

Development Committee	Date: 15 th September 2015	Classification: Unrestricted	Agenda Item Number:
------------------------------	--	--	----------------------------

Report of: Corporate Director of Development and Renewal	Title: Planning Application for Decision Ref No: PA/14/00662 Ward: Bethnal Green
Case Officer: Gerard McCormack	

1. **APPLICATION DETAILS**

Location: 113-115 Roman Road, London, E2 0QN

Existing Use: Three storey thirteen bedroom hotel.

Proposal: Demolition of existing three storey 13 bedroom hotel and construction of a new four storey (including roof extension and basement) building dropping down to three and one storey at the rear to create a 31 bedroom hotel with no primary cooking on the premises.

Drawing and documents: Document entitled 'Design and Access Statement Heritage Daylight and Assessment Photographs of how the building will look from the front after it has been completed

Sheet 1 P055.13 Rev A
Sheet 2 P055.13 Rev D
Sheet 3 P055.13 Rev C
Sheet 4 P055.13 Rev C
Sheet 5 P055.13 Rev C
Sheet 6 P055.13 Rev B

Applicant: Mr Erich Wessels

Ownership: Mr M Butt

Historic Building: N/A

Conservation Area: The Globe Road Conservation Area

2.0 BACKGROUND

- 2.1 This application proposal was reported to the Development Committee on the 24th July 2014 with officers' recommendation for **APPROVAL**. The Committee resolved **NOT TO ACCEPT** officers' recommendation.
- 2.2 Officers recorded that Members were minded to **REFUSE** permission for the scheme due to concerns in the following areas:
- (i) Adverse impact on overlooking.
 - (ii) Loss of daylight and sunlight from the proposal
 - (iii) The proposal would not preserve or enhance the character or appearance of the Globe Road Conservation Area.
 - (iv) Bulk and mass of the proposal excessive in terms of the overall proposal and in particularly the southern and middle part of the proposal.
 - (v) Detrimental impact on the environment.
- 2.1 The application was **DEFERRED** to enable officers to prepare a supplementary report setting out and providing commentary on the detailed reasons for refusal.

3. COMMITTEE'S PROPOSED REASONS FOR REFUSAL

Reasons (i) and (ii) - impact on overlooking and loss of daylight and sunlight from the proposal.

- 3.1 The proposed development has been designed so that there would be no hotel bedroom windows directly facing adjoining residential properties. Stair cores on the eastern elevation of the development would be fitted with obscure glazing and only used in an emergency.
- 3.2 The proposed development does include a flat roof area which would be accessible to occupiers of the hotel, situated on the rear most element at second floor level. However given the relationship of this element of the site to surrounding residential properties on Roman Road and flats to the north in Hartley Street, combined with the fact that it would be on the lowest part of the proposed building, officers conclude that any overlooking that might occur would be negligible in terms of causing harm to residential enmity. In conclusion officers consider that a reason for refusal based on overlooking could not be substantiated.
- 3.3 Officers note Members' and Residents' concerns with regard to the possibility of there being a loss of sunlight and daylight to neighbouring properties. Following the committee meeting further analysis has been undertaken with regard to the applicant's daylight and sunlight report. The report follows the methodology set out in the Building Research Establishment (BRE) "Site layout planning for daylight and sunlight" guidelines. The report tests the effect on daylight and sunlight to the nearest habitable rooms affected by the proposed development – three habitable room windows at 111 Roman Road.
- 3.4 The principal measure of the effect on day-lighting is the Vertical Sky Component (VSC) test. The BRE guidelines state that a VSC Of 27% or above provides good day-lighting to habitable rooms and that any reduction of 20% or below is unlikely to be noticeable.
- 3.5 The report shows that two of the three nearest habitable room windows at 111 Roman Road would retain a VSC above 27% with the proposed development in

place and that the third window has a VSC which is already below 27% but would at experience a reduction in VSC of only 17%. Therefore on the primary VSC test all windows would pass the BRE guidelines.

- 3.6 In terms of sunlight the BRE guidelines indicates that windows should be tested where they would be within 90 degrees of due south. All rear windows at 111 Roman Road face within 90 degrees of due north and hence do not receive direct sunlight. Therefore the report correctly concludes that there would be no direct effect on sunlight to habitable rooms at 111 Roman Road.
- 3.7 The report has been re-assessed by the principal scientific officer within the Environment Health Service who has confirmed they are happy with the methodology used in the report and its conclusions.
- 3.8 It is their professional opinion that there would be no demonstrable impact on any of the surrounding buildings or environment in terms of daylight and sunlight, and as such they would not be prepared to support a reason for refusal. For this reason it is unlikely that a reason relating to impact on daylight and sunlight could be defended on appeal. Other impacts on residential amenity are discussed in paragraphs 3.22-3.26 of this report.

Reason (iii) - the proposal would not preserve or enhance the character or appearance of the Globe Road Conservation Area

- 3.9 The previous report to committee explained that the existing building at 115 Roman Road did not in itself make a positive contribution to the character and appearance of Globe Road conservation area and that the replacement building was of a high quality design that would preserve and enhance the character and appearance of the Conservation Area.
- 3.10 The Committee did not agree with this assessment and were of the view that the proposed development would not preserve or enhance the character and appearance of the conservation area and therefore could not justify the loss of the existing building.
- 3.11 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas. This approach is reflected in policies within the National Planning Policy Framework and the Local Plan.
- 3.12 Officers maintain their view that the existing building makes a limited contribution itself to the overall character and appearance of the conservation area and that redevelopment would be acceptable in principle providing that the replacement building was of a sufficient quality to preserve or enhance the character and appearance of the Conservation Area.
- 3.13 However given the view of the Committee in considering the effect of the new development on the character and appearance of the Conservation Area, officers have reviewed the previous recommendation and the overall design quality of the proposed building, taking further advice from the Borough Conservation Officer. His advice is summarised in the following paragraphs, 3.14-3.18.

- 3.14 The existing property forms part of a long continuous row of terraces along the north side of Roman Road. Both this row and the row immediately to the west are characterised by narrow plot widths. The row was evidently developed piecemeal given that they are in individual plots or very small groups and there are many subtle difference in terms of parapet heights and floor levels which add visual interest. The consistent use of brick and sash windows is a strong unifying feature. Overall the terrace forms an attractive part of the Conservation Area street scene where individual buildings sit comfortably within a subtly varied whole.
- 3.15 In terms of overall architectural character the buildings are low key. The position on a commercial street (rather than a residential side street) is denoted by the larger scale but there is a noticeable lack of superfluous architectural decoration. Simple architectural details are a characteristic feature of the conservation area. A small number of properties (including the properties immediately to the east of the site) feature slightly more elaborate architectural decoration but this is not an overall characteristic. Many of the shop-fronts are relatively modern with pilasters marking the original plot divisions, maintaining a certain rhythm and building “grain” at ground floor level. This is an important rhythmic element in the street scene.
- 3.16 The proposed ground floor treatment is particularly inappropriate with a heavy, out of character central entrance on the line of the historic plot boundary which disrupts the historic ground floor rhythm.
- 3.17 The proposed steep ‘mansard’ roof with four dormer windows unites the two historic plots into a visual whole giving the front elevation a visually heavy appearance. Where other dormers/‘mansard’ roofs have been added they have been on single plot width properties. Mansards are not a historic characteristic of the buildings on Roman Road within the Globe Road Conservation Area.
- 3.18 There have been many very large rear extensions along this part of Roman Road but the current proposal seems to go a step further than previous permissions in terms of overall mass and bulk, length and overall plot coverage.
- 3.19 The overall design of the front elevation has some merit. For example the height of the front part of proposed development would provide a transition from the lower height buildings to the west and the taller three and four storey buildings immediately east and the proposed brickwork would match the general pattern of materials on this frontage. However the proposed design and appearance would include a number of features identified above that would detract from overall character, including the mansard roof, front dormer windows, ground floor projecting bay windows and entrance arrangements.
- 3.20 Furthermore, the proposed ground floor arrangement would not relate well to the street scene, with lack of active shop fronts, the dominant central entrance door, porch and canopy plus a horizontal emphasis that jars with the rhythm along this part of Roman Road including the current building which despite having a single address reads as two units at ground floor.
- 3.21 The Committee also raised concerns about the way that the overall bulk and scale of the building would affect the character and appearance of the conservation Area. Many Roman Road properties have been extended or significantly altered with variety of differently sized and designed large rear wings or outhouses. Whilst the frontage exhibits a strong rhythm, there is no such consistent character in built form at the rear of these properties. The proposed building would certainly be one of the

larger examples of plot development in terms of extent, bulk, height and overall coverage, it would not be visible from public spaces within the Conservation Area and would be visible only in limited views from public areas outside of the Conservation Area. The proposals incorporate a stepped profile, reducing from four, to three and then two storeys towards the rear which reduces the overall mass.

- 3.22 In conclusion officers consider that the demolition of the existing building and its replacement with a larger building, would fail to preserve or enhance the character and appearance of Globe Road Conservation Area, by reasons of inappropriate and poor quality design, the appearance of the front elevation and the effect on the rhythm of plot frontages along Roman Road. However, on balance it would not be possible to sustain a reason for refusal based on the effect of the overall scale and bulk of the building on the character and appearance of the Conservation Area.

Reason (iv) - Bulk and mass of the proposal excessive in terms of the overall proposal and in particularly the southern and middle part of the proposal.

- 3.23 Notwithstanding the conclusions in this report with regard to the effect of the development on daylight and sunlight and the character and appearance of the Conservation Area, the proposed building height and mass would result in a four storey flank wall enclosing the L- shaped gap between the main rear elevation of 111 Roman Road and the three storey outbuilding, which is 3 metres deep on the western elevation and 8 metres deep on the eastern elevation.
- 3.24 This space provides daylight to a first floor kitchen window and a second floor bedroom window at 111 Roman Road. The outlook from these windows is already compromised by the presence of the three storey outbuilding to the north. Oblique views to the west across a ground floor infill extension and single storey rear wing at 109 Roman Road, would not be affected, however the proposed development would create a much greater sense of enclosure around this small space and the only source of daylight and outlook for users of the habitable rooms in the main part of 111 Roman Road.
- 3.25 Policy DM 25 of the Managing Development DPD requires new development to protect and where possible improve the amenity of surrounding existing and future residents and building occupants. Amongst other things the policy makes reference to development not resulting in an “unacceptable increase in the sense of enclosure”.
- 3.26 Whilst analysis shows that there would be no technical effect on daylight or sunlight the bulk, height and massing of the extension at the rear of the property would harm the amenity of occupiers of the living accommodation at 111 Roman Road with occupiers experiencing an increased sense of enclosure due to the height of the proposed development and its position on the boundary line.

Reason (v) – effect on the environment

- 3.27 The previous report did not identify any specific effects on the environment and the Committee did not identify any additional effects over and above those set out above. There were objections on the basis of the adverse effect from overshadowing on an adjacent sedum roof belonging to a business at 119 Roman Road (situated on a building to the rear of 117 Roman Road), however the applicant’s daylight and sunlight report refers to overshadowing and confirms officer’s view that there would be no adverse impact on the green roof. The Council’s Biodiversity officer has also reviewed the proposals and raised no objection in this respect.

- 3.28 As the main effects on the environment relate to the effect on amenity and the character and appearance of Globe Road Conservation Area, it would be inappropriate to recommend a separate additional reason.
- 3.29 The benefits of the proposal, as identified in the original recommendation report to the planning committee, have been considered, but members are entitled to conclude that these are not sufficient to outweigh the harm identified above. Where there is considered to be harm to a conservation area a decision maker must give considerable weight to avoiding that harm.

4.0 IMPLICATIONS OF THE DECISION

4.1 Should Members decide to re-affirm their previous resolution and refuse planning permission, there are a number of possibilities open to the Applicant. These would include (but would not be limited to):

- Resubmit an amended scheme to attempt to overcome the reasons for refusal.
- Lodge an appeal against the refusal of the scheme.

4.2 Planning Inspectorate guidance on appeals sets out that:

“Planning authorities are not bound to accept the recommendations of their officers. However, if officers’ professional or technical advice is not followed, authorities will need to show reasonable planning grounds for taking a contrary decision and produce relevant evidence on appeal to support the decision in all respects. If they fail to do so, costs may be awarded against the Council”.

4.3 Whatever the outcome, your officers will seek to robustly defend any appeal.

5.0 RECOMMENDATION

5.1 Officers’ original recommendation as at 24th July 2014 to **GRANT** planning permission remains unchanged.

5.2 However if members are minded to **REFUSE** planning permission then the following reasons for refusal are suggested.

- 1) Some effect on residential amenity would be acceptable in an inner city area such as this, provided that an acceptable level of privacy, visual outlook, daylight and amenity standards are maintained. This proposal given its height, bulk, mass and plot coverage of the whole development would have an overbearing effect on the visual outlook, sense of enclosure of the occupiers of neighbouring properties in particular 111 Roman Road, resulting in and unacceptable reduction in the quality of their living condition, contrary to adopted policy SP10 of the Core Strategy (2010) and policies DM24 and DM25 of the Managing Development Document (2013).
- 2) The demolition of the existing building and its replacement with a larger building, would fail to preserve or enhance the character and appearance of Globe Road Conservation Area, by reasons of inappropriate and poor quality design, the appearance of the front elevation and the effect on the rhythm of plot frontages along Roman Road. In this respect the development fails to pay special regard to the desirability of preserving or enhancing the character and appearance of the

Globe Road Conservation Area and buildings within it. The proposal is therefore contrary to policies 7.8 (C and D) of the London Plan (2011), SP10 of the Core Strategy (2010), DM27 of the Managing Development Plan (2013) and the guidance given in paragraph 134 of the National Planning Policy Framework (2012).

6 APPENDICES

7.1 Appendix One - Report to Development Committee 24th July 2014.

Appendix 1

Committee: Development Committee	Date: 24 th July 2014	Classification: Unrestricted	Agenda Item Number:
---	--	--	----------------------------

Report of: Corporate Director of Development and Renewal	Title: Planning Application for Decision Ref No: PA/14/00662
Case Officer: Gerard McCormack	Ward: Bethnal Green

2. APPLICATION DETAILS

Location: 113-115 Roman Road, London, E2 0QN

Existing Use: Three storey thirteen bedroom hotel.

Proposal: Demolition of existing three storey 13 bedroom hotel and construction of a new four storey (including roof extension and basement) building dropping down to three and one storey at the rear to create a 31 bedroom hotel with no primary cooking on the premises.

Drawing and documents: Document entitled 'Design and Access Statement Heritage Daylight and Assessment Photographs of how the building will look from the front after it has been completed

Sheet 1 P055.13 Rev A
Sheet 2 P055.13 Rev D
Sheet 3 P055.13 Rev C
Sheet 4 P055.13 Rev C
Sheet 5 P055.13 Rev C
Sheet 6 P055.13 Rev B

Applicant: Mr Erich Wessels

Ownership: Mr M Butt

Historic Building: N/A

Conservation Area: The Globe Road Conservation Area

3. EXECUTIVE SUMMARY

- 3.1. The Local Planning Authority has considered the particular circumstances of these applications against the Development Plan, national, regional and local guidance and other material planning considerations as set out in this report and recommends the approval of planning permission for the reasons set out in the 'Material Planning Considerations' section of this report.
- 3.2. The proposal seeks permission for the demolition of the existing hotel and its replacement with a taller four storey block at the front, dropping to three and one storey at the rear with a basement underneath. The proposal is an appropriate form of development in a sustainable location, which would not harm the living conditions of neighbouring occupiers. The development will serve to enhance the character and appearance of the Globe Road Conservation Area and subject to conditions, would be acceptable in all other respects.

4. RECOMMENDATION

- 4.1. That the Committee resolve to GRANT planning permission subject to appropriate safeguarding conditions:
- 4.2. That the Corporate Director for Development & Renewal is given delegated authority to impose the following conditions and informatives (or add or remove conditions acting within normal delegated authority) in relation to the planning permission on the following matters:-
- 4.3. **Conditions**

Compliance Conditions	
1.	Three year time limit
2.	Compliance with approved plans and documents
3.	Hours of Building Works (8.00am to 6.00pm Monday to Friday. 8.00am to 1.00pm Saturdays. No working on Sundays or Bank Holidays)
4.	Any demolition, hammer driven piling or impact breaking required to carry out the use/development allowed by this consent must only be carried out between the 10.00 and 16.00 hours, Monday to Friday.
5.	The flat roofs of the single storey rear and three storey extension should not be used other than in the event of an emergency to evacuate the building
6.	The Juliet railing in front of the door on the rear elevation which leads onto the roof of the single storey rear extension should remain permanently in place
7.	The cycle storage shown on approved drawing No.P055.13 Rev C shall be provided prior to the occupation of the development and thereafter shall be made permanently available for the

	occupiers of the building.
8.	The bin stores shown on approved drawing No.P055.13 Rev C shall be provided prior to the occupation of the development and thereafter shall be made permanently available for the occupiers of the building.
9.	The fire escape staircases should be used only in the event of fire and for no other purpose.
10	No primary cooking to be undertaken with the premises
Submission of Details Prior to Commencement / Prior to Commencement Relevant Part of the Development	
11.	Construction Management Plan
12.	Demolition Management Plan
13.	Hotel Management Plan
14.	<p>Prior to the commencement of works on site, full particulars of the samples of the materials including glazing, balconies and roof top amenity area to be used on the external face of the buildings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The development shall not be carried out other than in accordance with the particulars thus approved.</p>
15.	No air conditioning condenser units shall be installed until full details of the units, including their position, technical specification and means of attenuation, together with an associated Noise Impact Assessment, has been submitted to and approved in writing by the Local Planning Authority.
Submission of Details Prior to Occupation	
16.	Delivery and Service Management Plan
17.	The development shall not be occupied until a scheme for the repair update and maintenance of the public highway by the Council has been submitted to and approved in writing by the Council

4.4. Informatives

1.	CIL liability
2.	The development shall not be occupied until the Owner, his agents or representatives shall through a Section 278 Agreement of the Highway Act 1980, or any other means agreed with the Highway Authority, secure the cost for any damage or changes caused to the public highway adjacent/surrounding to the development during any preparatory operation or the implementation of the Planning permission.

5. PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1. The application seeks planning permission for the demolition the existing hotel and its replacement with a new 31 bedroom hotel. The replacement building would consist of a four storey block at the front, dropping to three storeys in the middle and a single storey element at the rear.
- 5.2. The proposed basement would accommodate the restaurant area, kitchen, store, three en-suite bedrooms and toilet facilities. Light would be provided to the two rear bedrooms numbered 29 and 30 from a light well with bedroom 31 receiving light from a roof light above. The applicant has advised that they do not intend to cook within the premises preferring to provide a cold breakfast option to guests instead, so an extraction flue is not required.
- 5.3. At ground floor level eight bedrooms with en-suites, two of which would be wheelchair accessible and reception area are proposed. A further eight en-suite rooms are proposed at first and second floor levels and four en-suite bedrooms would be provided within the roof dormers in the block at the front.
- 5.4. Between each of the blocks, means of escape in the event of a fire would be provided by an enclosed staircase.

Site and Surroundings

- 5.5. The application site is located on the northern side of Roman Road where there is a mixture of building heights ranging from two to five storeys. The hotel is set within a vibrant mixed use area with residential and office units in the main provided above ground floor commercial units. The neighbouring property to the west No 111 is a three storey building which benefits from recently completed three storey rear addition which the proposed three storey block would be positioned slightly beyond. Currently this building is in use as A5 takeaway on the ground floor with residential above. Number 115a the neighbouring property to the east is a hotel which is a part three, part four storey Victorian building.
- 5.6. To the north and north-west between Hartley Street is a 1950's housing estate. There is also a narrow private roadway which runs from Hartley Street to rear flats of Pepys house. The road way runs along the west side of the application site and was until recently separated from it by a high brick wall.
- 5.7. The site is located within the Globe Road Conservation Area and also forms part of a District Centre as defined in the Core Strategy.
- 5.8. The site is located in a sustainable inner City location with a very high Public Transport Accessibility Level (PTAL) of 6a, and Bethnal Green underground station is within 500 metres which is roughly a five minute walk.

- 6.13 – Parking
- 7.2 – An Inclusive Environment
- 7.4 – Local Character
- 7.8 – Heritage Assets and Archaeology

6.4. Tower Hamlets Core Strategy (adopted September 2010) (CS)

- SP01 – Refocusing on our Town Centres
- SP03 – Creating Healthy and Liveable Neighbourhoods
- SP05 – Dealing With Waste
- SP06 – Delivering Successful Employment Hubs
- SP09 – Creating Attractive and Safe Streets and Spaces
- SP10 – Creating Distinct and Durable Places
- SP11 – Working Towards a Zero-carbon Borough
- SP12 – Delivering Placemaking

6.5. Managing Development Document (adopted April 2013) (MDD)

- DM1 – Development within the Town Centre Hierarchy
- DM7 – Short Stay Accommodation
- DM14 – Managing Waste
- DM15 – Local Job Creation and Investment
- DM20 – Supporting a Sustainable Transport Network
- DM22 – Parking
- DM23 – Streets and the Public Realm
- DM24 – Place-sensitive Design
- DM25 – Amenity
- DM27 – Heritage and the Historic Environment
- DM29 – Achieving a Zero-carbon Borough and Addressing Climate Change

6.6. Other Relevant Documents

The Globe Road Conservation Area Character Appraisal and Management Guidelines, LBTH (2009)

Accessible Hotels in London, Mayor of London (2010)

7. CONSULTATION RESPONSE

7.1. The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

7.2. The following were consulted regarding the application:

7.3. Internal Consultees

Transportation and highways

- 7.4. After initial comments from Highways and Transportation the proposal has been amended to incorporate six covered cycle stands within the rear yard separated from the bin stores by a planted area.
- 7.5. Following the above amendment and subject to a Construction Management Plan being required by condition the Highways and Transportation Group have no objection to the proposal.

Waste Management

- 7.6. After initial comments from the waste team the proposal has been amended to increase the number of bin stores provided on site. Following this amendment and subject to a condition that the bin stores will be retained as shown on the approved plan there are no objections to the proposal.

Environmental Health – Noise and Vibration

- 7.7. As no extraction system is proposed for the kitchen the development is acceptable.

Building Control

- 7.8. The proposal has been amended to address concerns raised by building control, with the fire escape stair cases now fully enclosed, the bedroom windows within the stair cases fixed shut and fire resisting/insulated.

Corporate Access Officer

- 7.9. The proposal has been amended to address the concerns of the access officer with three wheelchair accessible bedrooms now provided and the communal swinging doors enlarged to provide better wheelchair access.

Conservation Officer Comments

- 7.10. Satisfied that the existing building offers little to the overall character and appearance of The Globe Road Conservation Area. The design and style of the proposed building would enhance the conservation.

Neighbours Representations

- 7.11. 61 planning notification letters were sent to nearby properties and they were re-consulted following the submission of further details from the applicant. Press and site notices were also displayed. In total, 15 objections were received including a representation from Councillor Amy Whitelock Gibbs and a signed petition.

A summary of the objections received

- 7.12. The proposal would extend past the rear building line of neighbouring properties to the detriment of the character and appearance of the conservation area.

Officer's response – This is assessed in the material planning considerations section of the report

- 7.13. The combination of the height and depth of the proposed building would lead to a loss of light and cause overshadowing of neighbouring properties which would adversely impact on the living standards of occupants.

Officer's response – This is assessed in the material planning considerations section of the report

- 7.14. The current owners have acted without planning permission in the past knocking down a perimeter wall and erecting a lean to extension within the rear yard.

Officer's response – This is not a matter that can be considered in the determination of this application.

- 7.15. If the application is approved building works would be carried outside of normal working hours.

Officer's response – A condition is attached restricting hours of working. In addition the Council's Environmental Health team can take action using powers under Section 60 Control of Pollution Act 1974 and Section 61 Control of Pollution Act 1974.

- 7.16. There would be an increase in anti-social behaviour and noise disturbance from the extra guests using the hotel and congregating outside.

Officer's response – A condition is attached requiring a hotel management plan to be submitted and approved prior to the hotel being opened which will outline how these concerns will be addressed.

- 7.17. Impacts of loss of light to the green roof of the neighbouring property have not been considered as part of the daylight and sunlight report submitted with this application.

Officer's response – Due to the orientation of the sun over half the roof terrace would receive more than two hours of sunlight on the 21st March, which is considered acceptable and in accordance with the BRE guidelines for overshadowing of gardens and public amenity areas.

- 7.18. The fire escape staircases would be used by hotel guest to access rooms allowing opportunities to overlook neighbouring properties.

Officer's response – A condition will be attached preventing the staircase from being used by guests other than in the event of an emergency.

- 7.19. The three storey block would have a significant impact on the neighbouring amenity in terms of loss of outlook.

Officer's response – This is assessed in the material planning considerations section of the report

- 7.20. There is a risk the building works would lead to subsidence to neighbouring properties.

Officer's response – This is not a planning related matter and is something that can be controlled under other legislation.

- 7.21. Neighbouring resident's right to light would be impinged by this development.

Officer's response – 'Right to light' is a civil matter between the interested parties and not a planning consideration. However, an assessment in respect of the impact on light as assessed against planning policy and guidance is included in the material considerations section below.

- 7.22. With the increased numbers of guests there would be an increased build-up of waste, litter and commercial odours.

Officer's response – The waste disposal and storage arrangements have been assessed and are acceptable.

- 7.23. Risk of fire and rodents due to close proximity of roof terrace, three storey staircase and litter being thrown from roof and concerns about the number of people using the terrace.

Officer's response – Customers of the hotel would be prevented from accessing the roof terraces by a Juliet balcony rail and a condition will be attached preventing customers from using this space other than in the event of an emergency.

- 7.24. The proposal would due to its height mass and bulk would not be in keeping with the prevailing pattern of development in the area notably the rooflines of neighbouring properties.

Officer's response – This is assessed in the material planning considerations section of the report

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1. The main planning issues raised by the application that the committee must consider are:

Land Use

Proposal

- 8.2. The proposal seeks permission for the demolition of the existing hotel and its replacement with a taller four storey block at the front, dropping to three and one storey at the rear with a basement underneath.

Proposed increase in the C1 Hotel use

Policy Context

Globe Town Vision

- 8.3. The Core Strategy vision for the Place of Globe Town (SP12 Annex) states: Enhance the town centre through improving the market and streetscape. Roman Road West town centre will be an inviting place for people to spend time and enjoy the shops, cafes and restaurants. New development will open up access to Regents Canal and Mile End Park. Priorities include improving the quality of the public square along Roman Road to make a place that encourages people to spend time there,

reinstate a joined-up street pattern which allows ease of movement, increasing the capacity of the market as well as supporting small-business creation.

Providing a larger hotel on the site

- 8.4. The site is in existing use as a hotel and is within a district centre thus according with Policy SP06 (4) which direct development to appropriate locations for short-stay accommodation. The proposal does not compromise the supply of land for new homes (Policy DM7.1c), and road access is adequate (Policy DM7.1e). An additional 18 bedrooms would be provided, with 31 rooms in total, so the size of the proposed development would be proportionate to its location (Policy DM7.1a).
- 8.5. Taking into account the above, it is considered that the proposed hotel use is acceptable in land use terms, in accordance with Policy SP06 of the adopted Core Strategy (2010), Policy DM7 of the adopted Managing Development Document (2013) and Policy 4.5 of the London Plan (2013). These policies support the provision of new hotels in suitable and sustainable locations within the Borough.
- 8.6. The applicant has confirmed the restaurant area would only be used in the mornings to serve cold continental breakfasts. As it is situated in the basement with no extraction system officers are satisfied that it is an ancillary facility only intended for use by hotel guests. On this basis, this element of the proposal is also considered acceptable and in accordance with the wider policy objectives relating to the provision of hotel accommodation.

Heritage

- 8.7. The Council has a duty when determining planning applications that seek to demolition buildings within Conservation Areas to consider section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states:

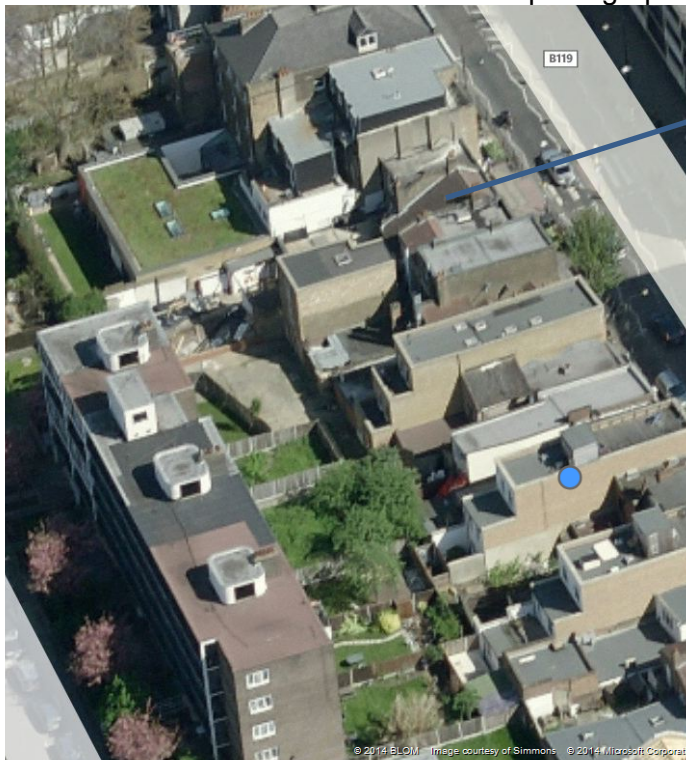
“In the exercise, with respect to any building or other land in a conservation area, of any functions under or by virtue of any provisions mentioned in subsection (2), special attention shall be paid to the desirability or preserving or enhancing the character or appearance of that area.”
- 8.8. The existing building is bland in appearance and most of its original features have been removed such as the traditional wooden sash windows at the front. Therefore allowing it to be replaced with a well-designed building with many character features would enhance the Globe Road Conservation Area. The conservation officer has been consulted and they are satisfied that there is no public benefit in seeking to retain the existing as its replacement would enhance the Conservation Area.

Design

- 8.9. Policies SP09, SP10 and SP12 of the Core Strategy 2010 and policies DM23, DM24 and DM27 of the Managing Development Document, seek to ensure development is designed to the highest quality standards, using appropriate materials and incorporating principles of good design, to ensure development is sensitive to and enhances the site and local character of the surrounding area, preserving the Borough’s conservation areas.
- 8.10. The existing building offers little to the Globe Road Conservation Area in terms of its overall character and appearance, due to its poor condition, loss of original wooden

windows and non-original addition to the ground floor. The new building would be an improvement as it would contain additional decorative features such as a new front entrance, rendered bands between ground and first floor windows and around the first floor windows themselves, retaining a soldier course above the second floor windows and the front windows being traditional wooden sliding sash. The proposal also incorporates a mansard roof with four lead sheet dormer windows positioned to match the fenestration below and uses natural slate to give it a high quality finish. The majority of the building would be finished in London stock brick which would be appropriate and in keeping with other properties in this area.

- 8.11. Overall it is felt the replacement of the existing building is acceptable and in accordance with policy DM27 which seeks to enhance conservation areas and allows for buildings to be demolished where they have little architectural or historical significance as is the case here.
- 8.12. Nearly all the properties along this section of Roman Road have been extended at the rear into the former external courtyard areas. The extensions predominately range from single storey to three storeys in height and there is no uniform design or character to them as can be seen in the photograph below.



Application premises

- 8.13. The four storey element of the proposal seeks to align with the four storey element No.115a to the east. It then drops to three storeys, marginally projecting past the extension at No.111 before dropping to single storey level. Through the course of the application the applicant reduced the height of the most rearward block from two storeys to single storey, addressing officers concerns about the increased bulk and mass which would have been created by the two storey block at the rear.
- 8.14. In conclusion the amended plans would provide a development which would respond well to the character of the area in terms of overall height, mass and external appearance, subject to appropriate conditions.

Accessibility and Inclusive Design

- 8.15. Policy 4.5 of the London Plan (2013) requires 10 per cent of hotel bedrooms to be wheelchair accessible. The proposed hotel would provide a total of 31 bedrooms, of which three are wheelchair accessible. Two of the wheelchair accessible bedrooms are located in the front building at ground floor level with the third located in the basement within 10m of the lift core shaft. Level access is also provided from the street via a single main entrance to the hotel reception, waiting area, ancillary restaurant and all upper floors. It is considered that the proposed hotel includes adequate means of accessible and inclusive access, in accordance with Policy DM24 of the Council's adopted Managing Development Document (2013) and Policies 4.5 and 7.2 of the London Plan (2013).

Noise and Vibration

- 8.16. The proposal does not include an extraction flue as the applicant does not propose to cook food as guests will only be offered a cold continental breakfast when they stay.
- 8.17. No air conditioning condenser units are shown on the plans and as they are likely to be required, it is recommended that a condition be included to state that no air conditioning condenser units shall be installed until full details of the units, including their position, technical specification and means of attenuation, together with an associated Noise Impact Assessment, has been submitted to and approved in writing by the Local Planning Authority. Subject to this condition, it is considered that the proposed development would not result in undue noise disturbance to neighbouring residents.

Overlooking and Privacy

- 8.18. The site is bounded to the east by another hotel which is a part three, part four storey Victorian building and to the west by a three storey residential block with an A5 unit at ground floor level. There are no windows within the proposed development that directly overlook either of these neighbouring properties and sufficient separation distances are provided to properties at the rear along Hartley Street to ensure overlooking will not be an issue.
- 8.19. Several of the hotel bedrooms have windows facing onto one another where they look onto the fire escape. Whilst some of these rooms have limited outlook and there is a potential for overlooking, given the nature of the proposed use, this is considered to be acceptable.
- 8.20. Since submission, and in response to concerns raised by residents, the proposal has been amended with railings added in front of the doors used to access the roof terraces at first and third floor levels in order to prevent guests from using these terraced areas other than in the event of an emergency. In addition to the physical barrier, it is recommended a condition be attached preventing the use of these terraces by guests other than in the event of an emergency.

Daylight and sunlight

- 8.21. Guidance relating to daylight and sunlight is contained in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight' (2011).
- 8.22. Policy DM25 of the Managing Development Document (2013) seeks to protect amenity by ensuring development does not in an unacceptable material deterioration

of the sunlight and daylight conditions of surrounding development. Policy DM25 also seeks to ensure adequate levels of light for new residential developments.

Daylight

- 8.23. For calculating daylight to neighbouring properties potentially affected by a proposed development, the primary assessment is the vertical sky component (VSC) method of assessment, together with no sky line (NSL) assessment where internal room layouts are known or can reasonably be assumed. The 2011 BRE guide emphasises the VSC assessment as the primary method of assessment.
- 8.24. The applicant submitted a Daylight and Sunlight assessment which has been reviewed by officers. The submitted daylight and sunlight report assesses the impact of the proposed development upon the following neighbouring properties:
- 111 Roman Road
 - 115a/117 Roman Road
- 8.25. At both neighbouring properties none of the windows tested at the rear fall below the required VSC levels indicated that the impact would be acceptable. Further, the Average Daylight Factor (ADF) test confirms that there will be a very small loss of light and any impact will be negligible. Officers have reviewed the daylight and sunlight report and are satisfied that the proposal does not present any concerns, and that adequate daylight and sunlight levels will be retained to surrounding properties.
- 8.26. Neighbours at No 111 Roman Road have raised concerns that the daylight to the kitchen and dining room at 2nd floor level would be restricted as a result of the proposal. However the light into these rooms has already been compromised due to the construction of a three storey extension at the rear of No 111 Roman Road. The proposed construction at 113-115 Roman Road has a marginal impact of 0.83 to its current daylight factor which is broadly accepted by the industry and is in line with BRE guidelines.

Sunlighting

- 8.27. Sunlight is assessed through the calculation of the annual probably sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winters for windows 90 degrees of due south.
- 8.28. The windows at the rear of 111 and 115a/117 Roman Road are within 90 degrees due north. Pursuant of the BRE guidelines, north facing windows are not considered to have reasonable expectation of sunlight and do not require assessment. The proposed development therefore satisfies the BRE direct sunlight to windows requirements.

Highways

- 8.29. The application site is located approximately 500 metres from Bethnal Green Station and benefits from excellent access to public transport, which is reflected in the sites Public Transport Accessibility Level (PTAL) of 6a. The proposal does not include any provision for on-site car parking and in this sustainable location, this is considered appropriate and in accordance with policy.

- 8.30. The highways team have asked that the submission of a Travel Plan be secured via condition to cover staff and visitors to the development as well as how disabled parking arrangements will operate on a day to day basis.
- 8.31. As the proposed hotel comprises less than 50 guest rooms, there is no requirement to provide coach parking.

Cycle Parking

- 8.32. The Council's cycle parking standards are set out in Appendix 2(1) of the adopted Managing Development Document (2013), which for new hotel uses requires the provision of 1 cycle parking space per 10 staff for employees and 1 cycle parking space per 15 guests for visitors.
- 8.33. The proposal includes the formation of cycle storage in the rear yard of the property which can be accessed through the hotel or from Hartley Street. The cycle store was originally situated next to the bin stores which have been moved to the other side of the rear yard and they are now separated by a planted area. There are 12 covered cycle parking spaces, which exceeds the Council's minimum cycle parking standards for a hotel of this size. The proposed cycle parking arrangements would offer secure, safe and convenient storage and would therefore be acceptable.
- 8.34. It is recommended that a condition be included requiring the submission of full details of the cycle parking stands, which must be retained for the life of the development.
- 8.35. Subject to such a condition, it is considered that the proposals include adequate provision of secure, usable cycle parking facilities, in accordance with the requirement of Policy DM22(4) of the Council's adopted Managing Development Document (2013) and Policy 6.9 of the London Plan (2013).

Refuse and Recyclables Storage

- 8.36. The refuse storage area would be located within the rear yard of the property and the capacity of the bins has been increased following advice from LBTH Waste Policy & Development. The amended scheme has been reviewed and the arrangements would be acceptable.
- 8.37. It is recommended that a condition be included to require the refuse storage facilities to be implemented prior to first occupation of the hotel and to be retained as approved for the life of the development.
- 8.38. Subject to such a condition, it is considered that the proposals include adequate provision of refuse and recyclables storage facilities, in accordance with the requirements of Policy DM14 of the Council's adopted Managing Development Document (2013) and Policy SP05 of the Council's adopted Core Strategy (2010).

9. Equalities

- 8.1 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.2 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

8.3 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

10. Conclusion

10.1. All other relevant policies and considerations have been taken into account. Planning permission **should be granted** for the reasons set out in RECOMMENDATION section of this report