3. The nearest bus stop is on Westferry Road, directly outside the application site. Bus routes D3 and D7 run from outside the application site and the 135 route also runs from relatively close to the site. The DLR station is located at Island Gardens which is a 5 minute walk from the site.
- 8.59 National guidance on transport provision is given in PPG13: Transport. London Plan polices 6.1, 6.3, 6.9, 6.10, 6.13 IPG policies DEV16, DEV17, DEV18 and DEV19 (2007) and Core Strategy policy SP09 (2010) in broad terms seek to promote more sustainable modes of transport by reducing car-parking and improving public transport.
- 8.60 Saved UDP policy T16 requires that consideration is given to the traffic impact of operational requirements of a proposed use and T18 seeks to ensure priority is given to the safety and convenience of pedestrians.

### Access and Servicing



- 8.61 The application proposes to close the existing vehicular access provide a car and permit free development at the application site to prevent any on-street exacerbation on parking stress. The Local Planning Authority and the Highways team support this proposal.

#### Cycle Parking

- 8.62 The application proposes 9 secure and covered cycle parking spaces for the residential units and visitors. These are located in separate stores within the development The provision meets the standards for residential developments and visitor parking specified in IPG policy standards. The level of provision accords with London Plan policy 6.9 and IPG policy DEV16 and is acceptable.

#### **Others**

##### Trees

- 8.62 In accordance with policy DEV15 of the UDP 1998, policy DEV13 of the IPG 2007 and policy SP10 of the Core Strategy 2010 the application has been submitted alongside an Arboricultural assessment. The planning application proposes the removal of one tree within the existing open space located to the west of the site. The council propose to seek the re-provision of this tree through imposition of a condition.

##### Renewable Energy and Energy Efficiency

- 8.64 London Plan energy policies aim to reduce carbon emissions by requiring the incorporation of energy efficient design and renewable energy technologies. Policy 5.2 and 5.7 state that new developments should achieve a reduction in carbon dioxide emissions of 40%. IPG policies DEV5 and DEV6 and Core Strategy policy SP11 have similar aims to London Plan policy.
- 8.65 The application is accompanied with an Energy Statement produced by energy Council. This details that the development will use energy efficient boiler systems within the proposed units and install PV panels. The residential units would be completed to Code for Sustainable Homes Level 3.
- 8.66 The measures outlined are expected to reduce CO2 emissions from the site by 23.6%. This is considered acceptable and would be secured by condition.

##### Site Contamination

- 8.67 In accordance with the requirements of PPS23, saved UDP policy DEV51 and IPG policy DEV22 the application has been accompanied by an Assessment of Ground Conditions to assess whether the site is likely to be contaminated. The study has been reviewed by the Council's Environmental Health Officer who has concluded that there is a potential threat of contamination. The study identifies the need for further intrusive investigations and this, and any necessary mitigation, would be required by condition.

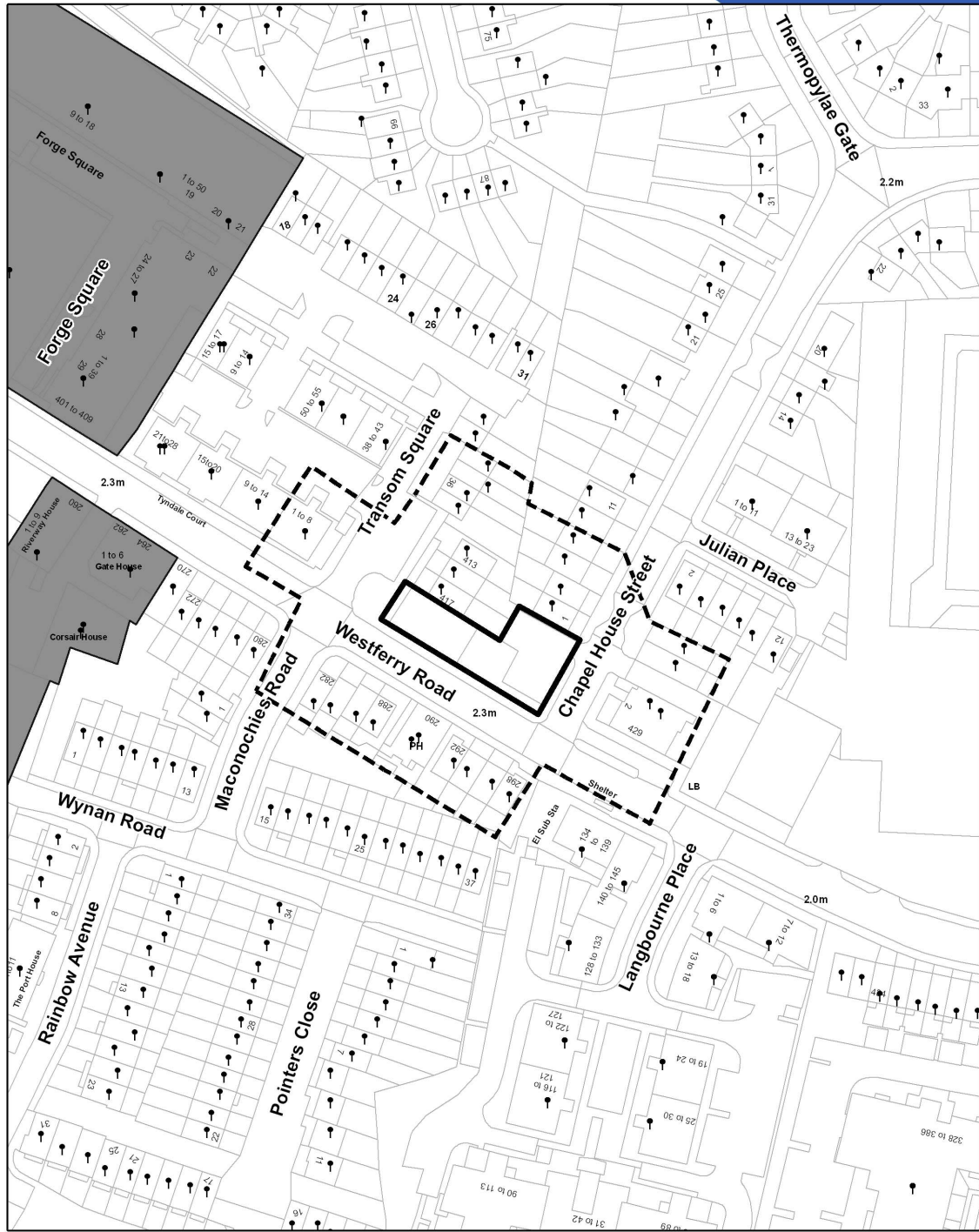
##### Flooding

- 8.68 In accordance with the requirements of PPS25, saved policy DEV8 of the IPG 2007 and objective SO13 of the Core Strategy 2010, the application has been accompanied by a Flood Risk Assessment. Whilst the Environment Agency have raised no objection with regard to Flood Risk at the site, it has been identified that the design of the development is required to be completed at a certain AOD level in order to ensure suitable flood protection at the site. A condition will be imposed to ensure this.

#### **9.0 Conclusions**

All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

# Planning Application Site Map



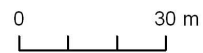
Planning Application Site Boundary

Locally Listed Buildings

Land Parcel Address

Consultation Area

Statutory Listed Buildings



1:1,250

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.

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